

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

27th Legislative Day

March 20, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by Reverend Daryl Fansler, United Methodist Church, Petersburg, Illinois. Reverend Fansler.

REVEREND DARYL FANSLER:

(Prayer by the Reverend Daryl Fansler)

PRESIDENT PHILIP:

Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move that reading and approval of the Journals of Friday, March 14; Monday, March 17; Tuesday, March 18; and Wednesday, March 19, in the year 1997, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Geo-Karis moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 2 to Senate Bill 910 Be Adopted, Amendment 2 to Senate Bill 1019 and Amendment 1 to Senate Bill 1105 Be Adopted, and Senate Amendment 2 to Senate Resolution 21 Be Adopted.

Senator Fitzgerald, Chair of the Committee on State Government Operations, reports Amendment 1 to Senate Bill 250, Amendment 2 to

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Senate Bill 293 {sic} (593), Amendment 1 to Senate Bill 777, and Amendment 1 to Senate Bill 862 all Be Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Amendment 2 to Senate Bill 645 Be Adopted.

Senator Mahar, Chair of the Committee on Energy -- on Environment and Energy, reports Senate Amendment 2 to Senate Bill 140, Amendment 2 to Senate Bill 299, Amendment 2 to Senate Bill 431, Amendment 2 to Senate Bill 483, Amendment 2 to Senate Bill 700, Amendment 1 to Senate Bill 778, Amendment 2 to Senate Bill 815, Amendment 1 to Senate Bill 934, and Amendment 1 to Senate Bill 996, all Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Amendment 2 to Senate Bill 781 Be Adopted.

And Senator O'Malley, Chair of the Committee on Financial Institutions, reports Amendment 1 to Senate Bill 209 and Amendment 3 to Senate Bill 1044, both Be Adopted.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 38, offered by Senator Dillard and all Members.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

PRESIDING OFFICER: (SENATOR WATSON)

Like to have the attention of the Members. It's the intention of the Chair to do recalls at this time and there's some twenty bills that are on the Recall List. That will be the first order of business. We'd like to get all the Members to the Floor. This is the last day of passage, as I'm sure you're all aware of and that obviously it's the first day of spring. It's a beautiful day. Welcome to Springfield and the Illinois Senate. We're glad

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to have you here today. Senator Dudycz. I beg your pardon. Senator Dudycz, for what purpose do you rise? Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Did you hear that, Walter? He got us confused. Mr. President, along the lines of your announcement this morning that spring is here. Is that what you said this morning? I wanted to point out that the grass has risen, flowers have bloomed, there's leaves on the trees and we have a State Board of Education. So my prediction came true, and I just wanted to point that out to you. Now, Senator Dudycz may have another idea about that. I mean, we don't look that much alike. I can't imagine you mixing the two of us up.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you for that point of interest. Everybody is very enthralled by your announcement. Yes, Senator Dudycz.

SENATOR DUDYCYZ:

Yes, thank you, Mr. President. Senator Demuzio, it's a beautiful day in the neighborhood. Won't you be my neighbor?

PRESIDING OFFICER: (SENATOR WATSON)

It's the intention of the Chair, as we announced earlier, that we are going to go to recalls, and we have about twenty bills that are on recall. We will jump through the Calendar following numerical order, asking each Senator if they wish to have that bill called, and that's where -- what we're about to do. Senator Radogno, do you wish to have Senate Bill 140 returned to 2nd? Senator Radogno seeks leave of the Body to return Senate Bill 140 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, we are on 2nd Reading. Mr. Secretary, please read -- are there any Floor amendments -- considered...

SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you. This amendment simply changes what the penalties would be if a municipality failed to notify adjacent municipalities of a siting hearing. It takes it from being a jurisdictional matter, which would set the whole proceeding back to square one, to bringing it under the fundamental fairness criteria for the siting criteria for local siting. This would remove all the objections that folks had to the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Sorry. I really wasn't paying attention, and I know this bill deals with siting. I was hopeful that the Senator would probably give us another brief explanation as to what this bill does.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

The amendment actually is the bill. Do you want me to explain the -- the whole thing right now?

PRESIDING OFFICER: (SENATOR WATSON)

You could do that on 3rd Reading, I would assume. This is just recall. Any other discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Fitzgerald, for what purpose do you rise?

SENATOR FITZGERALD:

Point of personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator.

SENATOR FITZGERALD:

Yes. In the visitors' gallery behind the President's box, I'd like to introduce to the State Senate some folks from my district in Arlington Heights, the Schambach family; the father, Duane; the daughter, Jeanne; John, Jeremy, and Joshua.

PRESIDING OFFICER: (SENATOR WATSON)

Well, we certainly welcome you to Springfield. Would you please stand and be recognized by the Senate? Senator Carroll seeks leave of the Body to return Senate Bill 209 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 209. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill itself deals with the issue of collateral protection insurance and consumer interests. As a result of discussions with the banks and credit unions, we've come up with an amendment that will -- clarify that leases are included, but require in all cases that the full amount of the insurance be sent by way of notice to the original borrower and to any guarantor. And I would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

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consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on page 4. Senator Rea? Senator Rea seeks leave of the Body to return Senate Bill 250 to the Order of Senate -- 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 250. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rea.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. The Amendment 1 is one that was agreed upon in committee. I know of no opposition. It is supported by the Department of Commerce and Community Affairs, and what it does is to make the Coal Development Board advisory to the Department and this will bring about a more integrated, coordinated effort as far as coal research and development, as well as distribution of funds through the Coal Development Board.

PRESIDING OFFICER: (SENATOR WATSON)

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 Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Rauschenberger seeks leave of the Body

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to return Senate Bill 299 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 299. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. The amendment provides some additional disclosure requested by the Illinois Environmental Council. I seek its favorable adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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 Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Hawkinson seeks leave of the Body to return Senate Bill 431 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 431. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 2 was heard in the Environment and Energy Committee last night and passed out on a

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unanimous roll call. It amends the low-level radioactive waste disposal site bill, which has a number of provisions, but -- but the main two provisions are that, number one, it delays the process. It will delay it by at least two years while the Department studies other states, other compacts, studies the effect of the decreased volume and therefore increased potential costs in Illinois, but we're looking at least a twenty-four-month delay, which could, and probably will, have a delay from the projected siting of 2002 all the way to 2010. Beyond the delay, it also brings some local input back into the process, in that at the end of this two-year period, there will be a new siting process which will include the interaction of volunteered sites not only by the landowner, as is now the case, but also by a local unit of government, which will allow the citizens, in any area to be considered, to have input either through their affected municipality or through the county board. I think both the local input and the delay are important because we don't want to rush into siting a -- a low-level facility when other states are not doing so and, in effect, become a dumping ground for the nation. There are a number of other provisions and I'd be happy to try and answer questions, otherwise ask for the approval of Floor Amendment No. 2 to Senate Bill 431.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

We're -- the noise level is getting up to -- to a certain level that we need to maybe bring it down, so this is the first suggestion that we hold down the conversations on the Floor. And

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by the way, that bill now goes to 3rd Reading. Senator Butler asks -- seeks leave of the Body to return Senate Bill 436 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 436. Are there any Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Butler.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. This amendment is a very, very technical correction. I would ask approval.

PRESIDING OFFICER: (SENATOR WATSON)

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 Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Walsh? Senator Walsh, do you wish Senate Bill 483 to be returned to the Order of 2nd Reading for the purpose of an amendment? Senator Walsh seeks leave of the Body to return Senate Bill 483 to the Order of 2nd Reading. Is there any objection? Hearing none, leave is granted. On the Order of 2nd Reading is Senate Bill 483. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

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SENATOR WALSH:

Thank you very much, Mr. President. The amendment sets forth procedures for units of local government to seek approval from the Department of Public Health to regulate private sewage disposal systems under an ordinance-deviating form. The Act addresses special technical or environmental conditions that will affect the public health. It also creates an Advisory Commission on Private Sewage Disposal. This has been agreed upon by everyone, and I would just ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

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. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on to page 6, top of page 6. Senator Peterson seeks leave of the Body to return Senate Bill 593 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 593. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Basically it's a technical amendment changing the words "an analysis" to "data demonstrating".

PRESIDING OFFICER: (SENATOR WATSON)

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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. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Clayborne seeks leave of the Body to return Senate Bill 645 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 645. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Basically the amendment allows deductions to be made to 501(3)(c) {sic} (501(c)(3)) foundations that have been established to assist elementary and secondary schools in their fund-raising efforts. It also deletes postsecondary schools.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator O'Malley wishes to return -- or asks leave of the Body to return to 2nd Reading for the purposes of

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amendment on Senate Bill 700. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 700. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators O'Malley, Rauschenberger and Farley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Amendment No. 2 to Senate Bill 700 recommend -- or, represents the agreement of the -- all interested parties dealing with the implementation of the federal Telecommunications Act of 1996. The amendment becomes the -- the bill, and I would seek the support of the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Carroll seeks leave of the Body to return to the Order of 2nd Reading for the purposes of amendment in regard to Senate Bill 777. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 777. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

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SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill that deals with the area of State contracting and three signatures. The bill is -- is basically a codification of that which the Governor was doing unto himself, to do it to all others, and I would -- I'll discuss it more on 3rd and would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel, on Senate Bill 778. 3rd Reading, on Senator Carroll's Senate Bill 777. And Senator -- Senator Karpiel wishes to seek leave of the Body to return to -- Senate Bill 778 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 778. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Excuse me. Thank you, Mr. President. Amendment No. 1 makes the impact study that is in this bill discretionary on the part of DCCA rather than mandatory, and with the amendment, the Pollution Control Board is neutral, the Environmental Council is neutral. And I ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 781. Senator Parker seeks leave of the Body to return Senate Bill 781 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 781. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Members of the Senate. The amendment to 781 does two things. First of all, it creates a task force. The task force will consist of members from the General Assembly - the House and Senate - four parents and four members from Public Health. There'll be twelve on that task force to review the issue of vaccinations and immunizations in Illinois and how we can better proceed and work with the public. The other thing it does is add an exemption. There is now an exemption for religious reasons, medical, and it adds "philosophical". I will answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Mahar wishes to seek leave of the Body to return Senate Bill 815 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 815. Are there any Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. This merely makes a correction at the request of JCAR. I know of no opposition and would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We're on page 8. Senator Fitzgerald wishes -- seeks leave of the Body to return Senate Bill 862 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 862. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. This is just a technical amendment, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 910. Senator Luechtefeld seeks leave of the Body to return Senate Bill 910 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 910. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR WATSON)

With leave of the Body, we will allow Senator Luechtefeld to handle that amendment. Leave is granted. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Amendment 2 of -- of Senate Bill 910 simply adds four people to the -- to the council -- in the Wine Council, to be appointed by the four Leaders of the -- of the Senate and the -- and the House. I would move its approval.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the

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amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Klemm seeks leave of the Body to return Senate Bill 934 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 934. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Yes. Thank you, Mr. President. This amends the Public Utilities Act and it codifies some of the requirements that the ICC determines in their pipeline certificate conveyance, and I would just ask for your approval.

PRESIDING OFFICER: (SENATOR WATSON)

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. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Cullerton? Senator Cullerton, on Senate Bill 996? Out of the record. Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

Well, on Senate Bill 996, I'm a cosponsor. I handled the

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amendment in committee yesterday for Senator Cullerton. I think he would want me to put that amendment on.

PRESIDING OFFICER: (SENATOR WATSON)

We will ask leave of the Body to allow Senator Mahar to handle Senate Bill 996 and the amendment for Senator Cullerton. Is there any objection? Hearing none, Senator Mahar, on Senate Bill 996, seeks leave of the Body to return this piece of legislation 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 996. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Okay. Thank you, Mr. President. This is the Municipal Infrastructure Maintenance Fee Act, which has been negotiated by all parties for quite some time now. Floor Amendment No. 1 is part of that negotiated proposal that we added on, unanimously, in -- in committee yesterday at the request of Senator Cullerton, and I would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

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

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a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point, Senator.

SENATOR MAITLAND:

In the -- in the gallery to the rear of the Chamber, behind the Democratic side, are a group of -- of individuals from St. John's Lutheran Church on a day trip, visiting with us in Springfield. I'd like to ask them to rise and be recognized by the Senate. Welcome to Springfield, folks.

PRESIDING OFFICER: (SENATOR WATSON)

Well, we're certainly glad to have you. Welcome to Springfield and the Illinois Senate. Senator Karpiel seeks leave of the Body to return Senate Bill 1019 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 1019. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Floor Amendment No. 2 guts the bill, as it was amended before, and authorizes the President of the Kendall County Forest Preserve District to convey a parcel of land in Kendall County to the Kendall County Fair Association. And the -- the conveyance is predicated upon the condition that the sale proceeds be used by the Forest Preserve District for land acquisition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is

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adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Geo-Karis seeks leave of the Body to return Senate Bill 1044 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 1044. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendment is a product of both the joint work of the -- the Illinois Bankers Association, the Petroleum Marketers Association and the -- the Department of the -- the Treasurer's Department, and I -- I ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

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. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Dudycz seeks leave of the Body to return Senate Bill 1105 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 1105. Mr. Secretary, are there any Floor amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 1, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. First, I'd like to compliment you on the -- your glasses. You're wearing them very sharply there, Senator. Senate Floor Amendment No. 1 stipulates that within thirty days of the filing deadline, each lobbyist -- or, excuse me. Within thirty days of the filing deadline, each lobbyist shall notify each official on whose behalf an expenditure has been reported. The notification shall include the name of the registrant, the total amount of expenditure, the date on which the expenditure occurred, and the subject matter of the lobbyist's activity.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We will remain on page 10 under Secretary's Desk, Resolution, and we will go to recall for amending Senate Resolution 21. We are on page 10, Secretary's Desk, Resolutions. We are asking, Mr. Secretary, are there any amendments that have been filed on Senate Resolution 21?

SECRETARY HARRY:

Senate Resolution 21, offered by Senator Klemm. The Committee on -- the Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Amendment No. 2 adds a reporting date of November 1st, 1997 - a few months from now, actually - to the election reform task force that the Senate Resolution 21 creates, and I would ask for your adoption on the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Well, this is the last time around. We're going now to 3rd Reading. As all the Members know, this is final day for passage. Those of you that have a bill on 3rd Reading, this is your last day to call it. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator.

SENATOR BOMKE:

Given your glasses today, I think you should be made aware, we have an optometrist in the -- in the Chamber today. Mark is from Charleston. I thought that we should make you aware of it. Thank you, sir.

PRESIDING OFFICER: (SENATOR WATSON)

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Well, very good. Do you mind coming up here and putting a screwdriver to these things? They flop around pretty good. You've got a good backswing, too. I've seen you on the links. We're on page 2 of the Calendar, Senate Bills 3rd Reading. Senator Philip, on Senate Bill 1. Out of the record. Senator Philip, on Senate Bill 2. Out of the record. Senator Karpziel, on Senate Bill 4. Senator Karpziel? Out of the record. Senator Parker, on Senate Bill 30. Senator Parker, Senate Bill 30? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 30.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 30 permits Illinois to undertake a comprehensive replating program for all passenger cars, B trucks - which are pick-up and vans - motorcycles, recreational vehicles and recreational trailers, beginning in 1999 and reissued periodically thereafter at the Secretary of State's discretion. It directs seventy-five cents from every purchase of plate or vehicle sticker to a new Registration Plate Replacement Fund to be used for replating. It lifts the cap off of the Road Fund to permit appropriations to the Secretary of State for replating and provides failure to affix a valid plate sticker as a petty offense, carrying a fine of three hundred to five hundred dollars. I will answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you, Mr. President. Sponsor will yield, I take it, for some questions.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield.

SENATOR HAWKINSON:

Senator, how much will the replating cost before any claims of offsetting revenue?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Okay. The initial cost for replating will be between thirty and thirty-four million dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

If the bill takes seventy-five cents for every registration and deposits it into a special fund for replating, why does the bill also exempt replating costs from the Road Fund appropriation cap from the Secretary of State?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

If we were just to take seventy-five cents from the -- from the tag right now, from the fee, it would take six years to replate. By lifting the cap, it provides the opportunity, with the -- gives the discretion to the Secretary of State, to do the replating quicker in a two- or three-year process. In 1993, there was a task force put together by the Secretary of State which included twenty people. One of those members was from IDOT, Kirk Brown. And they had suggested in 1995, after a two-year study, that there be a replating as soon as there can be and it be done in three years. If you can do it quicker, you can recapture those

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funds quicker, and you can put the monies back into the Road Fund, plus recapture those funds from people who are now not complying by getting their vehicle stickers.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Are you expecting the cost to be even higher than what the seventy-five cents will pay for?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

If you replate at a quicker level, you need that initial money. What this will do is recover that money. As reported in the Secretary of State's task force, as they did the last time they replated, they recouped thirty-four million dollars. So they say, in that three-year period, you can recoup that. If you do it quicker, you can actually get that money back in twenty months.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

And -- and, lastly, Senator, I think the crux of your argument is that, from your prospective, this will not impact the Road Fund because you believe that this will cause registrations to increase and bring in even more money. My question is: Are you basing that belief on the State Police reports of percentages of citations for expired stickers, or, as I understand it, did not the Secretary of State's audited financial statistics show the opposite, that in fact the last time we did this that registrations did not increase dramatically after we issued the new plates?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

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SENATOR PARKER:

I am basing this on a few things. The State Police say that 3.8 percent of the people are not complying. The Secretary of State's task force report said that it could be as much as seven percent. That range means that we are now losing from our Road Fund, because people are not complying, between sixteen and thirty million dollars. The average that is verified from Central State Governments, who has done research and surveys across the country, say the average is five percent of people who are in noncompliance.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of this legislation. Whenever I was first approached on this by the Department, I was concerned with taking away money from the Motor Fuel Tax Fund, but I, for one, looking at all of the complaints that we've had over the past few years in -- in regards to when are we going to get new plates, et cetera, I think it's overdue on that standpoint. In fact, it's well past due, and as Senator Hawkinson indicated what happened the last time we did replating and new plates, I don't remember when the hell that was, but it was, I think, before I come down here, which is over ten years ago. I think it also helps law enforcement, and I think, as indicated before, it's going to come out as a net increase for the Department, rather than a net loss, and I ask for strong support for this legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Seems every time my brother-in-law comes over to my house, he beats me up about how bad his license

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plate is and how long we've been taking to -- to replace it. So then I asked him, I said: Well, if we had a choice between a cosmetically attractive license plate or fixing the potholes in the road or trying to fix the bridges, which would you rather I do? And he said, "Well, you've got to take care of the safety of the motorist. You've got to fix the roads and fix the bridges." So I'm afraid on this bill, if we're diverting at this point of time when the Department of Transportation has lost twelve and a half percent of their budget, and if we're looking at the cosmetic approach of looking at our nice license plates, which I certainly support - and I understand what the Senator is trying to do - but I think at this time it would be wrong to divert those dollars, whether its seventy-five cents or a dollar or even fifty cents, away from what is really more important, and that's the safety of the motoring public. So for that reasons, I reluctantly would not have to be able to support that bill, for that reason, at this time. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Welch.

SENATOR WELCH:

Senator Parker, many of us are worried about taking thirty-six million dollars out of the Road Fund, especially those of us from downstate. Now, your bill provides a revenue stream of -- I think it's seventy-five cents for every sticker every year. Why don't we just issue bonds and use this dedicated stream of revenue to pay off the bonds? That way we'll get the money up front and we can make payments on the bonds over the next however many years and just make it into a revolving fund.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

I think we have enough problem with bonds now.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, then, I think you're going to have trouble getting votes on the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I was on that task force for two years, and I think there's a couple of things that should be noted. Number one, Senator Klemm, you're right: The -- the plates that we have now got on a lot of our passenger cars and trucks are -- are long overdue to be replaced. It was about twelve, thirteen years ago that we replated. Part of the problem that the sheriffs' departments and the chiefs of police brought out was that the reflective materials that are on our plates that they can see with their headlights were -- was only guaranteed for five years. It's been twelve years since most plates have been replaced, and therefore, when we -- when the police try and see those plates late at night, they can't see them, and they feel that this is a real danger. Particularly when they're trying to capture somebody or somebody's speeding and they can't see the license plate and that person gets away, there's no way that they can go after them because they literally cannot pick out the -- the numbers and the letters. It is true that in several states they have found that they have recouped the money back very quickly because there are a lot of plates out there that are not getting their stickers and are simply using the plates that were

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issued twelve years ago. This is a bill that's long overdue. It's a good bill, and I think it deserves an Aye from everybody here in the Assembly.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Hendon.

SENATOR HENDON:

Senator Parker, is the Department of Revenue and -- and the Department of Transportation, are they supporting your -- your bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

I haven't heard from the Department of Revenue, but I think they would because this will bring revenue back into the State. The only opponent to this bill is the Illinois Department of Transportation. Those who are supporting it are the Illinois Sheriffs' Association, the Illinois Fraternal Order of Police, the Illinois Sheriffs {sic} of Police, the Illinois Construction Industry Committee, the Road Builders are either for this or neutral, the Illinois Automobile Dealers Association, the Illinois Manufacturers' Association, MADD - Mothers Against Drunk Driving - Crime Stoppers Association, and the Coalition for People with Disabilities.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

But the Department of Transportation is against this bill,

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because they believe that there's going to be a loss in revenue that we -- the State of Illinois cannot afford at this time. Is that not correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

That is the Illinois Department of Transportation's position; however, when they send out their fact sheet, they're refusing to acknowledge what the Secretary of State study commission concluded and what has been the experience in every state that has replated, and that is the universal conclusion that it is many people just don't renew their stickers and over time this refusal amounts to about five percent of the driving public, which means that Illinois now can be losing twenty-one million dollars a year that they could put into their Road Fund. And we have not replated since 1984.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Well, according to the information that I have received from the Department of Transportation - and I'm sure everyone in this Body has the utmost respect for Director Kirk Brown - we will lose seven million dollars annually beginning in 1998, and over a five-year period, we're looking at a loss of thirty-five million dollars. I think this is the wrong thing to do at this time. I urge all the Members on this side of the aisle, as well as the ones on that side of the aisle who are fiscal conservative and understand that Kirk Brown knows exactly what he's doing, to vote No on this unnecessary piece of legislation. And I want to especially urge the Members of the Caucus of which I am Chair to vote No.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I rise in support of Senate Bill 30 and, frankly, like some of the concerns that have been expressed on this Floor, I had reservations about this bill. I had reservations because of the Road Fund, and yet, the information that Senator Parker and others have provided suggest that not only do we not lose in the end, but we have a net gain in the Road Fund once replating is required and that five percent who refuse to renew their stickers are forced to buy new plates. But I also want to bring to the attention of the Body that this, in fact, is a jobs bill for the physically challenged. The Coalition with -- the Illinois Coalition with Disabilities {sic} supports this bill because Macon Resources, in Decatur, who houses the contract and physically challenged, has been the primary replater of plates in the last several runs. The fact is, with the passage of this bill, the physically challenged who work out of Macon Resources will see a job increase by three-hundred percent. I think not only has the case been made that the time is overdue to replate, but that it's a win-win, because in the end, not only will the physically challenged in Illinois see a job increase just on this particular project by three-hundred percent, but we'll be able to capture the five percent of the people who try to avoid renewing their plates simply because all that is required today is stickers. So as a downstater who always is concerned about the Road Fund, I urge support of Senate Bill 30, believing that the pluses far outweigh any of the concerns expressed. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, safety

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goes both ways. When some -- a policeman can't even read a license plate because it's so faded and somebody crashes in somebody's car and goes and no one can find out who it is, then who is at loss? The person who has been hurt. I think this is a good bill. For thirteen years, we have not made new plates, and it's time we did, because it's necessary not only for the safety of people, but also for the -- the proper jurisdiction of the policemen. I mean, the State Police are for this. Secretary of State's Office is for this. And to give an opportunity to the disabled to make these plates, I think is a great thing and we need to do that. I certainly speak in favor of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. This is one of very few times I actually have not made up my mind how to vote on this bill. I'm not a big Road Fund person. I really don't know where the money's going to go, but there's part of the bill that we talked about in committee that greatly concerns me. And I'm going to have to get some reassurance from you; otherwise, I'm going to have to vote No. Not that my vote means that much to you, but I just want to say this to these Members who -- who aren't aware. What this bill does is, if you have -- if you're stopped and your plate is expired, this bill raises the fine. So if you go to court -- now remember this: If you go to court -- you got a ticket on June 9th and your plate was expired, now you go to court. It doesn't matter whether you bought the plate before your court date in August. The city corporation counsel or the village or the State's attorney can still say, "Well, you know what? June 9th you didn't have your sticker. You violated the law. Your plate was expired." And what this bill does is raise the fine to between three and five hundred dollars. It's a three-hundred-dollar

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minimum and a five-hundred-dollar maximum for not -- for expired plates. Now, let me tell you this: As soon as the villages and the cities start understanding this, you're going to come in and you're going to show that you got your sticker and they're going to say, "Well, so what? On June 9th, you didn't have it. We're still going, unless you want to pay two hundred dollars." And then it'll be supervision waived, appearance waived, two hundred bucks, three hundred bucks. This bill should be for the safety issues that Senator Geo-Karis talked about, Senator Parker. Because of this three- to five-hundred-dollar fine, you're turning it into a revenue-producing bill, and that's not right. So what I want some assurance from you, that when it gets to the House, and this is going to be looked at, I'm sure - even if it passes, DOT is not going to give up - so my thinking would be that I have to get an assurance from you that you will certainly look to lower the minimum amount. You could keep the maximum at five hundred. I don't -- I don't care about that. But allow a judge, if he finds somebody guilty of not having their sticker, that he doesn't say it must be three hundred. Because invariably what's going to happen is people are not going to have it, they're going to get time to pay, they're not going to pay it, and we're going have all kinds of warrants out for their arrest. Three hundred dollars is just too onerous for me.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker, to respond.

SENATOR PARKER:

Thank you, Senator Molaro, and your vote is very important to me. I agree. We did talk in Transportation Committee. The thing that we were looking at is, the fine now is seventy-five dollars. You have people out there, because we have not replated since 1994 {sic} - it has been thirteen years; if we replate in 1999, it will be fifteen years - that -- that are not complying because every

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year they get away with this, so we wanted to raise the fine. But I am certainly willing to look at lowering that minimum because that can be important, and then we can keep the raise of the five hundred, so if people do do this and they're caught two or three times, they -- they should comply like everybody is and put money back into that Road Fund.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shadid.

SENATOR SHADID:

Mr. President, thank you. And I rise in support of this bill. I am a cosponsor, and the issue with me is that it's sort of sad, I think, that we have about fifteen million dollars a year out there that people have not renewed their licenses. Now, it seems to me, is there -- is it presently the law - and I'm not familiar - that if they don't renew your registration, that we can take their plates away from them? I think that's what we should be doing. Why should fifteen million dollars be laying out there? In two years, we would be able to replate. So, I -- I'm for that, and I think it's also time. It's been fourteen years that we haven't replated. The police officers are having a difficult time even reading some of our plates because of the condition they're in and also because of the wide assortment of specialty plates that we have that are difficult to make out even what state that we're riding in. So I'm in very strong support of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, am a cosponsor on this bill, and I rise in support of it because it eventually will result in additional revenue to the Road Fund. And when you drive the interstates and the State highways in the State of Illinois, you realize that the Road Fund

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is suffering, but at the same time, what the law enforcement officers with whom I have talked - State Police, local - have all pointed out the fact that it is extremely difficult for them to make a ready and -- and accurate identification of the plates in the condition they're in now. And when you drive up the interstates and you look at the plates, you realize what a mess some of them are in, and the reflective qualities are completely absent. There will be a resultant positive for IDOT, and I happen to be on the Transportation Committee, so that I'm certainly looking for additional revenue for IDOT. But I do agree that I think that the -- the minimum is a little bit high. Maybe we can take a look at that, Kathy, when it gets over there, with a recommendation. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker, to close.

SENATOR PARKER:

Thank you, Mr. President. In response to Senator Hendon, Secretary Brown was on that task force, and if he had, at that time, the reservation as far as replating, he could have taken a dissenting position, but he did not. He was in agreement with the other twenty people. It's been since 1984 that we have replated. And you need to also understand that after five years, the license plates use their -- lose their ability for reflectivity and visibility. Now over thirty-five percent of plates are over nine years old - this was the report in 1995 - and over fifty percent are over five years old. The Illinois Department of Transportation doesn't admit in their fact sheet they're putting out exactly what can occur. If Illinois does new plating, which we will eventually, over the next five years, we will return a positive net fund of forty-six million dollars. Now, if we don't replat and they are losing twenty-one million dollars a year in the Road Fund, because that's five percent of the people not

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complying, they will lose a hundred and twenty-nine million dollars out of that Road Fund. The other thing that we need to address is that Illinois loses forty-eight dollars every time a license plate renewal sticker is not purchased. We have a long range of money that we are now presently losing out of that Road Fund. The annual loss is increasing, as studies consistently find that sticker registration avoidance steadily increases as plate design ages. Drivers increasingly fail to purchase annual stickers in hopes that they will go unnoticed, and now is the time to bring them into compliance. I also have here a resolution from the Illinois Association of Chiefs of Police that was done back in July 22nd, of 1996. They say here that seventy percent of all major crimes involve the use of a motor vehicle. The Illinois Association of Chiefs of Police Board of Officers has researched and determined that an immediate reissuance of Illinois vehicle license plates is in the interest of public safety. The legibility of issued license numbers is the most rapid identification of vehicle and owner and is imperative for officer safety in drug interdiction, driving under the influence, police pursuits, and as evidence used in solving other criminal acts. The ability to arrest offenders greatly outweighs the costs of reissuance program, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 30 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 35 voting Yes, 19 voting No, 1 voting Present. Senate Bill 30, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Mr. President. I have an announcement. This morning

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you indicated that this was the first day of spring and we all know that we only have twenty-two legislative days left in the Session; however, March the 20th, today, is also a historic day not only in Springfield, but throughout Illinois and throughout the land. Let the word go forth that today is Senator Terry Link's fiftieth birthday. There is -- we congratulate him, and also there's some cake up there in the front for anyone that wishes to have a slice to remember this great occasion. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Well, happy birthday, Senator Link. Senator Mahar, on Senate Bill 54. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 54.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. This is a -- Senate Bill 54 is -- is an issue which I have thought, and probably many of you, that we would have dealt with a long time ago. Committee Amendment No. 1 becomes the bill, and it adds a prospective clause to the local siting provisions to preclude siting of a sanitary landfill or a waste disposal site within the boundary of a one-hundred-year flood plain. That's all it does and I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any question? Any discussion? Seeing none, the question is, shall Senate Bill 54 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting

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No, no voting Present. Senate Bill 54, having received the required constitutional majority, is declared passed. Senator Madigan, on Senate Bill 63. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 63.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. Senate Bill 63, as amended, amends the Chicago Police Article of the Pension Code. It codifies the latest contract between the City of Chicago and the Chicago policemen, insofar as including duty availability allowance payments to be used in the computation of pensions. And that's basically what Senate Bill 63 does.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 63 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, 1 voting Present. Senate Bill 63, having received the required constitutional majority, is declared passed. Senator Lauzen, on Senate Bill 63 {sic}? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 63 -- pardon me...

PRESIDING OFFICER: (SENATOR WATSON)

73.

ACTING SECRETARY HAWKER:

Senate Bill 73.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 73, cosponsored with Senator Garcia, is a vehicle with bipartisan support that I'd like to pass out so that we can continue our work on economic development. And with that, I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 73 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 73, having received the required constitutional majority, is declared passed. Senate Bill 74. Senator Lauzen. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 74.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 74 is the vehicle for the agreed bill process, that progress is being made in worker compensation area. We have our first meeting of labor and management sitting down together this afternoon. I would like to keep the ball rolling, and this is the vehicle for worker compensation reform. And it is within the agreed bill process.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Cullerton.

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SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, under the -- your definition of "agreed bill process", what legislators are involved in the process?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Let's see. Representing the Democratic Caucus in the Senate is Senator Garcia; Republican Senate is myself; Jan Schakowsky, Democrat Representative; and then Terry Parke, Republican Representative.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen, to close. The question is, shall Senate Bill 75 {sic} pass. All those in favor, vote Yes. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 75 {sic}, having received the required constitutional majority, is declared passed. Senate Bill... Senate Bill 74 is passed. Senate Bill 75. Senator -- Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 75.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Senate Bill 75 is the same thing, same players, for

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unemployment insurance.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall Senate Bill 75 pass. All those in favor, say Aye -- vote Aye. All those opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yes, no voting No, no voting Present. Senate Bill 75, having received the required constitutional majority, is declared passed. Senator Butler, for what purpose do you rise? Your speak light is on. Senate Bill 75. Madam Secretary, please read the bill. I'm sorry. It's Senate Bill 76.

ACTING SECRETARY HAWKER:

Senate Bill 76.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 76 is the truth in budgeting GAAP accounting. It's a step in the right direction for State fiscal reform. I think that over the last four or five years, this Body, working cooperatively with the Governor, has made enormous progress. Let's hold on to that progress by what we do today on this bill. Basically the problem is that we have two sets of books in Illinois. We have one set that's prepared on the accrual method that goes out to the New York bankers. The second set of books, though, that our constituents receive and in the budgeting process is based on the cash accounting. What this does is it defines accrual accounting is -- are the accounting rules that would be used for the budget preparation. With that, I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Severns.

SENATOR SEVERNS:

Senator, don't you think it's kind of phony to call this "truth in budgeting"?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

If -- if that's not a rhetorical question, no.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

It's not a rhetorical question, because as you and I have discussed not only once this year, but once last year and at least once the year before, and you seem to -- it seems to go in one ear and out the other, is that if you were serious about wanting to have a budget according to GAAP principles, you'd get serious about putting teeth into this bill. It's easy for us in the Legislature to stand here and say, "Governor, you've got to propose a GAAP budget", but you have nothing in this bill that says the Legislature must pass a budget according to GAAP principles. Now, you're certainly a well-educated CPA. You know the fallacy of that kind of bill. What it permits is for you and anybody else to send out the nice, glowing press releases to say that we've passed a bill that says our budget should be according to GAAP principles, but you know and I know that it doesn't require that at all. Why don't you require, Senator, the language

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that we've talked about on at least three different occasions during the past three years to say that if you're really serious about this, have the budget passed by this Body according to GAAP principles? And that is not a rhetorical question.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Well, first of all, Senator, I agree with you in the concept that an even better idea would be to have both of those factors in there, so I -- I agree in concept. I would -- I'm sure that I don't need to remind you that the bill that we had in place, that's this bill basically, two years ago, you were a cosponsor on, and I appreciate your assistance. For -- for the five years that I've been in this Body, I've tried, along with many other good sponsors, to get this passed, and we've been blocked at every turn. Now, maybe your idea is a better one, but I feel that this is a step in the right direction. I would welcome, and I would vote for, a bill that you would sponsor that would have that kind of language in it, but right now we have this bill. I think it is a step in the right direction. We've not met with success in the whole process. Now I think that there are serious discussions going forward.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Senator, I'll just say that -- that, frankly, prior to Senator Lauzen existing, we did have a GAAP bill, and I believe that if we're serious about having a budget according to GAAP, that it ought to have the teeth that you've ignored this year, last year and the year before. Each year you stand up and say you'd welcome it, you agree with it, you -- you think it's right. But each year you propose this phony GAAP

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bill that you call truth in budgeting. Let me just tell you what the practical impact of balancing the budget on GAAP principles, as currently defined by the Comptroller, would be. We would have to come up with nine hundred and fifty million dollars in new revenues or program cuts. Now, I'm prepared to take -- take the pencil to the budget and say this is where we should cut, but I'm curious to see whether or not the sponsor has given that thought. An available balance of approximately 1.4 billion dollars would be required to sit in the Treasury, waiting for accrued liabilities to arrive and be paid. This resource couldn't be used for any other purpose. I'm just curious, Senator, if you're so serious about this truth in budgeting, what kind of thoughts do you have regarding those facts? And they are facts.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, Senator Lauzen, to close. Oh, I beg your pardon. Excuse me. It was a question. Senator Lauzen.

SENATOR LAUZEN:

...be -- I'd be very happy to answer that question. And, again, I -- I -- I just have to assume that you're -- that it's a question in good faith. I think that you and I both recognize that what you're referring to is the accumulated deficit under the GAAP rule. What this legislation addresses is the year-by-year balancing of the books. What you're -- what you're pointing out perfectly illustrates the need for this bill, where we present to the public once a year through the Governor's Office what's called a balanced budget, and yet, as you point out, nine hundred and fifty million dollars of accumulated deficit is still there. So, which books do we believe? I suggest that what we ought to do is hold the line and the progress that's been made, as far as paying down old debt, but that nine hundred and fifty million dollars that you're referring to -- and the Bureau of the Budget, which is

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-- which I assume is very much opposed to this bill because it cuts down on the flexibility - if I want to manage my budget, all I have to do is not pay my bills, and under the cash accounting method, I look better than the accumulated. To have accrual accounting is just plain common sense, and I do believe that it's truth in budgeting.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I don't wish to belabor this point, but the fact of the matter is, for those of us who believe that we should have budgets according to GAAP principles, as I believe we should have, it's only fair that the bill say that not only the Governor be required to introduce it, but we in the Legislature be required to pass it in that fashion. I think to suggest that the requirement only be on the Executive end and not be met by the Legislative end is, frankly, not a truthful approach to GAAP principles. For that reason, I say we should defeat this bill. It's a phony bill. It does nothing other than allow any of us who support it to send out our press releases saying we support a bill that really we know will do nothing. I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR LAUZEN:

Thank you very much. First of all, we have these two sets of books in the State of Illinois. I think that we should have one, and I think that everyone in this Chamber, along with the twenty different sponsors to this bill, believe that this is an important principle. On Senator Severns' observation that -- that it would be an even better bill, for five years we've both had an opportunity to sponsor legislation. I can't imagine that anyone

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would have a No vote to put additional teeth in with as hard as it has been in this process so far. I'd be happy to see an amendment come on in the House that would say that the General Assembly would approve a budget according to GAAP accounting, but it's been hard enough over the last five years to make this small step. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 76 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Yes, 17 voting No, 2 voting Present. Senate Bill 76, having received the required constitutional majority, is declared passed. Senate Bill 77. Senator Lauzen. Madam Secretary, take it out of the record. Senate Bill 79. Senator Rauschenberger. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 79.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For more than twenty-five years in the State of Illinois, we've permitted our Secretary of State to accumulate data in the Secretary of State's Office on various computers from databases that are derived from driver's licenses, vehicle registration and lienholder lists. In response to an incident that happened in another state about five years ago, we began to eliminate and suppress the information that was more personal - height, weight, sex, eye color, hair color - and made that not available, but

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we've continued to make the information that we accumulate on names and addresses available to both the commercial market, the insurance underwriting market and -- as well as to manufacturers and people who are concerned about safety. At the same time that we made the changes on -- on personal information, we also began an opt-out program in the State of Illinois, permitting anyone who wanted, when they went to the driver's license facility, to opt off of the lists that the Secretary of State makes available. Last year the federal government took up this issue and decided that all states in the United States must have a positive opt-out program from their lists that they accumulate in their registration and let -- allow people to opt off of their -- their lists. Our Secretary of State's Office made a decision this summer that it was a good idea to use that opportunity to decide not to any longer commercially make any of our lists available to people who buy them and use them for mail purposes, for -- for marketing purposes, for solicitation of -- of automobile loans, a number of other uses. He brought that rule that he proposed before JCAR - the Joint -- the legislators' Joint Committee on Administrative Rules - and after a vigorous debate and -- and quite a long period of consideration, JCAR objected to the rule because the -- the rule, although perhaps well directed and maybe having a nice intent, does not provide the goals we -- we think are important in the State of Illinois. We believe, rather than -- by withholding accurate information, you don't reduce the amount of junk mail or -- or mail solicitation; you actually increase it, because you can't make accurate decisions on lists. Another important consumer protection is lost when you suppress the lists because anyone who finances a car anywhere in the State of Illinois goes on the lienholder list, and, today, credit unions that people are members of, small finance companies, and savings and loans are in a position to -- to solicit those people and

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notify them if -- if your rate is above a certain point, perhaps you'd like to check your car loan. The Secretary of State's Office was unpersuaded by these arguments, and we've been working over the last few -- few weeks with the Secretary of State's Office to see if we could find a compromise. Unfortunately, because the Secretary of State's Office is tied up in a court case currently, their attorneys have advised them not to negotiate or discuss in private or in public any possible changes to their rule and decision. Being frustrated and being at deadline, I would like us all to seriously consider moving this bill out of the Senate so we can continue discussions with the Secretary of State's Office. Anytime we permit government to assemble and keep lists, I don't think we ought to have constitutional officers picking and choosing who can have access or use of that list. If we decide not to maintain a list, that's -- that's another issue. Second, and probably most important to me personally, is the access to the lienholder list is -- is the only market consumer protection left for those people who finance automobiles at car dealerships. We've all heard horror stories of people walking into car dealerships and being sold an automobile based on the amount of the payment. Sometimes people leave those car dealerships with seventeen-, eighteen-, nineteen-percent automobile loans for up to five years. The lienholder list allows their credit unions, it allows small banks, it allows savings and loans and finance companies to contact those people and maybe give them a better deal on their automobile loan after they've made a decision in haste at a car dealership. We intend, if -- if this bill moves out, to be as solicitous as -- as the Secretary of State as possible. I think it's important that these lists remain available. They provide accuracy. This bill will help reduce junk mail more than the defeat of it. I would urge your favorable support.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

Previous question has been moved. We have four additional speakers. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I don't have a lot of qualms of whichever way this bill goes, but I -- but I would want to point out that there are a number of people that have contacted my office, and I'm sure many of you have received many of those same phone calls, that don't like the idea that these can be sold and that there is some invasion of their privacy. I guess my question really goes, as much as anything else, to the opt-out provision and whether or not that truly, as our analysis says, may not fulfill the -- the needs of the federal government and whether or not that -- this, in your estimation, Senator, does fulfill that need.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Jacobs, thank you for asking that question, because the federal government mandated an opt out. The Secretary of State decided not to bother with an opt out. Instead, he decided to withdraw the availability of the lists. If we pass this bill, the Secretary of State will still have to organize an opt out to the -- to the program. There have -- this -- it's been passed on fifty states. As many as eleven other states use a system similar to what we have today. There's been no federal ruling, federal administrative ruling or court ruling saying that the current opt-out program doesn't meet the federal standard. If we have to

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change our opt-out provisions, I think we ought to comply with federal law, but I appreciate your asking that question.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Just one other quick point, and not -- not to the issue here. On Senate Bill 30, I spoke for the bill. I pushed my button. I must have pushed it before it was ready, and I'd like to be recorded as an Aye.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I've had many complaints about all of these people writing to my constituents. Now, do you have a provision in there which protects them from not receiving any of this stuff?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Geo-Karis, the bill does not speak to the federal opt-out requirements. It presumes that the Secretary of State will continue his current opt-out program, and if he needs to increase or change his opt-out program, he would do that to comply with the federal law.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't quite understand what you mean by your up -- "upheld program". Would you explain that a little bit to me?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, Senator Geo-Karis. I'm happy to. Currently, if you don't want to be on one of the Secretary of State's lists, you fill out a slip and turn it in and they will take you off. They'll -- they'll blank you so that your name's not available. That's been available in the State of Illinois for nearly four years. I think there's about two to two-and-a-half percent of the people on our database have opted off the program. The question is whether -- the federal government has raised -- or, set a standard that says we have to have a clear and conspicuous opt out. That -- we still don't have a ruling or a clear understanding whether our current opt-out program is clear and conspicuous.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, it's not quite clear in my mind. Maybe I'm just a little dense today. But it's not quite clear in my mind, how are you going to answer these people who don't want to be bothered? Now, what is -- what is it in your bill that makes it possible for people to be opted out? Do you have it in it that information is only going to be given to those who want it, or is -- what is it?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. Senator Geo-Karis, maybe I can help you in a couple ways. The bills says, specifically one of the changes is: "The Secretary of State shall provide drivers, individual vehicle owners and registrants with a clear and conspicuous opportunity to request that their personally identifiable information not be used for commercial solicitation purposes." So the bill does speak to

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that. But to be very honest with you, changing our Secretary of State lists will not change the amount of mail marketing that's done. People will simply use other information. Probably the best thing we can do for them is pass this bill, because then they're less likely to get mail than if we not make the list available.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Secretary of State George Ryan believes that the government should not be in the business of selling for commercial solicitation purposes that -- the private, personal information that is collected for -- from the citizens that it licenses and regulates, and therefore he has ceased doing this. The Secretary also believes that the State's former opt-out procedure will not meet the federal standards taking effect in September which will require all states either to stop selling motorist information or to provide motorists with a clear and conspicuous notice of their rights to have their names stricken from lists sold by the State. There are twenty-six states right now that prohibit the sale of driver's license information. Secretary believes that this impact on small business will be minimal. In fact, even the direct mail industry admits that only 1.6 percent of all direct mail in the United States is generated from motor vehicle records. They say that -- the proponents have been saying that George has been unwilling to sit down with them. First of all, I'd like you to know that one of the proponents is now taking him to court and so far has lost. It's now on appeal, and they believe that the appeal will also lose. But as lawyers know, while it is in court, he cannot sit down with them. But before the suit was filed, they had made several attempts to come to some understanding. Bottom line: R. J. {sic} (R. L.) Polk

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refuses to bear the costs of an opt-out plan if it were allowed to continue buying the information, and the Secretary of State believes that that cost will be somewhere over eight million dollars to notify every, single driver and every, single vehicle owner that they have the right to opt out. That includes putting the information out and includes putting the data into the two different computer bases. The Illinois citizens in the newspapers support the Secretary of State's decision to -- to end the State's longtime practice of selling personal information about motorists, and I have a list of editorials and they are all over the State, including The Daily Herald, the State Journal, the Rockford paper, the Sun-Times, the Bloomington paper, among others. A few years ago I happened to be at NCSL and I was asked by a gentleman to come over to his booth to show me a disk of information that he had on the various people in the State of Illinois. He -- just so happened, he just had the Chicago disk and he asked me if I knew anybody in the City of Chicago. And the only one I could think of, very frankly, right off the top of my head was Senator Carroll. And so I -- I asked him to put in the name Carroll. He did, and he said, "There are seven Carrolls in the City of Chicago", and then he asked me his first name and I said Howard. Senator Carroll, I know -- I now knew your wife's name, your children's name, the date of your birth, your ward committeeman, which happened to be you, the district that you represented, what your hobbies were, what magazines you subscribed to. That information -- I hate to tell anybody in this Assembly, but that information is -- is available to anybody that wants it. This bill, if we defeat it, is not going to hurt any kind of business. If we can get ahold of that information, believe me, anybody else can. Howie, I -- I never told you this, because I'm not sure that you'd really want to know it, but that information is out there. I could even give you the name of the company, if you want. And I

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think the Secretary of State is right in his approach. It is not the business of the State to sell that information to the -- to anyone, and I solicit your No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

I guess on a point of personal privilege. One, I'd like to know, Bev, if I could get a copy, but I guess the real question is: don't ask; don't tell. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Members of the Senate. I -- Senator Fawell just did a great job. There's not too much left for me to say, but I would like to say that I concur with the Secretary of State wholeheartedly. And I'd like to ask Senator Rauschenberger a question, please. In the bill, you have, on page 3 -- and when this bill came before committee, we were concerned about your definition of what -- I mean, how do we meet the test in Illinois of clear and conspicuous opportunity to request that a person's identifiable information is not sold, it's not given out and used for commercial solicitation. What is your definition? What will the Secretary of State will have to do to ensure, not after the fact? Because the -- right now what usually happens, a person finds that they're getting all of this -- this mail and being solicited and once they discover that this information is being obtained from their driver's license, then they request that their names are removed. But you know and I know, once the information is out there, it's not going to be removed; it just gets transferred to someplace else. Now, I have to also agree with Senator Fawell that anyone who wishes to have information about what you had for breakfast this morning, you could -- they could

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almost find out today. So there's no need to do this. I don't think the State should be in the business of selling it. It's going to cost money. You could probably speed up litigation if you try to come up with a vague definition as to what is determined clear and conspicuous information. There is no definition here. And I just don't think we ought to open ourselves up for anymore lawsuits on this area. It's not worth it. This is not information that's not obtainable. We ought not to be in the business of doing it. I concur with George Ryan and I would ask the Members on this side to vote against it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As -- as late as today, I have spoken to the Secretary of State myself and suggest that we try to work a compromise out when we come back after the Easter vacation. And very honestly, the Illinois citizens ought to have the right to take their name off the lists. I think everybody agrees on it. Now, there's a very simple -- simple, cheap, uncomplicated way to do this. When you run out of those three forms we're talking about - and that's the driver's license, the registration license, and these ID cards that senior citizens get - when you run out of those forms, you simply print up a new form with a box on the bottom of it, with a little explanation: If you check this box, the Secretary of State will remove your name from those lists that he sells. And just wait till those forms just run out and the new forms will be printed. It might take you two or three years to do it, but it wouldn't cost a lot of money and, to me, it makes some kind of sense. So let's vote for this thing. Let's get it out of here. I will assure you I will sit down with the Secretary myself, personally, and work out these details.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Yeah. Let me correct just a couple of misconceptions. First of all, R. L. Polk did not lose their lawsuit. They -- they won an injunction. They currently have access to the lists because they had access under contract that the Secretary of State didn't wait for the expiration of the contract, number one. Number two, if -- if we don't pass this bill, you're not protecting anybody from junk mail. What you're doing is you're making the mailing lists that marketers use less accurate, which means there'll be more junk mail, not less junk mail. Number three, there are easy ways to deal with clear and conspicuous disclosure. Senator Philip raised one. The direct marketers have offered, on multiple occasions, to double the costs that they currently pay to obtain the list to help pay for whatever the Secretary wants. Everyone here knows I do a fair amount of negotiation. Some might not agree whether I do it very well or not, but I want you to know, for the last year, I've been available and seeking to -- to engage the Secretary of State's Office in some kind of compromise. They're not interested. The most important thing of all in this is the access to the lienholder list, so people who go to car dealers and buy emotionally and end up being sold car payments and get seventeen-, eighteen-, nineteen-, twenty-percent loans, so that we have access to at least let the marketplace try to protect them. We don't have any usury -- Statutes on -- on the books anymore. There's no consumer protection. The lienholder list is probably the heart of all of these lists that should be available so that at least those people have the protection. I'm going to ask you to do a hard thing, and I guess, since I've only been here five years, I'm still hopeful that maybe people will listen to a debate and vote through something. I'm going to ask you to vote

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to support a legislative committee that worked with the Secretary of State, that the Secretary of State's Office refused to work with. I'm going to ask you to trust the sponsor, who's tried to work on this bill. I'm going to ask you to trust your Senate President, who's made numerous calls to try to get the Secretary of State's Office to engage with us. We can work on this bill, but we have to move it out of the Chamber. George Ryan's people will not negotiate or take this seriously if we don't have the support of this Body. For those people in your districts, for making -- for reducing junk mail, for -- for doing the right thing, and for supporting legislative committees like JCAR that do their work out of Session so that we have -- we're alert to these things, I'm going to ask you please, this time, give us an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 79 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 19 voting Yes, 35 voting No, 1 voting Present. Senate Bill 79, having -- having not received the required constitutional majority, is failed. Senator Donahue, on Senate Bill 85. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 85.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 85 creates the Amusement Rider Responsibility

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Act. What we have is a situation with our local churches, our county fairs, community festivals, that when they bring in carnivals to our local communities, they're starting to have difficulty being able to get the carnivals for the simple reason the liability insurance is getting to be too costly. We also have companies in Illinois that build amusement rides that are having difficulty with liability insurance and product liability insurance. And what this bill does is try to get at the root of the problem. The Rider Responsibility Act means that if the rider, the -- the person who is on the ride, acts up and doesn't follow the rules, meaning things like if they're in one of those twirly things that swing around and they -- they're jumping around and they take the bar off, and they get hurt or they cause an accident, then the rider is more responsible than the operator. But if the operator -- if there's an accident happened because of the operator, or some malfunction of the machine, then it is -- there's no -- no change in this, no difference; the operator is at fault and the liability kicks in. What this -- we -- we have an Act today that currently deals with safety, with inspections, permits and insurance. What this bill's going to do is enhance our law today with the posting of signs, the banning of recovery of damages by the rider who violates the provisions of the bill, and reporting of the injuries to the amusement organization or the Department of Labor. It is an important bill for our county fairs, our local communities, as I indicated, and I'll be happy to answer any questions, but other than that, I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

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Sponsor indicates she'll yield, Senator Cullerton.

SENATOR CULLERTON:

The analysis indicates that there -- it would bar recovery against the operator of a ride under certain circumstances. What is the standard that is used? Is it -- was it negligence, or is it willful and wanton behavior that...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Okay. It's willful and wanton behavior and violations of the bill, which is the -- creating the Rider Amusement Safety {sic} Act.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

How does that differ from current law?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue. Senator Cullerton, would you repeat your question?

SENATOR CULLERTON:

Yes. I know this is a new Act, so I'm just wondering what does this change with regard to liability? How does it change the current -- the current law, if you will? In the absence of this law being passed, what are the rights and responsibilities with regard to the negligence of a -- of a operator? Does this, in any way, limit the ability of someone who's -- who's injured on a -- on a ride to sue the operator for their negligence? That -- that's the question. In other words, is the standard that they have to adhere to -- you can only sue them if they're willfully and wantonly negligent, or is it a regular standard of negligence that would normally apply?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Donahue.

SENATOR DONAHUE:

Excuse me, Senator Cullerton, I am having trouble hearing you. But, as I understand it, if -- if the rider is responsible, they're not able to recover; if the operator is negligent, in any way, it does not -- it doesn't affect that and it doesn't change what is already existing in current law.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in support of this legislation. Senator Donahue was fair enough and kind enough to amend the legislation to take out "horseplay" and that fooling around, which young people will do, out of the bill, and it simply addresses when the -- if on a roller coaster, if a rider stands up on the roller coaster, well that's not the operator's fault; it's the rider's fault. This is a good bill. In addition to that, if the signs are not posted properly, then the -- the -- the amusement park is -- is still liable. So they have to post the signs, they have to be visible, and it does not stop someone from suing if it is the fault of the amusement park; just goes to the fault of -- of the rider. And I -- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Senator, who wants this bill? The consumer or the -- the carnival people?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Illinois County Fair Association, because of the effect on their county fairs. Your Illinois churches, because of the

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festivals; when they bring in a -- a little merry-go-round for a -- a fair at the church, they're not able to get these any more because of the cost. Your local communities, for the same reason. There's a host of support for this, because of the responsibility of the individual.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

Senator, is there a age limit, in terms of this liability? I mean, the...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

No, it's the rider. If you get on a -- a Ferris wheel, Senator Collins, and you're acting up as it's going around and you're trying to lift the bar and you fall out, you're responsible, not the carnival operator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

Senator, I'm -- I'm talking about my five-year-old grandson, and he fall out of a -- he's -- because he's afraid, or he goes on a ride and -- and -- and, all of a sudden, he falls out, or he just try and get out - some kids will for the first time on it. You know, the parent don't always know how a kid is going to react even though it's a kiddie ride. Some kids will fall out and -- and -- and get hurt. So are you saying that you're going to just totally exempt the -- the -- the amusement people from total liability in these cases like that; a child is killed or maimed and -- and excessive hospital and doctor bills, that they have no responsibility at all?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Donahue.

SENATOR DONAHUE:

There are certain signs that need to be posted at the carnival ride. Just like when you go down to Six Flags in St. Louis and it says you have to be so high to get on the ride, you have to be -- if you're pregnant or on certain types of medication, all -- it's posted and you have some responsibility before you get on that ride, and that's what this legislation is trying to address.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

Senator, is there some kind of law that said everyone have to be -- you know, can read and write and understand language -- the language before they get on a ride?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR COLLINS:

Did you hear...

SENATOR DONAHUE:

No. I can't hear you, Senator, and I'm sorry.

PRESIDING OFFICER: (SENATOR WATSON)

Well, I'm sorry if there's -- if there's noise around you. We'd -- we'd like to have our conferences, maybe the press conferences, held down and bring some order to the Chamber so Senator Donahue can hear the question. Senator Collins, would you please repeat your question?

SENATOR COLLINS:

Yes. Senator, this is very serious. I -- I take it very serious. We're talking about young kids here and -- and there are no exceptions, and I wanted to know, is there some kind of -- a law or rule that says that a person must know to read -- how to read in order to ride these -- get on these rides and that they

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must have the -- the message posted in -- in different languages, all the different languages in your bill, and -- and God knows what else we need to protect the children and -- and consumers? I just think this is a bad -- I -- you know, it's maybe a good idea in terms of the intent behind it is good, but, Senator, this has some far-reaching, serious implications here for the consumers - the people out there, especially our children in the State of Illinois. I don't think we ought to do this. I think you ought to take it out of the record and maybe do some more, if there was a task force or committee, or whatever, and look at it a little harder and come up with how do we give this industry and -- and these little community groups some relief or some protection; but at the same time, just don't take away all protections from the consumer, and particularly our children. This is a bad idea.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

I move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

Previous question has been moved. We have four additional speakers, in this order: Senator Berman, Senator Geo-Karis, Senator Maitland, Senator Philip. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this bill. Let me tell you -- when the sponsor talks about who wants this bill, let me tell you who will let you know that you shouldn't want this bill, and that is the parents of every child that rides on these machines, on these types of attractions that -- that people go to. Their kids want to go on these kinds of -- of operations. Now, you know, you've taken your kids, you have gone to these kinds of -- of -- of exhibitions or amusement parks, and there are signs posted. I

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won't ask for a show of hands. How many of you have ever - ever - read those signs? Well, aside from the sponsor, I won't ask you what the sign said. I got to tell you, nobody reads them. And there is no requirement in here -- outside of the -- that they be posted in three different places, there's no requirement as to their size or anything else. Now, I've just got to tell you that this is silly, because if you've got a amusement park operator who is negligent, they don't check the safety of the belts; they don't do other things that they ought to do to protect the -- the safety of their riders. Who knows better than the operators what's necessary? Under this bill, a child is barred from making a claim for the negligence of the operator. Under Section 45 and under Section 40, they are barred from making any claim if this child that's on that ride happens to be contrary to what the written posted notice is that nobody's going to read. Now this is outrageous. These people charge money to go on these rides. They expect kids to ride on 'em, and when a kid gets hurt because of the negligence of the operator, you, by voting Yes, are going to prevent them from getting compensated for the negligence - for the negligence - of the operator. That's outrageous. If you think that you can justify a Yes vote to the parents of the kids that get hurt because of the negligence, I'll be glad to debate you in front of your voters after this bill passes. It's out outrageous. This is just to take care of operators that don't want to pay for the insurance premiums that they ought to have in order to operate these rides that could be dangerous - could be - and if they are dangerous, it's their fault, not because of the kids. I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Philip.

SENATOR PHILIP:

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

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far we have done nine bills since we started this morning, and it's now 11 o'clock. At the rate we are going, we'll be here another twenty-eight hours. Now, it's the intent of the Chair to get out of here sometime in early or midafternoon. If we could kind of hold it down a little bit, most of us would appreciate it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Maitland. Yes. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. Why am I not surprised at the argument from most of the other side on -- on this issue? I -- I think I have a pretty good understanding. We heard the same arguments when we dealt with tort reform and a number of other things in this Chamber a number of years ago. As I read this, as I view this issue, this enhances current legislation. We have been very strict on -- on carnival rides over the years. We've gotten tough on them. We've put in place good laws. This enhances the bill, and I think Senator Donahue's bill ought to pass and with no more debate.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I've been a trial lawyer, but I am in favor of this bill because I think it does have some safeguards. And if a parent isn't going to worry about what his -- the child is going to do, well, for heaven sakes, if the operator's operating the amusement park correctly and properly and these kids want to horse around and do things they shouldn't do, well, I think they've been warned. And I do read the signs wherever I go, and I support the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue, to close.

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SENATOR DONAHUE:

Well, thank you, Mr. President. This bill does not deal at all with the type of situation Senator Berman was talking about with the belt. If the operator is negligent, it doesn't change a thing. We're trying to get at the young people in this State that get on a ride and are totally irresponsible. They not only put themselves in jeopardy; they put other people in jeopardy. That's what we're trying to get at, is somebody who's lifting the bar or jiggling the cage or jumping up and down, yelling screaming, the words that we took out of the bill yesterday that defined frolicking and horseplay. We couldn't make it any clearer, but that's what we took out yesterday. So it's just the irresponsibility of the individual. That's what we're trying to get at. That's what this bill does and I would ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 85 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Yes, 24 voting No, 3 voting Present. Senate Bill 85, having received the required constitutional majority, is declared passed. Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

I'd request a verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR WATSON)

That request is in order. Will all the Members be in their seats? All the Members be in their seats. Secretary will read the affirmative votes. Madam Secretary.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bomke,

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Bowles, Burzynski, Butler, Dillard, Donahue, Dudycz, Farley, Fawell, Geo-Karis, Hendon, Karpel, Klemm, Luechtefeld, Madigan, Mahar, Maitland, Myers, O'Malley, Parker, Peterson, Radogno, Rauschenberger, Sieben, Smith, Syverson, Walsh, Watson, Weaver and Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman, do you question the presence of any Member?

SENATOR BERMAN:

Senator Sieben.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben is in the center aisle.

SENATOR BERMAN:

Oh! Thank you. Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley? Senator O'Malley in the Chamber? Senator O'Malley? Strike his name.

SENATOR BERMAN:

Senator Bowles.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles is in her chair.

SENATOR BERMAN:

Senator Smith.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Smith? Senator Smith in the Chamber? Strike her name.

SENATOR BERMAN:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON).

On a verified roll call, the Ayes are 28, the Nays are 24, 3 voting Present. The bill, having failed to receive the required constitutional majority, is declared lost. Senator Donahue.

SENATOR DONAHUE:

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Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR WATSON)

Postponed Consideration. That request is in order. Senator Butler, on Senate Bill 106. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 106.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, Senate Bill 106 attempts to clear up some confusion over definitions when a piece of land is annexed to a municipality. At the present time, the current law says that the municipalities may provide by ordinance that newly annexed territories automatically classified the highest restrictive use. Now that sounds like a -- kind of a simple proposition to follow. However, there is great confusion if -- over exactly what highest restrictive use is. And so this measure attempts to define that rather loosely interrupted definition, and it says that if a municipality does not -- does not provide for automatic zoning in a different manner, that territory is automatically classified to the highest zoning classification principally for residential use. There -- there is -- there was some concern over the -- over this automatic annexation, and if we think about it there are only three ways that land is -- is annexed. First, through an annexation agreement. So if the landowner did not agree with the municipality calling for a highest residential use, they obviously -- they obviously would walk away from a deal. The second instance is through an annexation agreement and that -- that has the same -- gives the same power to the landowner. They

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can just say no, and walk away from it. The third is the forcible annexation, and it -- and is restricted only when the land is wholly surrounded by the municipality. Now to just further protect the landowner, the Municipal Code now says that you cannot deprive an existing owner from the use of the property or -- or -- for which it is lawfully devoted. So, I would think that this clears up a situation and, at the same time, protects landowners under all conditions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 106 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 106, having received the required constitutional majority, is declared passed. Senator Dudycz, on Senate Bill 129. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Yes. Thank you, Mr. President. Senate Bill 129 amends the Election Code to provide that no person shall knowingly publish or broadcast campaign materials that contain an altered or fraudulent picture. Any person violating -- violating this Act shall be guilty of a Class B misdemeanor and also shall be liable for the cost of publishing or broadcasting a public acknowledgement of the fraud, along with the original unaltered picture. And I

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would...support.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Trotter.

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Senator Dudycz, is there any particular reason why you're pushing forth this legislation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Senator Trotter, as you know, I distributed to all the Members on the -- on the Floor copies of photographs. In the 1996 Primary Election, there was a candidate who -- who was running for State Representative in the 13th Representative District, and in the primary he -- he distributed and mailed out a brochure - multicolored brochure - containing photographs of himself with numerous elected officials. One of the photographs I noticed was quite familiar to myself, 'cause it was actually a photograph where I had previously been. He had imposed his head on -- on my body and... Some may say it was an improvement; it may not be much, but it's my body and it was my photograph.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

And -- and this law would do what, that you're proposing here, Senator, to -- to... this -- to rectify this, what would your law do?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Dudycz.

SENATOR DUDYCZ:

Well, it says that anyone who is -- who violates this Section is guilty of a Class B misdemeanor, and they will be liable for the cost of publishing or broadcasting a public acknowledgement of this fraud with the original photograph or broadcast.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Yes. To the bill: I'm certainly not going to belabor this, and I -- and I'm probably with the others, I think it was an improvement. However, I believe that as we've, in this -- this Legislative Body, for the past few years, we have been repeatedly getting tough on crime. This is an example of us getting crazy on crime. We're, once again, just making these punitive laws and -- and filling up our Statutes with bills we don't need, with -- with laws and language we do not need. There are laws presently on the book which could address this issue. There's libel laws; there's slander laws. I think that this is just a redundancy, this bill here, and I think we should not be trying to pass out personal -- and trying to have our own personal vendettas fall on this Legislative Floor. I ask everyone to vote No on this ridiculous piece...

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Just for the record -- I wanted a clarification. The -- the word "altered" is in this bill, and for the record, if -- if I, in my next campaign, get a picture of myself and I eliminate all the wrinkles in the face, or if I -- if I'm running Senator Watson's campaign and I put a full head of hair on him, is -- would those actions be considered, quote,

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"altered", unquote, under this bill and would it be a crime?

PRESIDING OFFICER: (SENATOR WATSON)

Speak for yourself, Senator Berman. Senator Dudycz.

SENATOR DUDYCHZ:

No.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. Chairman. Senator, this bill only addresses photographs? Nothing else?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCHZ:

Senator, it's either photographs or images that are broadcast. The television, for example.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

What about fraudulent letters? I know there was a campaign this last time around where a mailer was done with the name of -- of a well-known African-American leader and it was a phony letter. That was fraudulent also. Will this bill also address that kind of fraud?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCHZ:

No, Senator, it would not, but I'd be more than happy to work with you and cosponsor that type of legislation. But this particular bill has nothing to do with letters or the printed word.

PRESIDING OFFICER: (SENATOR WATSON)

Senator...

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SENATOR DUDYCZ:

It's basically images.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Well, to the bill, Mr. President: I -- I think we have a serious problem. We really do, with the kind of mailers that we're seeing these days, phony groups that get established for the purpose of covering where the mailing is really coming from, photographs that are altered. I had this done to me several years ago, where I was standing at the end of a -- of a picture and I was cut out, even though I was responsible for the photograph to a certain extent. So I understand what you're trying to do, but let's -- let's look at all these problems, and -- let's not just take this area, do it piecemeal this way. Let's -- let's wait, let's look at all these problems. I'll be glad to sit down with you and work on a bill that would protect all of us from the kind of crazy stuff that goes on in campaigns, because I think something needs to be done, but not this way.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon. Further discussion?

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Dudycz, what about caricatures? Does that -- if someone draws a -- a picture of you with a big gun or something like that and puts it out, would that be fraudulent? Would that be...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

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SENATOR DUDYCZ:

I'm sorry. I don't understand the question, Senator Hendon. You're talking about if they added something to the photograph?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Yes. If they added something or they did a caricature, a drawing like they do in the newspapers, or if they take -- you know, where the newspapers will draw you up looking all funny. Can they -- would that be covered?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

You mean, caricature, Senator. No, that would -- this would not have anything to do with caricatures. This is a -- photographs.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Finally, how close did Callahan come to beating you?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

He did not run against me, Senator. He -- he was a primary candidate -- Republican primary candidate for State Representative. He won the primary, and then he was the Republican nominee for -- for the State Representative district against Representative Ralph Capparelli.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Just quickly. Thank you, Mr. President. In -- in response to

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-- Senator Dudycz, in response to Senator Berman, you stated that -- I think you were talking about your hair, Senator Berman, if you... However, your bill -- his wrinkles. Anyway, your bill says no person knowingly publish or broadcast campaign materials that contain an "altered or fraudulent picture". So, if you alter a picture, you're in violation. So, therefore, if Senator Berman were to dye his hair a little bit black or alter the picture, he would, in fact, be in violation. So what I would think, if it does get out of here, you certainly should consider removing the word "alter". Fraudulent seems to be fine. But it's clear -- I read the bill; it says if you alter a picture, you're in violation of it. So I would suggest you -- you take a look at that.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Senator Molaro, just in answer to your -- your suggestion. If you -- if you did read the bill, you'd notice that it said that's -- altered or fraudulent pictures are those which are substantially altering the identity of an individual or otherwise substantially alter the facts contained. We're not talking about removing wrinkles or adding hair or -- or other items, superficial. We're talking about substantial alteration of the -- of the photograph, and I would seek your support.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 129 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Yes, 3 voting No, 6 voting Present. Senate Bill 129, having received the required constitutional majority, is declared passed. Senator Madigan. Senate Bill 131. Out of the record. Senate Bill

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132. Out of the record. Senate Bill 138. Out of the record.
Senator -- 140. Senator Radogno. Madam Secretary, please read the
bill.

ACTING SECRETARY HAWKER:

Senate Bill 140.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR LINK:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

State -- state your point.

SENATOR LINK:

I'd like to introduce a County Board Commissioner from Lake
County, Commissioner Angelo Kyle, and the Assistant Administrator
of the County Board, Patrick Urich, and I'd like to give them a
Senate welcome.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Welcome to the Senate. Glad to have you here.
Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill amends the local siting
Statute regarding pollution control facilities, which tend to be
incinerators, waste transfer stations and such. The purpose of
the bill is to ensure that neighboring communities are informed
when an adjacent municipality is holding a hearing on siting a
pollution control facility. It requires that the officials from
the adjacent municipality and/or the county board be informed at
least fourteen days prior to the siting hearing and be allowed to
participate in that hearing. It does not give any veto power or
any special standing to those groups. The information should

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allow neighboring communities to participate more effectively in the siting process and hopefully make the -- the whole process less contentious. We have addressed concerns that were raised regarding the penalties in this bill and all the opposition has now been withdrawn. So I would ask for your support on this bill. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Welch.

SENATOR WELCH:

Senator, would you be willing to add an amendment that said that the Senate Bill 172 siting requirement is extended from the municipality in which the facility is going to be located to a radius of five miles, so that adjacent communities could have a say in the siting process?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

I -- I'm very familiar with that argument and I would not want to add that amendment, because, frankly, I don't think it will go anywhere, and I think that this bill does provide some additional notice to folks. And the -- the purpose here is not to throw up obstacles to siting these facilities, but really to enhance the communication process.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, Senator Radogno, wish to close?

SENATOR RADOGNO:

I'd ask...

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PRESIDING OFFICER: (SENATOR WATSON)

You did a pretty good job right there.

SENATOR RADOGNO:

...for your favorable support. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. The question is, shall Senate Bill 140 pass. All those in favor, vote Yes. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 140, having received the required constitutional majority, is declared passed. Senator Mahar, on Senate Bill 141. Out of the record. Senator Farley. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 171.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 171 is a bill that would establish a teen court program. It would allow the county board of the municipality to create such a program. What it does is it says that, to be eligible for this teen court, a minor must not have been adjudicated a delinquent or have been previously referred to this teen court. The teen court shall consist of twelve people at least thirteen years of age, not more than nineteen years of age. The teen court shall only be a sentencing court. It will not pass judgment whether that person is innocent or guilty. It's a -- a sentencing court. By written permission, the -- the teen would enter into this -- into this program, into this court, with

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written consent, knowing that he might have to be serving community service. I think that it's a good program. It's permissive and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 171 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 171, having received the required constitutional majority, is declared passed. Senator Petka, on -- out of the record. Senate Bill 182. Senator Rauschenberger. Out of the record. Senate Bill 194. Senator Dudycz. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 194.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Senate Bill 194, as amended, would change the Pension Code in Section 5/22-307. The Section bars certain common law and statutory rights of an injured downstate police officer or firefighter for workers' comp claims if the employing municipality has established a benefits plan under the Pension Code. As amended, it repeals the word "statutory" through the Section. Additionally, the language is used -- added to state intent of the Section. Does not relieve a municipality of any obligations under the Workers' Comp Act or the Workers' Occupational Diseases Act, and it allows downstate police and firefighters to collect benefits under these Acts. It also

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excludes now language -- or, it excludes the City of Chicago in the amended language. And I would defer any -- any other comments to Senator Cullerton, who's worked with the Associated Fire Fighters, the AFL-CIO and the Medical Society to craft this language.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I rise in support of the bill. As Senator Dudycz indicated, this -- this came about as -- the need for this bill came about as a result of a 1992 Appellate Court decision. Apparently, since the Pension Code provisions that we want to amend here were enacted in '63, there were workers' comp changes in '72 that should have changed the Pension Code provisions and it didn't. So this is really a -- a cleanup in that regard, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, the question is, shall Senate Bill 194 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 194, having received the required constitutional majority, is declared passed. Senate Bill 196. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 196.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

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Thank you, Mr. President, Members of the Senate. Senate Bill 196, as amended, addresses current regulations that provide that insurance companies provide insureds with three years of loss experience. This bill changes that to five years of loss experience upon written request of the insured. Brings it into compliance with other five-year requirements that are in place for motor vehicle reports and voluntary combined loss experiences. I would -- I know of no opposition to this and would ask for its approval.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 196 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 196, having received the required constitutional majority, is declared passed. Senate Bill 198. Senator Madigan. Out of the record. Senate Bill 203. Senator Lauzen. Out of the record. Senate Bill 209. Senator Carroll. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 209.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Some of you may remember when we passed originally the Collateral Protection Act, which was -- basically allows the lender to place insurance on property if the person who originally takes the property does not remember to renew the insurance, and often it's

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a case where a parent may have to co-sign for a -- a younger child who is buying a car and the child gets his notice and didn't tell the parent and the parent didn't know because the notice says, if you don't provide us insurance, we'll provide it for you. 60 Minutes did a whole expose where the cost, eventually, of the collateral insurance was the twice the amount of the original loan. In order to deal with that -- and I won't read the 60 Minute transcript, but in order to deal with that, what we have done is said that, when they do send this notice that they will be replacing the insurance that you let lapse, they have to put in the amount that they will be charging you for the insurance and advise you as to whether or not there will be any additional fees. Also, for the lenders - they had had a question on whether or not leases were included in the way they had originally drafted the bill - we have clarified that, that leases will be included, so that now they have the appropriate collateral and the person who is both taking the loan and guaranteeing the loan will get notice of what the new insurance will cost. If they do not want it, all they have to, then, do is go get their own insurance and tell the lender that they have their own insurance; show proof of insurance and then their own insurance will again take over. And I would answer any questions and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 209 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 1 voting No, 1 voting Present. Senate Bill 209, having received the required constitutional majority, is declared passed. Senator Clayborne, for what purpose do you rise? You do not. Senate Bill 225. Senator Parker. Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 225.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 225 amends the Vehicle Code and provides that a chief of police or a county sheriff may appoint volunteers or contract with other entities to issue citations to individuals who are illegally parked in handicapped parking places. I will be pleased to answer any questions and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any questions? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm not going to belabor this point 'cause I've always been opposed to this type of action. I think that we're putting people in -- in tremendous harm's way by this type of legislation, and just would urge a No vote if you really want to look at this.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Yes, thank you. I assume, you know, this is the bill where we're going to let the volunteers give out tickets for violating handicapped parking spaces. Is this this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Yes, it is.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Molaro.

SENATOR MOLARO:

The problem -- the problem that arises is that I read through the bill, or at least I -- I thought I did and I looked at it, and it really doesn't describe or have rules as to what these municipalities or whoever's going to hire these volunteers, whether they should wear a uniform, whether or not they're going to be given a badge, whether -- you know, exactly what they can do. The problem we have, there's -- there's nothing there as far as requirements for training. You know, whether they be trained. So I assume what you do is you get these senior citizens and you hire them, and they always wanted to be a police officer, and now they can go out into these shopping malls and give tickets out to people who are parking. Now, that seems to make sense, because what you want to do is you don't want people to be parking in handicapped parking spots. Who does? So the answer is, let's get senior citizens, make them these volunteers, and I think we called them toy cops - or Senator Welch did in a different bill - but now they go out and they -- they're able to issue tickets. The bill doesn't address what kind of training. They're going to be able to issue a ticket on a vehicle that could be a fine in certain municipalities up to five hundred or a thousand dollars, or whatever the fines are. So we're going to go on that. Now, if they issue the ticket, then they'd have to come to court to testify, because obviously they're the ones that are giving the tickets. I don't know if they're going to be trained. I don't know if -- if what they're going to do if somebody's running to their car, or somebody's in the car and they knock on the window. We're going to have non-trained personnel giving out tickets. There's going to be altercations on the street, because they're going to give out tickets with people in them. There's going to be arguments, and I just think it's a bad idea.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Question of the sponsor, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Carroll.

SENATOR CARROLL:

Senator Parker, it says in here "volunteers", yet it is the merchant or -- or store or retailer who's looking to be exempted from any liability. Who appoints these volunteers?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

These volunteers are appointed by the local police.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

Will any of them be appointed by the shopping mall, or places like that? Is there any prohibition against that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

That is not the purpose of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

That was not the nature of my question. Is there any prohibition against the shopping mall appointing these volunteers and then seeking an immunity from any liability for anything that their appointed volunteers do?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

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SENATOR PARKER:

These volunteers are to be appointed by the chief of police and police. I didn't hear your -- the sheriff. I didn't hear your whole question. Are you saying, are they immune to liability?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

I was asking twofold. The mall will be immune from liability; but can the mall also appoint these volunteers?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Not under this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Link.

SENATOR LINK:

Yes. Will the sponsor yield for a couple...

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Link.

SENATOR LINK:

I stand in strong support of this bill, and the village that I live in, and is represented by Senator Geo-Karis and Senator Peterson also, is a pilot program for this bill. And what we do is it's -- in the bill, it's a -- the village "may" or the cities "may" institute this program. It's not a mandatory program, and the training in there was brought on by the police chiefs in this community. And what it has done, it has successfully been worked to where they've been taught not to face any confrontation; if there's confrontation, to walk away from these situations. This bill has been successfully worked in Vernon Hills, and I think that we -- we have to look at this as an opportunity of alleviating our police departments for more serious crimes that

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may happen in the community, to where we have these volunteers who are willing to do this. And as far as their dress, in the Village of Vernon Hills, what they're doing is they're wearing orange vests. They have no guns; they have no -- type of authority as that; but what they do have is they do have training from the police department, teaching them how to do this and what to do if there should be confrontation. And I strongly urge a positive vote on this.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker, to close.

SENATOR PARKER:

Thank you, Senator Link, for your support. It not only is successful in Vernon Hills; it is successful in the City of Chicago. In fact, last year they brought in over a million dollars in revenue because of the extra help the volunteers gave to the -- to keeping people enforced and giving out these violations. People with disabilities frequently find they can't park in these handicapped parking places. And what we want to do is impress upon the uncaring motorists that handicapped parking is for those who really need it. These volunteers do help them. There is training that is required. Under this bill, it is not a mandate; it is permissive, and it is -- was the number one issue for the Coalition for People With Disabilities last year, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 225 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Yes, 2 voting No, 7 voting Present. Senate Bill 225, having received the required constitutional majority, is declared passed. Senate Bill 239. Senator Rauschenberger. Out of the record. Senate Bill 240.

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Senator Karpziel. Senator Karpziel. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 240.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 240 does two things. It allows -- it requires, actually, the Inspector General at the Department of Children and Family Services and the Inspector General at the Department of Mental Health and Developmental Disabilities to report both to the Director and to -- of their agency and to the Governor. This is an attempt to make the Inspectors General have more independence and autonomy. It does one other thing with Amendment 2. It also allows the -- allows therapists the -- gives them the ability to disclose records without going -- to the Inspector General without going through a court process. And I know of no opposition and ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall Senate Bill 240 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 240, having received the required constitutional majority, is declared passed. Moving on to page 4. Page 4. Senator Rea. Madam Secretary, please read the bill. 250.

ACTING SECRETARY HAWKER:

Senate Bill 250.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Amendment 1 actually becomes the bill and amends the Coal Development Board. It changes the Coal Development Board to advisory to the Department of Commerce and Community Affairs, and it changed the composition of the Board by adding Legislative Members to it, as well as a member of Department of Commerce and Community Affairs. The Department of Commerce and Community Affairs do support this legislation. I know of no opposition and would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Seeing none, the question is, shall Senate Bill 250 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 250, having received the required constitutional majority, is declared passed. Madam Secretary, 287. Senator Luechtefeld.

ACTING SECRETARY HAWKER:

Senate Bill 287.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senate Bill 287, which creates the Illinois Coal Recovery Act of 1997, is --

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is simply a shell bill. We've been working with the United Mine Workers and the coal industry to possibly come up with some language to further that industry. As of yet, we have not, and it's a possibility that we will not. But I would like to move this to the House if I could get a positive vote on it.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall Senate Bill 287 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who vote -- wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 287, having received the required constitutional majority, is declared passed. Senate Bill 299. Senator Rauschenberger. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 299 clarifies a court case which threw into confusion the whole issue of whether siting of a pollution control facility runs with the land or whether it's intimately tied to the licensee that's operating the facility. This clarifies clearly that when you site a pollution control facility, the siting runs with the land and the permit to operate is -- is focused on the operator. There was -- were some concerns by the Illinois Environmental Council. We amended it this morning to take care of their concerns that there be notice. I'd urge its favorable adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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There any -- any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 299 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Yes, 9 voting No, 1 voting Present. Senate Bill 299, having received the required constitutional majority, is declared passed. Senator Sieben, on Senate Bill 304. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 304.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is Department of Natural Resources administration bill. It's a good bill. Let's vote for it. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 304 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 304, having received the required constitutional majority, is declared passed. Madam Secretary, read the bill. 307.

ACTING SECRETARY HAWKER:

Senate Bill 307.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Viverito.

SENATOR VIVERITO:

Yes. Thank you, Mr. President and Members of the Senate. This bill just would allow the townships to provide a primary health care for their townships, if they desire. It's a front-door referendum. And there was an objection by the Medical Society, an amendment, but we worked it out. It's being supported by the Illinois Medical Society, Township Officials of Illinois, and the Rural Health...

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 307 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no -- 1 voting No, no voting Present. Senate Bill 307, having received the required constitutional majority, is declared passed. Senate Bill 351. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Some paramedics in my area brought to my attention some unfortunate situations of newborns who had died because the parents did not adequately know how to do a Heimlich maneuver on newborns. So we have asked, through this legislation, of which I know there is no opposition, that hospitals take the time when the

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parent is there and a baby has been born to train the parents on how to do a Heimlich maneuver on a newborn infant. Some members have requested that we look at also CPR for newborns and -- and we'll discuss that if it gets to the House. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Klemm.

SENATOR KLEMM:

Just a quick question.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he will yield, Senator Klemm.

SENATOR KLEMM:

If, in fact, it doesn't work, do they hold the hospital responsible for failing to train them properly? Because I know in your business you may look at those lawsuits very carefully.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

It's not the -- active area that I practice in, but no they don't.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? Senator Carroll, to close? Question is, shall Senate Bill 351 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 351, having received the required constitutional majority, is declared passed. Senator Parker, on Senate Bill 356. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 356.

(Secretary reads title of bill)

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

ACTING SECRETARY HAWKER:

3rd Reading of the bill.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill now is a vehicle. We have been meeting all this past fall, and this initial study was created by a task force by this Senate last spring. And we are looking into the Home Repair Registration Act, and we are trying to work with the Attorney General's Office, who is in charge of this, with the Home Builders, the business people, and we do have ongoing discussions. I would like to pass this over to the House and it will come back here to the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 356 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 356, having received the required constitutional majority, is declared passed. Senate Bill 358. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Senate Bill 358, as amended, provides that the -- that a condominium board of directors shall

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allow an amendment to the condominium instruments granting the owner of a combined unit the exclusive right to use a portion of the common elements as a limited common element if certain conditions are met. The -- the conditions that remain in the bill after the amendment was added include: the common element for which the exclusive right to use is sought is not necessary or practical for use by the owners of any units other than the owner of the combined unit; and the second being, that the owner of the combined unit is responsible for any costs associated with the renovation or modification performed as a result of the granting of the exclusive right to use. The amendment specified that if the combined unit is divided, part of the unit is sold, and the grant is no longer necessary, practical, or appropriate, then the condo board may terminate the grant and require the owner of the original combined unit to restore the common area to its original condition. If the combined unit is sold without being divided, the grant of exclusive use of the limited common element shall apply to the new owner or owners, who -- who -- who shall assume the duties and responsibilities of the original owner. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Walsh.

SENATOR WALSH:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Walsh.

SENATOR WALSH:

Senator O'Malley, has former Representative Ellis Levin taken a position on this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

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I -- I've asked Senator Cullerton, and I know that he's checking that out for me.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, the question is, shall Senate Bill 358 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 358, having received the required constitutional majority, is declared passed. Senator Burzynski, on Senate Bill 372. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 372.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This bill amends the Physician Assistant Practice Act of 1987. Stipulates that supervising physician delegate limited prescriptive authority to physician assistant. Clarifies reimbursement of practice. Changes the ratio of physician assistants to supervising physicians. Adds new violations as grounds for discipline to the Physician Assistant Act, and permits physician assistants to order clinical laboratory tests. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 372 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting

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No, no voting Present. Senate Bill 372, having received the required constitutional majority, is declared passed. Senate Bill 373. Senator Rauschenberger. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 373.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 373, the underlying bill, standardizes the requirements for a backdoor referendum throughout the Statute books in the State of Illinois. Requires, specifically, that there be five percent of the voters who voted in the last Presidential Election on the petition. This codifies and -- and cleans up and standardizes all of those -- all of those backdoor referenda opportunities that our voters have in the districts. There's a second amendment, which permits a community in Senator Luechtefeld's district to enter into a joint agreement to seek water from the Missouri River. That's what the amendment deals with. It passed overwhelmingly in the Senate last year, but the entire bill - it was included on one of those large Christmas trees - was vetoed by the Governor and was never taken up. So I'd urge your favorable support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 373 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting

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No, no voting Present. Senate Bill 373, having received the required constitutional majority, is declared passed. Senate Bill 378. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 378.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. This amends the Illinois Environmental Protection Act. Requires the Illinois Environmental Protection Agency to implement the Uniform State Hazardous Material Transport Registration and Permit Program. It requires transporters of hazardous waste to obtain permit -- permits and provides for application and registration fees. Illinois currently has a State-based permit program imposed on transporters. Congress has directed that states will be preempted from such permitting unless they comply with the federal government's Uniform Program. The conflict in this bill that we have is that the -- the federal law indicates that the way we currently fund the Waste Management and Research Center is illegal. We have not come up with a way to -- to -- to fund that at this point. I would ask that you join me in moving this to the House while the Second Floor negotiates in determining how we're going to fund that.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 378 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting

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No, no voting Present. Senate Bill 378, having received the required constitutional majority, is declared passed. Madam Secretary, please read the bill, Senate Bill 404.

ACTING SECRETARY HAWKER:

Senate Bill 404.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 404 allows the Department of Public Health to partake in a public information campaign on breast-feeding to promote mothers to breast-feed their infants. The information brochure may be distributed to parents or legal custodians of newborns when the infant is discharged from the hospital or other health care facility. The purpose of Senate Bill 404, which is a model after a bill in New York, is to continue the State's public policy of educating women about the social, emotional and health benefits of breast-feeding. This bill is permissive, with no cost to our Department, and it came out of committee 8 to nothing. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 404 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 404, having received the required constitutional majority, is declared passed. Senate Bill 417. Madam Secretary, please read the bill.

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Senate Bill 417.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 417 is a new Act known as the Employee Leasing Company Act. It is a model legislation piece from the National Association of Insurance Commissioners. Several other States now have, with the changing workforce, this type of Act, including major States of Florida, Massachusetts, Utah, Arizona and New Jersey. This is really the General Assembly's first attempt at trying to come to grips with the new type of workforce arrangements that are out there. And the purpose of this Act is to ensure that an employer that leases some or all of its workers properly obtains workmen's compensation insurance coverage for all of its employees, including those that are leased from another entity, and that the premium that they pay is commensurate with the exposure in anticipated claim experience. Where you may have problems is -- and what this bill is trying to get to, is where you have an employee leasing situation where the experience factor in terms of the price of workmen's compensation, is somehow skirted and skewed by not having the real safety experience of the actual company commensurate with those employees that are leased. And if we don't have a handle in the State of Illinois on the actual experience to price workmen's compensation insurance, then companies who have excellent safety records perhaps pay more. These may be large companies like Caterpillar tractor, or they may be small employers. And what we're trying to do is really set up a system through the Department of Insurance where, if one leases employees, they're not using these leased employees to skirt their

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own bad safety records. This bill has been substantially amended. I know many of us, including the sponsor, has received telephone calls from companies that are leasing companies. Many of those objections of the professional leasing companies have been amended out of this bill. We've taken out many of the -- and really made it a registration bill, not a licensure bill, at the request of Senator Klemm. He had some excellent suggestions. And let me just, to close, before I'll be happy to answer any questions, Mr. President, say that this is not the General Assembly, at least in the Senate's, last look at this. This bill is going to go over to the House of Representatives, if it comes out of here today, and we're going to continue to work on and work with the leasing companies, as well as the companies that actually offer workmen's compensation insurance, to make this bill as workable and as -- as least onerous as possible to leasing companies. But it is really to protect good companies, small and large, from paying more on their workmen's compensation for employee leasing arrangements; that are really trying to skirt the negative safety experiences of bad companies. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. A question of the sponsor, if I might.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Senator Dillard, you and I have discussed this issue, but I'm -- I'm curious to know if, in your view, you believe that the bill does now include temporary employees, or are your plans in the future to cover temporary employees?

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Senator Dillard.

SENATOR DILLARD:

Senator Maitland, for the purposes of this Act, Senate Bill 417, employee leasing arrangement does not include arrangements to provide temporary help services. It is really designated and aimed at where all or a significant number of employees from one company are leased to another company for a period in excess of six months or consecutive periods equal to or greater than one year.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, the question is, shall Senate Bill 417 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Yes, 4 voting No, 3 voting Present. Senate Bill 417, having received the required constitutional majority, is declared passed. Senator Fitzgerald, on Senate Bill 423. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 423.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 423 creates a community college retiree health insurance plan. It's supported by the Community College Trustees Association, the Illinois Community College Board, the IEA and, with our amendment which took the City Colleges of Chicago out, also the IFT. The plan will cost the State no additional dollars beyond what it currently spends for this purpose. And I'd

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appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 423 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 423, having received the required constitutional majority, declared passed. Senate Bill 428. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 428.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation creates an advisory commission known as the Illinois Building Commission, which will consist of eleven members to deal with issues resolving conflicts about State building requirements. There's no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 428 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 428, having received the required constitutional majority, is declared passed. Moving on. Page 5. Top of page 5. Madam Secretary, 431, please read the bill.

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Senate Bill 431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill, as amended, does change the Low-Level Radioactive Waste Management Act and the siting process. It does a couple of things, but in -- in general what it does is it puts a two-year delay in the process, and secondly, it puts some local input back into the siting process, more so than the -- than the current system. And it does that by providing at the end of the two-year study, which will study what's going on at the federal level, in other compacts, the question of costs, because the reduced volume generated over the last several years will make the projected cost astronomical, it will provide that in the new siting process the volunteered sites will be volunteered not only by a -- a property owner, but also by either a county or an affected municipality. That will give local citizens in all areas of the State the chance for input at the local level because a site to be volunteered will have to be volunteered jointly by the local unit of government and the citizen. It does a number of other things in terms of -- of studies and other provisions. It passed out of committee last night unanimously. But it is an important piece, and I'd be happy to answer questions of anyone. I know of no opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 431 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting

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No, no voting Present. Senate Bill 431, having received the required constitutional majority, is declared passed. Senator Butler has requested that we take Senate Bill 436 first, and then follow that with Senator -- Senate Bill 435. He's asked leave to do that. Leave is granted. On the Order of 3rd Reading is Senate Bill 436. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 436.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, I'm going to borrow a phrase from Senator Petka, who has reminded us on several occasions the unintended consequences of some of the -- of some of the actions we take. Both of these bills concern the tremendous amount of flooding that is steadily increasing along the whole Des Plaines corridor, and it is directly -- or in affecting -- or indirectly affecting literally hundreds of towns. The answer -- one of the solutions being worked on now, and under way, is by the Metropolitan Water Reclamation District, who has several massive projects beginning up in Lake County, extending down through the entire Des Plaines River basin, and ending up affecting Will County at the same time. What we did -- the unintended consequences was that when we -- when we exempted the TARP Bonds, the Tunnel Bonds, which we recognize as being vitally important to that -- to that -- to that project and particularly to the nearby suburbs, we inadvertently created a problem for the district in -- in the issuance of limited bonds. Now keep -- keep focused on the -- on the flooding problems that are being experienced now. This legislation would allow the district to

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access the bonding authority it already has, which we, in -- in effect, created problems for when we exempted the -- the TARP Bonds. This -- this legislation is needed if these projects are to go forward. Keep in mind, this does -- this does not give the -- the Metropolitan District unlimited bonding authority, because we already have Statutes on the books that control the amount of such bonds that they -- that they -- that they can use. What this focuses on, on the so-called limited bonds, they need this access to -- because of non-TARP projects, sewage treatment plants, flood control facilities, pumping stations, sewers, et cetera. It's a hundred-million-dollar projects, which the authority for this expires in just four years. So this is not only a limited amount of bonds, but also a limited period of time. I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Having heard Senator Butler and his witnesses on Senate Bill 436 and 435, I rise in support of this bill and his next, and would just urge a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. I, too, rise in support of Senator Butler's bill. This is an important project. The whole TARP project is something that's been going on for years and years, and it's a project in which we have billions of dollars invested. And it is important for us to get to the next phase of this project. The first phase, which was pollution control and is working, has cleaned up the Chicago River, has cleaned up Salt Creek, has cleaned up the Des Plaines River, and now it's time to get on with

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the next phase, which is flood control, which is going to help many of the communities along the Des Plaines River which have experienced flooding problems. This is an important project, and I would only ask for a favorable vote on Senator Butler's.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just one quick comment. I, too, stand in support of this, but I -- but I also am getting a little bit tired of having to bail out those counties that have put on the property tax caps. If you want property tax caps in the future, I would suggest you live within those property tax caps. If you don't want property tax caps, then -- then that's fine. But if you want them, don't come back to this Legislature time and time again to go around it. That's my only comment on that.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

I think that the point may have already been made, but this is an -- question of the sponsor. This is an exception to the property tax caps?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

It is. It's the exception to -- to correct the problem we created when we exempted TARP Bonds, which should have been.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR BUTLER:

I ask for your favorable vote.

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PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 436 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting Yes, 18 voting No, no voting Present. Senate Bill 436, having received the required constitutional majority, is declared passed. We had leave of the Body, now we will go back to Senate Bill 435. Senator Butler. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

This, too, corrects the -- the unintended consequence we created when we exempted the Tunnel and Reserve {sic} (Reservoir) Plan Bonds originally in the tax caps. This -- essentially this bill ties -- they are tied directly together. The limited bond Act, which they have right now, is of no benefit because the -- the TARP Bonds would reduce their ability to access these -- these bonds. So what we're asking for is that -- that -- that the legislator -- the Legislature provide them with the ability to -- to -- to be certain there -- limited bonds are available to them. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Again, just to remind again, this is the second hundred million dollars that we are allowing over the property tax cap.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Yes. Thank you, Mr. President. I rise in favor of this particular bill. Spending six years with the Water Reclamation District and I can assure you that this particular bill is necessary in alleviating a lot of the particular problems in flooding, as well as a lot of the treatment plants that need upgrading, and I -- I commend State Senator Butler in taking care of these particular bills. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Walsh.

SENATOR WALSH:

Well, I, too, stand in support of the bill. And I just -- to point out to those people, I think that the tax cap legislation is terrific legislation and I think it's working in most cases, but anytime you pass major legislation, like the tax cap legislation, you're going to find, periodically, that there are flaws. And this is one of the flaws that has come up with the legislation. This is a good bill and I'd recommend that everybody vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR BUTLER:

Well, I have to echo and say thank you to Senator Walsh, because he hit the nail on the head. Again, I fall back on Senator Petka's great description of unintended consequences. One -- to just put some -- one more number on this. The flood control project is an eighty-million-dollar project. The -- the Metropolitan Water Reclamation District must come up with fifteen million dollars, which they cannot access because of what we did originally, because the federal government will -- will give them sixty-five.

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PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 435 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 voting Yes, 21 voting No, no voting Present. Senate Bill 435, having received the required constitutional majority, is declared passed. Senate Bill 438. Senator Parker. Out of the record. Senate Bill 459. Senator Luechtefeld. Out of the record. Senate Bill 467. Senator Burzynski. Out of the record. Senator Klemm. Madam Secretary, please read the bill, Senate Bill 469.

ACTING SECRETARY HAWKER:

Senate Bill 469.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 469 amends the Illinois Public (Labor) Relations Act, and it only covers the 9-1-1 public safety telecommunications entities. It defines what dispatchers are. It adds 9-1-1 dispatchers to the Sections 17 and 14 and also exempts the very small 9-1-1 entities that are created by the intergovernmental agencies and -- and agreements from -- from the Act. I want to thank all those participants who worked to make a agreed bill, and I do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. To the bill: I just want to let Members in the Chamber know that AFSCME, which had concerns regarding this bill, has been working with Senator Klemm, still

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has some concerns. They're not opposed to the bill, but they will be seeking an amendment in the House to tighten collective bargaining ability for employees. Again, it's not opposition to the bill. Senator Klemm has been working with them, but we can expect to see something occurring in the House.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, the question is, shall Senate Bill 469 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 469, having received the required constitutional majority, is declared passed. Senate Bill 476. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 476.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the Illinois Park District Association bill. Basically what happened last year was a fifteen-year-old child was umpiring a Little League game and the Little League game was something like fifty to thirty, and it went to 9:15, and the park district was fined fifteen thousand dollars by the -- the federal labor people for allowing a minor to, so-called, work after 9 o'clock. We have talked to the feds. They have decided maybe they were in error and have corrected their laws. Our laws now follow the new federal laws. Permits fourteen- to fifteen-year-olds to work for a park -- or, for a park district until 9 p.m. during a school year. The total hours

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permitted to be worked in a -- in a week is -- are twenty-four. It clarifies the school year as the scheduled school year of the public school district in which a minor resides, which is a change from Labor Day to June 1st, which is no longer relevant. Permits a fourteen- or fifteen-year-old to be employed by a park district property where alcohol beverages may be sold so that they can caddy during the summer if the park district has a golf course. And we did put an amendment on which I think took care of the labor concerns, and I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. The initial bill did raise some concerns from several members, including organized labor. I want to congratulate and commend Senator Fawell for adding an amendment that specifically states that youngsters can work in park districts more hours and that they will be limited to education and recreation activities. So that being the case, this is a good bill to support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, the question is, shall Senate Bill 476 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 476, having received the required constitutional majority, is declared passed. Senator Jones, for what purpose do you rise?

SENATOR JONES:

Yeah. Thank you, Mr. President. I'd like to give a warm welcome to the State's Attorney of Cook County, who is here pushing some very key legislation, State's Attorney Dick Devine.

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PRESIDING OFFICER: (SENATOR WATSON)

Well, State's Attorney Devine, we're pleased to have you with us. Welcome to Springfield and the Senate. Senate Bill 483. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 483.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Senate Bill 483, as amended, sets -- sets forth procedures for units of local government to seek approval from the Department of Public Health to regulate private sewage disposal systems under an ordinance deviating from the Private Sewage Disposal Licensing Act to address a special technical environmental condition that will affect the public health. In addition, it does create an advisory council on the private sewage disposal, and I don't know of any opposition and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 483 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, 1 voting Present. Senate Bill 483, having received the required constitutional majority, is declared passed. Senator Madigan, on 490? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 490.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 490, as amended, is our second attempt at addressing the domestic violence bill insofar as prohibiting insurance companies from denying coverage for domestic -- victims of domestic violence. This bill essentially passed out of the Senate last year without any opposition. I think that we've addressed the concerns that were raised in the House and had been raised previously on this bill. I'd be happy to answer any questions, otherwise would ask for its approval.

PRESIDING OFFICER: (SENATOR WATSON)

There any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 490 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 490, having received the required constitutional majority, declared passed. Madam Secretary, 493. Please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. 493 is a vehicle on gaming. I'd like to send it over to the House. I don't know whether we'll use it or not, but I'd like to have a vehicle around. Thank you.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Members of the Senate. There are a awful lot of bills filed in -- in the committee on gaming and there was only one -- there were never a committee meeting, subcommittee meeting. So, Senator, I'd like to ask again, what -- what is it that you hope to put on this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

I certainly don't know what will be on, but certainly all those suggestions that everyone has will be considered. If we can come up with a consensus and put it on one bill, that would be fine.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

Senator, I don't have anything against consensus, and that's the way things should be, but who is going to be participating in this consensus process?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

I think all the affected parties will participate. We continue to have meetings with individuals in the -- in the gaming business: horsemen, tracks, riverboat. There's many concerns out there that I think if we can get a consensus on what should be done, we may need a vehicle to run it on.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Collins.

SENATOR COLLINS:

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Senator, that's -- that's my major concern. You just articulated it there, because in that subcommittee, there were also bills that -- that were of interest to some of the consumers out there, the people out there, and of the people that you just named who are in the process of this consensus gathering you have, there was no mention of any of the consumers' interests of some bills that were introduced by them being heard or protected or being a part of the process. And I'm a bit concerned about that, and for that reason, we don't know what's going to be on it. I'd suggest that we vote Present or vote No.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, the question is, shall Senate Bill 493 pass. All those in favor, say Aye -- vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 voting Yes, 11 voting No, 11 voting Present. Senate Bill 493, having received the required constitutional majority, is declared passed. Senate Bill 495. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 495.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate - excuse me - this bill requires that those persons under the age of thirteen wear a life jacket when they are in a watercraft. The watercraft must be under way. This requirement only applies - excuse me - to those watercraft which are less than twenty-six feet in length and does not apply to persons who are below decks

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or in totally enclosed cabin spaces. And a violation would be a petty offense. I might tell you that I got a letter from the National Safe Kids Campaign telling me that one of the biggest causes of children dying is the fact that they hadn't been wearing these, and I'd like to ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 495 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, 3 voting No, 0 voting Present. Senate Bill 495, having received the required constitutional majority, is declared passed. Senate Bill 509. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shadid.

SENATOR SHADID:

Yes, thank you, Mr. Chairman -- Mr. President. This bill is at the request -- this legislation is at the request of the Illinois Sheriffs' Association, and what it does is it has some -- it puts qualifications for a person before he can be a candidate for sheriff in Illinois. And what it does is requires a -- a candidate for sheriff to be a U.S. citizen and have one year of residency in the county and not be a convicted felon. And I'd appreciate its support and a Yes vote on this.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? The question is, shall Senate Bill 509 pass. All those in favor, vote Aye.

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Opposed, vote No. The voting is open. 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 voting Yes, no voting No, no voting Present. Senate Bill 509, having received the required constitutional majority, is declared passed. Senate Bill 522. Out of the record. Senate Bill 543. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 543.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 543 is an initiative of the City of Chicago. It allows the City to use cameras to record violations of motor vehicles illegally going through red lights. As amended, it provides that the cameras can only be used to get a picture of a vehicle going through a red light and is involved in a motor vehicle accident, leaving the scene of a motor vehicle accident or reckless driving that results in bodily injuries, and removes all inference to administrative adjudication.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall Senate Bill 543 pass. All those in favor, vote Aye. Opposed, vote No. The voting -- I beg your pardon. I'm sorry, Bob. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, 2 voting No, 1 voting Present. Senate Bill 543, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill 557. Senator Cronin. 557? Read the bill, Madam

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Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 557.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is the -- the alternative route to teacher certification bill. This, as you may recall, originated with the Golden Apple Foundation's proposal. We worked with the State Board of Education and we worked with the Illinois Education Association to come up with this agreed bill among those interested parties. I want to commend the Illinois Education Association for their -- for their efforts on this particular bill, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise in opposition to this bill. I'm surprised that the IEA has signed off on this, but aside from that fact, I wanted to just put into the record a letter that was -- that I've received that was distributed to the Members of the committee. It's from the Illinois State University College of Education, and there is an organization called the Illinois Association of Deans of Public Colleges of Education and they are concerned about the professional standards by which we expect teachers to be able to go into the classrooms and to teach. I'll just read -- this is a page and a half letter, but let me just read to you one paragraph:

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The National Commission on Teaching and America's Future, on which Governor Jim Edgar participated, calls for higher, more stringent standards for the State's expectations of {sic} (for) its teachers, the programs that prepare them, and the manner in which they are provided continuing professional development. Senate Bill 557, on alterative certification, moves the State in the opposite direction of the way it should be moving. What we're providing for in this bill, and I ask -- let me try to identify it a little bit, because I'm not a teacher. I'm an attorney. And if there was a bill that was introduced -- and I think at one time Senator Frank Savickas jokingly said he was going to introduce a bill. I go for three years of law school before I can take the bar exam, and if I pass I can practice law. If there was a bill that said, instead of three years of law school, I could go to an eight-week summer school program and, with that program, step in and represent clients before a court, I would say that that kind of a bill is outrageous. The reason we go to law school is to learn what lawyering is all about. The reason that your teachers have gone through years of preparation is not so that they can lecture to a class. Every one of us could go in front of a class and lecture about political science, the Legislature, et cetera. We are -- they are taught to be teachers, how to take children and how to develop their interest in learning and how to educate them about all of these various subjects. This bill says, after eight weeks - after eight weeks - zippo! - you can be in front of a class and you're a teacher. Sure, there's a mentor, but it doesn't say that the mentor must be present in the class with you to make sure that you're teaching the children correctly. This is an insult, I would suggest to you, an insult to every teacher, whether they're IEA teachers or IFT teachers or nonunion teachers. It's an insult to them. We should be increasing the responsibilities, increasing the -- the requirements for teachers.

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This goes exactly the opposite way. I urge a No vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka, for what purpose do you rise?

SENATOR PETKA:

Thank you, Madam President. I move the previous question.
Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your -- your motion is in order. And there are one, two, three, four speakers yet. Senator Donahue.

SENATOR DONAHUE:

Thank you, Madam President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR DONAHUE:

Following up on what Senator Berman was talking about, the Deans of Public Education, I've been told that they are not in opposition once the amendment went on, and I need to have that clarified.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

The Western Illinois University Leathernecks are in support of this bill with the amendment. I don't know about all the deans of all the education schools.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue. Senator Link.

SENATOR LINK:

Yes, Madam President, I stand in strong opposition of this bill, and I question the sponsor on one thing. We are now in a state where we're looking for better teachers, we're talking about problems in the education system, and now we're talking about letting teachers with an eight-week course get in there and become

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teachers. My oldest daughter just graduated with a master's degree from the University of Illinois on the dean's list. I commend her for what she did, but I know in eight weeks she could not become a teacher. And I think that we have to stand up here and we have to look at what we're voting on, and we have to realize that people are coming into the teaching profession because they want to be teachers. We have a lot of -- a couple former teachers in this Body right now that know what education is like and they wanted to be teachers. And I think it's very important that we look at what we're getting into. I don't realize -- or I -- maybe I'm blind on this, of the real demand for this instant teacher certification and where we need these at, because I know we don't need them in my area because we have some fine teachers. And even in the school districts that are in problems, they are being able to recruit good teachers all the time. And I don't know what we need these instant teachers for, and I stand in strong opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President. Let me, first of all, associate myself with the remarks of Senator Berman, and I think, Senator Cronin, I -- comes as no surprise of my impassioned opposition to this bill. I can only say this, and I don't want to be redundant on what the previous speakers have indicated, but there is and has been currently an ongoing process within the State Board of Education and various task forces that they have appointed, and there is quite a chronology here of the events of the past year that are leading into this year, which would, in fact, bring about new methodology, new certification requirements for teachers. And, by the way, one of the recommendations is to strengthen the -- the certification process for -- even allowing for one year of

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internship. So, that particular group seems to be going more stringent than what this bill is doing; however, that is not to say that there is not room for this bill to be considered in that overall proposal. So when you're talking about new NCATE standards being developed for the institutions across Illinois, both public and private, that train teachers, there's an awful lot of things that are going into that process. I believe that this bill is premature, and it is one that's time who has not come and I would -- would urge opposition. I think teachers are going to be very upset when they find that all of the work that they have done to be certified is going to be taken away in one -- one swoop by Senate Bill 557. I would urge opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Last speaker is Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Indicates that he will.

SENATOR HENDON:

Senator Cronin, could a person be a mechanic - an auto mechanic - and then, in eight weeks, teach a course on cloning or partial-birth abortion?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

I'm sorry. I misunderstood your question. Would you repeat it, please?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

Could a person who is an auto mechanic for five years or so then take a eight-week course and teach a class on cloning or

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partial-birth abortion to students in, say, seventh or eighth grade, and do it adequately?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Right now the -- as you may know, current teachers need not study a particular discipline in order to be able to teach, so the illustration that you're trying to make with your question really goes to the current situation, right now. This bill provides that a teacher must have a bachelor's degree, minimal, and must have five years' work experience before they may enroll in this -- this program.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

To the bill, Madam President: I don't think that this is a good bill. I agree with the comments of Senator Berman and urge the Body to vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is... Do you wish to close, Senator Cronin?

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen. I'd like to respond briefly. First of all, I would argue that this bill and this proposal actually strengthens the requirements for teaching certificates -- or, for obtaining a teacher certificate. And you know what? The ninety-thousand-member IEA seems to agree with that proposition as well. Not only do they agree, but the Illinois State Board of Education Teacher Certification Board also agrees, and they're experts in this area. I think some of the remarks from other Members of the -- Members of the other side of the aisle were very misleading and -- and inaccurate. This bill -- actually, "The Alternative Route to Teacher Certification" - it

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states very clearly in the bill - the "program course of study must include the current content and skills contained in the university's current courses for State certification..." It's -- it's -- it's got to be done in an eight-week period of time, but it's got to be done -- it's got to be done in a way that is -- is as current and contains the content and skills that are contained in the university's course work. It also requires five years' experience. We're talking about an individual who -- who has been out in the workforce, has some measure of sophistication in the world, has a bachelor's degree and they want to teach, and they can go through this program. You know, it's very difficult, as you all know, to identify the qualities that make an individual a good teacher. If the current system of methodology and -- and course work in education schools was a guarantee that you go to those schools and you are, in fact, a good teacher, then this bill would not be proposed, and we wouldn't be talking about strengthening teacher programs and we wouldn't be talking about alternative routes. I would argue that this bill strengthens the teacher certification process. It -- it improves the quality of the teachers, and I am joined by the Illinois Education Association and the State Board Teacher Certification Panel, and I urge your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 557 pass. Those in favor, 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 33 voting Aye, 19 voting Nay, 2 voting Present. And this bill, having received the required constitutional majority, is declared passed. Senate Bill 558. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

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Senate Bill 558.

(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 558 adds rail crossings to the situation where walking to school could constitute a serious safety hazard. Current law states that serious safety hazards can only exist due to vehicular traffic. By adding rail crossings, districts would be allowed to transport students living within a mile and half of schools if those rail crossings are deemed to be a serious safety hazard. The bill also requires school boards, upon written petition of a parent or guardian alleging a serious safety hazard due to vehicular traffic or rail crossings, to conduct a safe -- a study and make findings on the situation. The study and findings would then be submitted to the Illinois Department of Transportation which would approve or disapprove the finding on whether a serious safety hazard exists. I ask for your support of Senate Bill 558.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 558 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 568. Senator Watson. Senator -- Senate Bill 593. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 593.

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(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 593 adds another requirement to State agencies' annual reporting of the impacts of State -- of tax expenditures. Requires each agency to conduct an analysis of the impact of each tax expenditure on the number of jobs created or retained in the State, the number of businesses attracted or retained in the State, and the extent of the benefits conferred upon the intended beneficiary of the State expenditure. I ask for your support of Senate Bill 593.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 593 pass. All those in favor will vote Aye. All opposed will vote Nay. And 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 Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed: Senate Bill 608. Senator Madigan? Senator Madigan? Senate Bill 610. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you -- thank you, Madam President. This bill clarifies under what circumstances a therapeutically certified optometrist

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can -- may give patient care orders to a licensed nurse. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, on that question -- all those in favor of Senate Bill 610, please 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 54 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

Senate Bill 593. I...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Yes.

SENATOR SMITH:

I missed the count. Would you please vote me as voting Yes?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your vote will be noted. Thank you. Senator Clayborne, Senate Bill 645. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 645.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Clayborne. Senator Clayborne? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Bill 645 allows for a -- a contribution to 501(3)(c)'s {sic} (501(c)(3)'s) that have been established to raise money for elementary and secondary schools. It allows this -- this contribution to be made by businesses, as well as individuals. And the effect of this is -- the intention

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is to help create and develop private partnerships with our public school systems, as well as private school systems. The intent of this bill came out of the -- out of the assumption that we should invest more in our schools and to begin to offer the necessary assistance that they need by creating these private partnerships. I will -- I would urge a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam Chairman. Just a -- a couple questions, if I may. Certainly the concept makes sense, but, Senator, first, how much are we currently -- is being given and donated to schools across Illinois?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

I don't think anybody tracks that collectively, and -- and it's hard for the State to make that determination because the State doesn't provide a break for it or a deduction for it or credit for it. That's why this bill is -- has been introduced.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

If we're not sure how much is currently given, do we know what the fiscal -- what this is going to cost the State of Illinois by implementing this tax break?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. It's not a determinable number, but I can tell you that you're talking three percent to seven percent. But I -- but what I'd like to -- to say to you, Senator Syverson, is that for

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farm chemicals, manufacturing, assembly machinery, equipment exemptions, retail -- retailers' discount, sales of motor vehicles, to nonresident exemptions, rolling stock exemptions, total a hundred and seventy-one million dollars in tax exemptions. The total -- in the total budget for Fiscal '96, this State spent over three billion dollars in tax exemptions and tax credits, and not one dollar of that went to help our school system, went to develop a private and public partnership to address the needs in our school system, and that's why this bill is here, Senator Syverson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

Well, I guess I would -- we could always argue the fact that those were helping to create jobs, which those individuals did pay for the schools. How many new -- how many new givers are going to be created by -- currently these individuals who give to schools are already getting a thirty-one-percent tax break. How many new givers is this going to create in the State of Illinois that aren't currently giving now and getting the thirty-one-percent federal break?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- Senator Syverson, I hope this -- this bill creates as many new givers that's possible who want to go into our school systems and develop this private and public partnership. What this bill also does, Senator Syverson, it -- with the 501(3)(c) {sic}, it creates a bigger carrot for those individuals that are already investing in a 501(3)(c) {sic} to invest -- to -- they get credit from the federal government, and now we will give them credit on the State level. This will increase, hopefully,

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individual -- individual contributors, as well as business contributors.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

Well, just -- just last question, and then I guess then -- then a -- a comment. My concern is that since we don't know -- even know what this number is, that we are going to be losing millions of dollars of State revenue to giving an -- additional tax breaks to individuals who are already receiving a thirty-one-percent break. Now they're going to receive another three percent over and above that. That's going to take millions of dollars out of the State Education Fund, which is currently going to those schools. So what -- what's going to happen is, the wealthy school districts that are getting gifts given to them, those individuals will get a tax break; that is going to lower revenue coming into the State, which means we have less money to go to the School and State Aid Formula. So, many districts, including downstate districts like ours, are going to suffer because we're taking money out of the coffers. Every time we give more and more tax breaks, that means more and more other individuals have to pick up and carry the burden of making up for this loss of revenue. So while I certainly support the concept of helping our schools, I'm -- I'm afraid that what this legislation is going to do is going to hurt the very schools that we're meaning to help. So I would ask for a No vote on this.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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He indicates that he will.

SENATOR HAWKINSON:

And -- and pardon me, Senator, 'cause I'm going to preface this with some remarks. Our school district in Galesburg has been very successful in setting up this kind of private-public partnership. We have a 501(c)(3) foundation. A number of the schools in my area have established these foundations. I don't happen to think, personally, people give because of the deductibility of them on the federal. But, for example, in my family, my -- my wife has been very active in this -- in this foundation and they raised enough money to build an auxiliary gymnasium and a pool, all with private dollars, for the school. But my question is this -- I'm also interested in -- in not pushing Illinois towards a graduated income tax. I think our flat income tax and our simple tax is one of the best things. Most of the exemptions that you listed, I believe, in response to Senator Syverson's questions, were sales tax or were corporate deductions. Do we have any other comparable deduction that would require us to go to a Schedule A, which I would hope we could desperately avoid, for individuals on the income tax, comparable to this one?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. In the State of Illinois, we have seventeen items that are subtracted from the adjusted gross income.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

For individuals?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

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That's correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I move the previous question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your move is well-taken. We have several speakers yet.
Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Certainly it's true that three percent of the gross amount is not going to cause a lot of people to give more money, and certainly it's true that we are going in the direction of having a Schedule A, where the next proposals could be charitable contributions. Or, why not mortgage interest? I would just have two questions for the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR LAUZEN:

Are there -- in your opinion, will this help rich districts, where the income is higher, or poor districts more?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, Senator Lauzen, it really depends on what you feel or you -- what you define as "helps". I think that this develops a private partnership, public partnership, where in my district we have major companies that are willing to go in and invest in the schools. So when they go in and invest in the schools, it will help that school system. Again, this -- across the board, if all of us in the Senate and -- and in the House and throughout this State go out and create the initiative to get businesses to develop these private relationships with our public school

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systems, it will make it a much better place. And I'd also say, Senator Lauzen, time and time again, I've heard you talk about the more money we put back into the coffers of business and into taxpayers, it benefits the citizens of the State of Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

I'll remember that on -- for your help on future debates, but I appreciate that, Senator. Finally, can you tell me what the Department of Revenue's position is on this bill?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, Senator Lauzen, you're on Revenue Committee. You know that they're opposed to every -- every bill that reduces -- tax exemption. We were in committee the other day and there was a bill that would provide two hundred and eighty-five thousand jobs to this State over a three-year period, and they stood up and -- and were against that. So you -- you know what their -- their position is. You know they're opposed to it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Just a final question. I understand that the Department of Commerce and Community Affairs is opposed to this legislation. Can you explain why? What's the basis of their opposition?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

I don't know. They -- they have not talked to me. The first time I saw it, when it was -- when it was on the -- on -- on the analysis.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I, too, serve on the Revenue Committee, and I happen to think this is an excellent bill. We have been trying to urge businesses over the years to try and get involved with our schools so they know what's going on, so that they can assist those schools in -- in a lot of ways. All we're talking about here is cash donations. We're not talking about getting rid of their old equipment. We're -- not talking about a lot of other things that businesses have done in the past. We are talking about cash, which the schools will have control over, to use in a manner that they feel would best aid the students. It's about time we urge our businesses to get involved in any way possible. This isn't going to be a big tax break for them, but it might just nudge them along that direction just far enough so that -- that the schools, indeed, can benefit. I think it's an excellent bill, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We have two more speakers. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. You know, wonders never cease. I can't believe that I'm hearing my conservative Republican friends speaking against a tax break for businesses. It behooves me. I just don't understand how all of you all Session can get up and talk about tax breaks for this and helping the taxpayer out that way and getting business involved, would now be speaking against an excellent bill like this, and you are a tax-break legislator, for the most part. Why is this? I would hate to think that it's because the money would help the poor children of Illinois, all the children of Illinois, regardless of whether it's a wealthy district or a poor district or a moderate-income district. It is

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hypocrisy for you to talk about tax breaks all year. And it bothers me personally because I vote with you ninety percent of the time that you propose a tax break in this Chamber because I believe in it, and I believe in the tax breaks to help businesses. I voted for all of those. It is hypocrisy for you to now vote against a tax break for business, for the children of this State, and I urge you to reconsider and vote for this excellent piece of legislation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Radogno. Radogno.

SENATOR RADOGNO:

Thank you, Madam President. I voted against this bill in committee, and I'm still not convinced it's a good thing to do for a couple of reasons. One, I believe that the benefit is so small to businesses that it really isn't going to generate any kind of significant monetary outlay to the schools and it will, in fact, move us towards a system of -- the income tax structure that we don't wish to go in. But, secondly, I'm concerned about the timing because we have not yet dealt in any meaningful way with how we fund public education in Illinois, and I do not want to give the message that we want to rely on private contributions for public education. So, once we've dealt with the issue, I'd be willing to look at this again. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further -- Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you, Madam President. To -- to the bill: What this bill does is -- right now you get a thirty-one-percent tax deduction off your federal taxes with the 501(3)(c) {sic}. What this does is enhances that deduction by three to seven percent, or three thousand dollars to seven thousand dollars on your State taxes. So it does provide an additional benefit for those who

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have the desire to invest in -- in our schools. What also is interesting is that if you take the same dollars that are saved, you take thirty dollars that goes back as a result of not having this, only eight dollars of that thirty goes into the school system. But under my proposal, that entire -- it would be a thousand dollars that would go into it, based upon a taxable income of fifty {sic} dollars. So we -- the -- the State would actually be losing a total of thirty dollars, but a thousand dollars would go into the school system. We talk about, constantly, education being our number-one priority. This is an opportunity to move that forward. We always talk about our children being our most precious resources. I say to you all: Stand up and mean what you say not on selective bills, but all the time, to my colleagues that spoke out against this. This does not take the State off the hook. What this says is, we've got to have a balance in priorities, that if we can give over three billion dollars in tax breaks and tax exemptions, surely we can find enough compassion and desire to do this for our children. I urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 645 pass. Those who vote in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 50 voting Aye, 6 voting No, 1 voting Present. And this bill, having received the required constitutional majority, is duly declared passed. Senate Bill 663. Senator Farley.

SENATOR FARLEY:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

If you'll wait, Senator Farley. Ladies and Gentlemen of the

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Senate, I would appreciate your indulgence in quieting down so we can hear the speakers. Thank you so much. Senator Farley. Oh -- I'm sorry. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 663.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley.

SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 663 is an attempt to limit or prevent this telephone solicitation that's been a problem to a lot of people. I know that there's a lot of interest in this bill. I don't think it's in its final form. We ran out of time to work on this, but I am working on -- on the whole issue. I've talked with the chairman of the committee. He has said that if I do move the bill over to the House, that would be all right. We could work on it and come back with an agreement, and that's what I would ask to do.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 663 pass. All those in favor, vote Aye. All opposed will vote No. The voting is open. Have all voted who wished? Have all voted who wished? On that question -- take the record. 57 voting Aye, none voting No, none voting Present. And the -- this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 665. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 665.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam -- thank you very much, Madam President and Members of the Senate. Senate Bill 665, as amended, contains a number of issues that have been introduced into the Pension Laws Commission -- into the Legislature this spring and heard by the Pension Laws Commission. I would -- would indicate to you all that we have established, I think, a pretty tight criterion upon which we either approve or disprove bills that go through the Commission, and -- and Senator Madigan is with me there, as is Senator Molaro and Senator Clayborne. And this piece of legislation here this afternoon represents a number of issues. Many of them are technical only in nature but have miniscule, if -- or none -- no additional cost or additional -- to the unfunded liabilities. I believe that this is a sound piece of legislation, is, again -- been screened by the Pension Laws Commission, and I would seek -- I would seek your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR BURZYNSKI:

Thank you. Senator Maitland, I noticed that in my analysis, as I look down here, there are a lot of these issues, Senate Bills and -- and whatever that have been put in here, that indicate they have minor cost. I don't know whether there's a definition of what "minor cost" is or if you know what those numbers are, but I would appreciate that.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland.

SENATOR MAITLAND:

Senator Burzynski, that is a fair question, and in most cases, our -- our actuaries have not been able to determine an actual cost, but believe them to be miniscule, if any cost at all. We've -- we've tried to err on the side of conservatism.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

So -- so we've tried to err on the side of conservatism so that we've got minor costs involved. You indicated there are criteria for bills to come out. I'm not exactly sure what that is. It obviously isn't cost because I do know that I had a Senate Bill 145 that was not approved by the Pension Laws Commission, so I would be interested in knowing what the criteria is.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Yeah. Senator Burzynski, based on the lateness here, that -- that issue will be -- will be discussed later in the Pension Laws Commission.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

So -- so then, the Pension Laws Commission will continue to work during the spring Session.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

That is absolutely correct, Senator. We have, for example, an all-day meeting coming up next week, where we're going to discuss

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probably nearly a hundred bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. You've answered my questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 665 pass. Those in favor, vote Aye. Those opposed -- opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 53 voting Aye, 2 voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 666. 667. Senator Madigan. Will you read the bill, Mr. Secretary?

SECRETARY HARRY:

Senate Bill 667.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR MADIGAN:

Thank you -- thank you, Madam President and Members of the Senate. It's a perfect time to bring up Senate Bill 667 because it is exactly for Senator Burzynski's question and Senator Maitland's response that the Pension Laws Commission is still working. This bill has no language on it right now. It's just a vehicle and also just in case Senate Bill 665 is declared by the authorities to be overweight in its content, that Senate Bill 665 {sic} can take on some of that load.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 667 pass. Those in favor, vote Aye. Those opposed

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will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, 2 voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. 672. Senator Hawkinson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 672.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. A little over a year ago, a constituent came into the office of Representative Moffitt and myself and -- and indicated that she had had ovarian cancer and that, with the family history, her physician recommended that her daughters and she be tested genetically to determine likelihood that the daughters might get this disease. And they went to the doctor and the doctor said, "Don't do it, because if you do it in Illinois, this information is not confidential and can be used to discriminate against you and your daughters on the basis of their health insurance and -- and their employment." And she came to Representative Moffitt and he and I have been working, and, independently, Senator Cullerton and Representative Erwin had -- had introduced similar legislation in the Senate and the House. Last year, the legislation passed the House. We didn't have any luck here, and I think it was the proper decision because the bill needed a lot of work. We have worked over the past year and we've worked with the committee and the opponents to the committee, and I think we have a bill that's as close to an agreement as we're going to get. Don't get me wrong. There are opponents out there.

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I believe the Life Insurance Council is -- is still opposed and perhaps some others. But we have amended the bill in significant respects based on the testimony that we heard in opposition last year. Probably the primary opposition came on this ground: It was said we have many diagnostic tools in Illinois today which can be called genetic and we use genetic testing for diagnosis in some circumstances. And that argument made sense to me, and we have clarified with amendments in this legislation that when genetic testing of any kind is used to diagnose a present condition, that that will be allowed and -- and not in any way affected by this legislation, just as every other diagnostic test is done. In our second amendment, we agreed to accept the language of the Life Insurance Council as to what constitutes genetic testing, and we preserved the right of insurance companies and others to use all of the tools that they use today for diagnosis, whether it's blood tests, urine tests, HIV tests, drug testing and the like. The line is drawn, however, at this brave new world of genetic testing that is -- the science is increasing year by year, which can see the future and can say that perhaps in thirty years you will develop this cancer or this disease. As to that look into the future, we want to be able to encourage men and women, but particularly it seems women, to be tested where there's a chance that that testing can alert them to a potential or a probable health problem in the future so that they can take the kind of preventive measures that might give them a better chance at survival in the future. We also have exempted -- one of the other objections was that life insurance could be a problem, that someone could be tested and find out that there's a -- a long-term problem and run out and purchase life insurance without disclosing that information. We have removed life insurance from this bill, and, specifically, in Amendment No. 2, we took out a paragraph that the Life Insurance Council objected to. The -- the

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Employers' Law Council had some objections dealing with potential inconsistencies with the federal Kennedy-Kassebaum bill and the ADA legislation. Our Amendment No. 2 accepted the language from the Employers' Law Council to make sure that employers know that their obligations are the same under this legislation as they are under the current federal legislation. I think, we have a greatly improved bill. I think as we move into the future on genetic testing, we ought to protect the interests of people who are tested and who look into the future and make sure that we continue to spread the risks in the same ways we do today and not unfairly discriminate against those. There is still, in fairness, some opposition from those who would like to see disability insurance and long-term care insurance removed from the bill. I just don't agree with that position. I don't think we ought to be discriminating against folks who may twenty, thirty years from now become disabled by disease and cause them to have an unfair insurance rate burden now. Be happy to answer questions; otherwise, this is strongly supported by the American Cancer Society. We've worked with and satisfied the concerns of the Bar Association and the Medical Society, as well as the law enforcement community, and I think we have an excellent bill, deserving of your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Thank you -- thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR DONAHUE:

Senator Hawkinson, I totally support this concept and the idea, but I had a -- a letter from a constituent who talked about

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the concern for the underwriters of insurance. Do you have any comment on that?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

Many of those letters were received, although I didn't receive them, but I'm familiar with many Members who received those letters, and -- and they, for the most part, came before we put on Amendment No. 2 that I have just described. Now, that's not to say that -- that those folks are satisfied or in support of the bill, but what we did in that amendment is we -- we guaranteed, by accepting the language from the insurance industry, that all current tests, whether it's physical characteristics, blood, urine, all the tools that the industry uses today to make judgments and to -- to rate the insurance, that all of those tools are preserved in this bill and can continue to be used by the industry. The thing we're setting out is this new kind of genetic testing that can look into the future and that kind of information would not be available. But it's not available today because, in many cases, people are not even being tested because of the kinds of fear I talked about in the opening.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Madam President, Members of the Senate. Very briefly, Senator Hawkinson has done an excellent job in explaining the bill. I just wanted to point out that -- and reemphasize what he has said concerning the amendment. Frequently, and I know this happens to us many times this type -- time of year, interest groups get their fax machines going and the phone calls going and they lobby, and I've received a lot of phone calls from constituents saying to vote against this bill, that I'm the

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sponsor. So I've called them back and said: What's wrong with the bill? And they say, "We're not going to be able to do any more cholesterol testing." I say: Well, wait a minute, we got an amendment. I'm reading the language right here. It says it's specifically exempted. And they say, "Oh, I didn't know about the amendment", and they wouldn't have known about the amendment. We just want to emphasize that for those of you who may have heard from -- from opponents to the bill, we believe that we have addressed those. Now, as Senator Hawkinson indicated, the -- the lobbyists down here have not signed off on the bill, but this is an excellent bill. It's very reasonable, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR HAWKINSON:

Would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 672 pass. Those in favor, 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 wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 675. Senator Dillard. Senator Dillard? 675. Out of the record. Senate Bill 682. Senator Walsh. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

Senate Bill 682.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. Senate Bill 682 requires that the county board of each county shall cause an audit of the circuit clerk annually by a licensed public accountant. The -- the Administrative Office of the Illinois Courts shall disseminate auditing guidelines to the county boards and circuit clerks. The county board may include additional requirements. The audit shall be conducted in accordance with generally accepted government auditing standards and generally accepted auditing standards. The audit shall be completed within six months after the end of the fiscal year, although the county board may grant an extension of up to six months. This audit may be included in the general audit of all funds and accounts of the county, as required by current law. This is an initiative that has come from the Audit Commission. I believe it's got the approval of all the county clerks, and I would -- county circuit clerks, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 682 pass. Those in favor, vote Aye. Those opposed will vote. The voting's open. 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 declared passed. Senate Bill 699. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. I'm sorry. I'd like to move to recommit this to Rules.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hearing no objections, the bill is recommitted to Rules. Senate Bill 700. Senator O'Malley. Mr. Secretary, you read the bill, please?

SECRETARY HARRY:

Senate Bill 700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Members of the Senate. Senate Bill 700, as -- as amended, reflects many, in fact, innumerable hours or work, negotiation and compromise. Before I proceed, I want to thank -- especially recognize and thank the many people who participated in and made this possible. There's the efforts of the 1996 and 1997 Subcommittees on Telecommunications, President Philip, Chairman Mahar, all the Members who participated in negotiations around the legislation. I might add the staff on both sides of the aisle and -- and the providers of telecommunication services to Illinois consumers. Without their efforts and commitment to negotiate in good faith, we would not have this consensus legislation before us, and we are first in the nation to get this far in implementing the federal Telecommunications Act of 1996. Because of the complexity and importance of this legislation, I solicit your patience as I attempt to summarize this legislation. The broad purpose of Senate Bill 700 is to align all -- or, to align Illinois State

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laws with the federal Telecommunications Act of '96 and to bring competition and consumer benefits to all Illinois telecommunication markets, sooner rather than later. It's consistent with the aims and requirements of the federal Telecommunications Act, in that Senate Bill 700 streamlines regulations for all telecom providers, eliminates unneeded Illinois Commerce Commission rules, protects rural and small telephone companies to preserve universal service, applies the Illinois Antitrust Act to the telecom industry, and, perhaps most importantly, makes a fundamental change in the nature of State government regulation. Senate Bill 700 recognizes that the federal Telecommunications Act of 1996 seeks to end eighty years of -- of local telephone service monopoly and gives State regulators the new task of promoting and protecting markets. The centerpiece of Senate Bill 700 is expanded enforcement powers for the Illinois Commerce Commission to ensure that all telecom providers observe the new rules of fair competition and protect the Illinois consumers from anticompetitive behavior. Senate Bill 700 further enumerates, prohibits and provides for enforcement against activities of telecommunication providers that might impede competition, but it also gives the Board authority to take enforcement action against any activity whether or not the activity is expressly prohibited. If -- if our State's goal is, and I suggest to you that it should be, to replace monopolies with marketplaces, the new enforcement powers set forth in this legislation are necessary to succeed in that transition. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. For purpose of the record, since I had an interest in a company, it was acquired by a company that

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may be affected by this, and I have a small stockholder interest in a publicly traded company, I will be voting Present.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Senator Jacobs, further discussion.

SENATOR JACOBS:

Yes, thank you, Madam President, Ladies and Gentlemen of the Senate. I just want to echo the words of Senator O'Malley and -- and say how great of a job staff, in particular, did and the subcommittee, and this is agreed upon by the committee and went through the subcommittee unanimously. And it's -- it's one of those deals to where not everyone is happy, so you know that we have done a pretty good job, and it's one I think we can live with.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. I'll be as brief as I can. First of all, I'd like to -- you know, I was the subcommittee chair that worked on this bill, and Senator Jacobs spent so much time up on sixth floor, some of the secretaries were asking if he had an office up there, and Senator Farley was a great deal of help. And at any rate, I have a question to legislative intent. Senate Bill 700 provides a list of prohibited actions that are per se impediments to competition. The bill also says that the ICC may consider other actions that impede competition to be prohibited; that is, that the ICC is not limited in any manner by the listed actions, and that it may take enforcement action against any activity that impedes competition in any telecommunications market. Is it correct that this broad grant of authority would allow the ICC to take enforcement action against any action, including reasonable actions similar to the enumerated prohibited actions, if that action might impede the development or operation

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of a telecommunications market, Senator O'Malley?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Rauschenberger, that is correct, and it is the intent of the sponsor and the legislation that that be the case.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd just like to point out that obviously a lawyer wrote it. That's why we need clarification. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you, Senator Rauschenberger. Further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. Like Senator Carroll a moment ago, I just want the record to reflect on Senate Bill 700, like yesterday on Senate Bill 999, that I may have a conflict of interest on this legislation since not me, but some members of my law firm, do represent various telecommunications clients. I don't know what these clients do or if there is even a conflict of interest, but I'll do on this bill what I always do, and that's vote what's best for the residents of my district and the State of Illinois.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Farley.

SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just to let everybody know on this side of the aisle, there's been a lot of work on this bill, a lot of communication between the staff and those working on the bill, with our Leadership. It's been agreed to. It is in proper form, and I

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would recommend a Yes vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Just like to declare a possible conflict of interest. I do pay an AT&T phone bill every month, just for the record.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I'm glad you do. Further discussion? Hearing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

Again, thank you, Madam President. In closing, what this legislation does is implement the federal Telecommunications Act of 1996 in Illinois. In doing so, we will be the first in the nation. And the real beneficiaries of the legislation are Illinois consumers who will obtain the benefits of competition in telecommunication services, and there will be the added benefit to Illinois citizens resulting from economic development, job creation and new business opportunities. As this legislation is advanced to the House, let's each of us let our colleagues there know that they, too, should support Senate Bill 700 and get it to Governor Edgar's desk for his signature as soon as possible. Illinois consumers deserve no less from us. Thank you very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 700 pass. Those in favor, 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 wish? Take the record. On that question, there are 52 voting Aye, none voting No, 4 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 711. Senator Parker. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

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Senate Bill 711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 711 creates, in the Insurance Code, a new Section which requires accident and health policies to cover inpatient care following a mastectomy. The policy must also cover an in-office visit to a physician or an in-home nurse visit within forty-eight hours after discharge to verify the patient's condition. The actual length of stay in the hospital is a period determined by the physician to be medically necessary and in accordance with protocols and guidelines on sound scientific evidence and a patient evaluation. I will answer any questions and request a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I'm going to vote for the bill because I think this is the only vehicle left in the Senate to address the question of what we call "drive-through mastectomies", but there was an amendment that was put on yesterday. I was not at the table to discuss that amendment, and I just want, for the record, to point out a couple of things that I think this bill lacks and I hope that the House will address in -- when they consider Senate Bill 711. As Senator Parker has indicated, the original bill provided for a ninety-six-hour stay if the doctor -- unless the doctor determined that less time was necessary. That's been taken out, and it strictly provides that the patient and the doctor can

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decide how long to stay. There was another provision in Senate Bill 17, which I think was crucial here, when you don't set a minimum length of stay and you put it all within the terms of the doctor's decision, and that is the discussion we have had, and the reason for the legislation is the influence that HMOs have regarding doctors' decisions. The bill, Senate Bill 17, had provisions that barred - prevented - economic incentives or disincentives or potential retribution from a health plan if the doctor encouraged a longer stay. Now, without that kind of language in there, there is an influence. I hope it doesn't take effect, but we have to recognize that there may be an influence - financial influence - to the doctor to get that patient out earlier than the doctor thinks the patient ought to if the financial incentive didn't exist. That language -- preventing those kinds of incentives or disincentives has been taken out of the bill. I hope it's put back in. A large number of people, a large number of women will not be affected by this bill because this bill does not affect self-insurers. That was in Senate Bill 17. That has been negotiated out of the bill. I hope that's put back in, because you're talking about an awful lot of women in the State of Illinois that won't be covered by Senate Bill 711. I'm going to vote for the bill because it's the only vehicle here, but I hope the House makes the corrections that I'm suggesting. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR PARKER:

Thank you. And, Senator Berman, to answer your comments, the original bill did have ninety-six hours; however, this is different with a mastectomy than with the drive-through delivery bill, which had forty-eight hours. A drive-through delivery, when

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a person is having a child, is more defined. We contemplated a long time on what the hours should be, whether they should be forty-eight, seventy-two, ninety-six. What we decided was - and the Med Society is on board on this - is going with the decision from the doctor, and this is why: Because there are so many different types of mastectomies, we could not define it. There are lumpectomies that may be done in the office. There are some procedures that take one day. There are some that may take, if there are complications, longer than the three-day average stay. So we felt in consultation with the doctor, and then, of course, the patient is involved as they have that patient evaluation, was the proper way to go, and the Med Society supports that. As far as the self-insurer, the ERISA, we also had addressed that. In the drive-through delivery bill, which was an agreed bill by all the parties, the HMOs, insurance, et cetera, the ERISA was not there, and here's why: Because that's a federal issue. All it does if we put ERISA in -- it really isn't supposed to be covered at the local level, but what is occurring is at the federal level - and they can give the approval for covering ERISA - those conversations now are going on. When we did the drive-through delivery bill, they had left out the ERISA here, but at the federal level now that is covered. And we expect and hope for the same thing with the mastectomy. The managed care definition, some of those issues you were addressing, the committee had said that what they want to do besides trying to address these in every managed care bill, is address this at the committee level in a comprehensive bill. So we think this is a good one. Thank you. I request a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On that question -- the question is, shall Senate Bill 711 pass. Those in favor, vote Aye. Those opposed will vote No. The voting is open. Have all voted who wished? Have all voted who

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wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 713. Senator Dudycz. Mr. -- I'm sorry. 712. I'm sorry. Senator Karpiel. Senate -- out of the record. Senate Bill 713. Senator Dudycz. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

Senate Bill 713.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. Senate Bill 713 is a vehicle bill. It was requested by the downstate firefighters that we move this vehicle bill to the House while negotiations continue between the municipalities and the Associated Fire Fighters of Illinois, and they just ask that we could move it over so they could continue negotiations.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 713 pass. Those in favor, 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 55 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 716. Senator Radogno. Out of the record. Senate Bill 723. Senator Karpiel. Read the bill, Mr...

SECRETARY HARRY:

Senate Bill 723.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Bill 723 changes the way we do the funding for tourism in Illinois. Right now it's, you know, a flat amount out of the Tourism Fund and the GRF transfer to the Tourism Fund and et cetera. This bill will put it on a percentage basis, which makes it kind of a floating way of doing it. And the revenues will either go up in good years or down in bad years, but it's been agreed to by just -- you know, everyone that I know that's involved in it: the Tourism Council, DCCA, et cetera.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 723 pass. All those in favor, vote Aye. All opposed will vote Nay. The voting is open. Have all voted who wished? Has all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting No, and none voting -- none voting Present. This bill, having received the required constitutional majority, is declared passed. 730. By the way, we got about fifty-five more bills. Let's see if we can't expedite matters. Senator Fawell. Senate Bill 730. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 730.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

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Thank you very much. This is just a clean-up bill from a bill we passed last -- or, in 1992. We inadvertently left out the word "county" when we added all the other words. I have talked to the County Board Chairman, yesterday, of -- of Cook County. He has no objection to this, and I know of no other opposition. I'd solicit an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

It's only fair to tell you this bill preempts home rule by prohibiting certain units of local government from opposing a tax or a fee. This bill requires three-fifths vote for passage. Any further discussion? Hearing none, the question is, shall Senate Bill 730 pass. All those in favor, vote Aye. All opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Secretary, take the record. On that vote -- on that bill, there are 56 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority of three-fifths, is hereby declared passed. Senate Bill 737. Senator Fitzgerald. 737. Out of the record. Senate Bill 740. Out of the record. Senate Bill 753. Senator Syverson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 753.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, the question is, Senate Bill 753 -- shall 753 pass. All those in favor, vote Aye. All

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opposed, 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 55 voting Aye, none voting No, none voting No -- none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 755. Senator Obama. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

Senate Bill 755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. As all of you know, welfare reform is upon us. This simple bill facilitates an evaluation process so that we in the Legislature, as well as the Executive, can evaluate the success of the new welfare plan here in the State. It has no opposition. Public Aid is supportive of it. It won't cost any money. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 755 pass. All those in favor, vote Aye. Those vote Nay who are opposed. 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 56 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 762. Senator Dudycz. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 762.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCZ:

...vote Yes. All right. Okay. Ladies and Gentlemen, this is an initiative of the Illinois Sheriffs' Association. Senate Bill 762 -- when the Legislature approved Public Act 89-170 two years ago, we mandated that all part-time law enforcement officers be trained by the Police Training Board. Now, that included at that time part-time police officers and county corrections officers. This bill amends the Police Training Act to remove the position of part-time county corrections officers from the Act. What has been discovered is that of the one hundred and thirty-one part-time correctional officers throughout the State of Illinois, only about thirty-five of them will need to be trained, and the Training Board has estimated that it would cost eighty thousand dollars for a separate training program for these thirty-five. We can eliminate that cost by the passage of this bill. There are other training methods available, and I'll be more than happy to answer any questions, if -- if there are any.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Madam President, on the previous bill, I was pushing my button but it did not register. I would like my intent recorded for the record, to vote Aye on Senator Obama's bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your intention is noted on Senate Bill 755 as Aye. Thank you. Any further discussion? Senator Shadid.

SENATOR SHADID:

Yes, Madam President, I rise in support of this bill and urge our Members on this side to vote Aye.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 762 pass. Those in favor, 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 wish? 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. 776. Senator Halvorson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

Thank you, Madam President. Just a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point.

SENATOR MOLARO:

On the Floor of the Senate is perhaps the hardest working commissioner in the City of Chicago. She is the Commissioner of Consumer Services, which is the taxicabs and -- and the liveries, all -- and everything that goes for consumer, and it's pizza deliveries. Yes, you're absolutely right. Everybody's -- Caroline Shoenberger is here, Ladies and Gentlemen. If we can welcome her. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome, Caroline, to the Senate. Senator Halvorson, would you explain the bill? Senator Hendon, for what purpose do you rise?

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SENATOR HENDON:

Point of personal privilege. I was an alderman when Caroline became head of Consumer Affairs, and I just wanted to attest to her abilities and skills. She's a wonderful person and a hard worker, and I wanted to take the opportunity, since Senator Syverson and I were discussing the vote yesterday on that bill about deliveries, could we perhaps come up with some legislation to allow the jitney cabs to become legal in Chicago and service that community, and we won't have to worry about delivery. So since she's here, we'll chat with her about that. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your -- your remarks are noted, and you're out of order. Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President and Members of the Senate. Senate Bill 776 prohibits a court from ordering an attorney to supervise or monitor the conditions of bail bonds unless that attorney is a parent or legal guardian of the accused. It also amends an existing Statute prohibiting attorneys from posting bail for an accused to make an exception if the attorney is a parent or legal guardian of the accused. This bill was -- is an initiative of the Will County State's Attorney and was triggered by a case there, where a public defender requested, and the Judge ordered, a twenty-year-old female accused of murdering her baby released to the public defender on the condition that the accused stay confined to the public defender's home. This bill was passed unanimously out of Judiciary, and I know of no opposition. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President. Would the sponsor yield, please?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

She indicates that she will.

SENATOR PETKA:

Senator, I believe that this case was widely discussed in the -- in the Will County papers, was it not?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

Yes, it was.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka. Senator Petka.

SENATOR PETKA:

I would just like to briefly go over with you the factual backdrop of -- of this proposed legislation. In the -- in the case there was a -- was the young lady a -- a teenager or was... As I recall, I believe the young lady in question was a teenager. Was she not eighteen years of age?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

No, she's twenty.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

And she was initially charged with the offense of murder which was potentially a capital offense, because the victim was under the age of twelve. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Petka.

SENATOR PETKA:

There was a bail that was initially set in the amount of a million dollars; however, the assistant public defender in that case filed an affidavit with the court, that was signed by a pathologist, that basically said that the pathologist could not find that there was any homicidal means that were used in the death of this child. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

Yes, I believe you're correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

And after that the assistant public defender also filed, in his affidavit, unrelated to the court, that the -- that the accused mother was an attorney who had practiced law in the State of Illinois, but who lived in the State of California, and had indicated her desire to come to Illinois and post the bail -- the new bail that had been set of seventy-five thousand dollars. That was also a fact, was it not?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

I'm unaware if the mother was actually a lawyer, but I do know she lived in California.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Well, according to our -- our Chief Judge who heard this case, that was what he related to me, that she was a lawyer. After the

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affidavit was filed by the assistant public defender which claimed that a pathologist would testify that the child did not die as a result of what we call a criminal agency, assistant -- the assistant public defender related to the court that bail would be posted in two days because of the fact that the mother would be coming in from the State of California and could not get a flight out. Are those facts substantially correct that I have related, relying upon the fact that the woman is a practicing lawyer?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

That could be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Considering the fact that an affidavit was filed with the court that indicated there was no criminal agency involved, that a Judge had agreed to reduce the bail to seventy-five thousand dollars and then made it -- also made it a recognizance bond so that the young woman would not be placed in jail and was remanded to the custody of the attorney who was representing her for a period of two days before -- so that the mother could come back and post bail, what exactly do you find to be objectionable about the process?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson. Senator Halvorson.

SENATOR HALVORSON:

I believe that an attorney should not be placed in that position. It actually became a satellite jail.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

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Is it your opinion, then, that attorneys, in situations where there may not be any other remedies available, should not, under any circumstances, ever be placed in a position where they may assist a court, as in this instance, where the court made an express finding that the -- the accused was not a danger of -- in terms of being a -- a -- a danger to the community or a danger of risk of flight? That under those circumstances, that any attorney who's an officer of the court should not be a part of the process?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

I do not believe that they should be put in that position to become a monitor or a supervisor of a bail bond condition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

And your reason for that would be what, Senator?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson. Senator Halvorson.

SENATOR HALVORSON:

Any attorney who is required to verify the conditions of a bail bond is -- could be held liable, that's immediately put into a conflict of interest situation...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Yes, go ahead.

SENATOR HALVORSON:

Sorry. Because if there is a violation of the bond condition, he will be subpoenaed and have to testify against his client.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Is your opinion, then, that if an attorney is placed in a

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situation where he is asked to supervise or modify in terms of -- of a -- of the bail, that you feel that creates a conflict of interest?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Halvorson.

SENATOR HALVORSON:

Possibly, yes, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

...President, then I would like to speak to the bill at this time.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Go ahead, sir.

SENATOR PETKA:

It was more years than I really care to -- to recount, but I was a member of the Office of the State's Attorney of Will County, when on Christmas Eve, in the early afternoon hours, I received a frantic phone call from the Presiding Judge of the Juvenile Division, who asked me to come up to his office because they had a problem. And when I walked through the door, there was a thirteen-year-old girl who was seated in a chair in his office, and he had -- he told me at that time that, "Ed, we -- this young lady over here is a runaway." I can't recall whether or not she was involved in criminal activity at the time, but for purpose of this discussion I will make the assumption that she was. The -- the Judge said that he'd called up the Department of Children and Family Services. He had called up Aunt Martha's; he had called Guardian Angel Home; he had called up every single agency he could possible think of to place this thirteen-year-old girl on Christmas Eve and had received no satisfaction. He looked me in -- in the face and said, "We have to do something with her because

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it is the opinion of the court that this thirteen-year-old girl does not go in jail -- does not belong in jail." I -- I got the hint. I call up my wife, on Christmas Eve, and asked if she would mind a guest on Christmas Eve and Christmas Day, to supervise this thirteen-year-old girl, rather than having her go to jail. Two days later I brought her back to the courthouse. I can assure Members of the General Assembly that this type of activity involves commonsense solutions that are engaged in by courts and attorneys, and, yes, including prosecutors, each and every day and week throughout the State of Illinois, because basically that's what we pay 'em for: to fashion commonsense remedies when the letter of the law simply does not make provision for it and simply involves the application of good old common sense. What this piece of legislation will do - and it's very unfortunate that it did not occur to me, because we didn't really discuss this bill at great length and it didn't really cross my mind until after this bill actually went out - that by basically taking away an attorney out of the process, that we are severely restricting courts' ability to fashion commonsense remedies when we have situations like I have just posed to you. That being the case, it is my judgment that this is an idea that should be defeated. I should point out to you the irony of this situation though, and I just can't help thinking about it. Here is a young lady at twenty years of age who is accused of murder, who -- in the death of an infant child that had just born. Because she permitted the child to pass through the birth canal and be born, the -- the law says that she "potentially" may be subjected to the death penalty. In the event that she would have operated under the benefits of an amendment that was sponsored by the Senator who basically -- who basically feels that partial-birth abortions should not be banned, the only person who -- there would simply not be any prosecution whatsoever. And it simply involves another two- or three-inch trip

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down the birth canal. But I say in all sincerity, Members of the General Assembly, that in -- in situations where Judges enter orders which are based upon what they consider to be common sense and based upon a knowledge of all the factors in the situation, that by simply entering a blanket order, where we say, "No attorney should ever be involved in the process", really does demean the process. The -- the Judge -- in fact, the Judges who were principals in -- in this, I have had an opportunity to talk to, obviously they are very opposed to this. I would strongly suggest all attorneys take a look at this and -- and join other Members of the Assembly in voting No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. -- Madam President and Members of the Senate. Unfortunately, I -- I have to concur with Senator Petka, and I do hate, Senator Halvorson, of standing in opposition to your bill. You've been such a great freshman Legislator here. But in this case, there are some serious possible consequences, and I would just like to ask you, really, to just take the bill out of the record, and then maybe work on it a little more. Because what Senator Petka said -- I don't know about the partial-birth part -- abortion of his conversation, but I do know there -- in many instances there are no one to take these people, and especially when you're talking about young people. The Judge would be just grateful for anyone to take them home. If you were a DCFS worker, I'm sure, or worked for the juvenile court system, you would probably understand. On the weekends where there are no place for these young people to go, they should not be locked up into the institutions, because in many instances they become worse off than -- if they weren't criminals, they would be in a few days by the time they get ready for trial. So this is not a good idea. I --

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I understand what you're trying to get at, but this bill will not do it. So I would just hope the Members on this side, out of respect for Senator Halvorson, would at least vote Present.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Madam President. You know, there's -- this situation, the facts of it were very heartrending, and it -- it made it look like this was a great decision and I commend the public defender for what was done in this, taking this person home. But, if you look at the effect of what happened here and extrapolate out in every county, what you've got is a situation where the public defender took a person who is out on a bail bond home with them to be in their house, to watch over that person. Now what if one of those conditions of being out on bail was violated? Who would testify as to whether the bail conditions were violated or not? Wouldn't it be the public defender in whose house that person lived? Certainly. So what you have is a situation of the public defender and the entire public defender's office being responsible for defending the person in the actual charge, that trial, and then also in the bail bond situation. So they'd become a witness, as well as an attorney. Well, you can't be both. The public defender would have to recuse themselves from defending this woman in the main charge, the criminal charge. And then what would happen in Will County? Well what would happen is they'd have to hire a separate and a private public defender, and cost thousands and thousands of dollars to the county. This was a murder charge. How much is it going to cost to defend a murder charge? It's very, very expensive. So the purpose of this bill is to try to keep the cost down for the county so that the public defender's office doesn't get into this situation. You know, one of the first things you learn when you get out of law school is

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that when somebody calls you up in a criminal case and they say, "Well, I just got arrested. I'm down at the jail. Can you come down and bail me out?" I think all of us who are lawyers have had that happen, and the best thing that ever happened is we can say to them, "This law prohibits us from posting bail." Because a lot of people think that that's what we do: We show up and we post cash, and somehow we get it back at the end. And -- and usually those are exactly the kind of cases you don't want to get involved in. So the situation here -- while the facts of this case are very meritorious and don't speak well for the overall proposal, if you look at the effect of doing this, this would result in public defenders being witnesses, being defenders, in counties throughout the State having to hire private attorneys. So I think this is a good idea and I think that Senator Halvorson should be commended, and I think we should all vote Aye.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. Well, before I talk about the bill, I was a little bit worried about the passage. But I think, Senator Collins, the last fifteen or twenty bills you spoke against actually passed, so, you know, maybe this is going to help Senator Halvorson. I -- I don't know. Anyway make -- make a long story short, I think this -- we talk about common sense, and I think this makes common sense to pass this. You have attorneys, and attorneys should not get involved in the conditions of bail, no matter what the conditions are. The Judge is going to set some conditions of bail or bond and say you must go to ASEP, you must do this, you must do that. To tell the attorney, "Well we're going to allow you to take them there, you're responsible for this, you're responsible for that", definitely puts them in a conflict of interest. I think this is a very simple bill and I

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think we should pass it. Yes, if we think long and hard enough, we'll come up with an example of how someone may be a little bit harmed by this, but that doesn't mean we shouldn't do it. This is a good bill and I -- I would suggest we vote Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR HALVORSON:

Thank you. I know we're all humanitarians and we all care about other people, but I've worked closely with the Illinois Association of Public Defenders, the Cook County Public Defenders and the Illinois State Bar and they're not opposed to it. So, I appreciate your time and a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 776 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. On that question, there are 25 voting Aye, 24 -- 29 voting Nay, 2 voting Present. This bill, having failed to receive the required constitutional majority, is declared lost. 777. Senator Carroll. Senator Carroll? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 777.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As I mentioned when we adopted the amendment, I would explain it a little bit more now. When I put in this legislation

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to require three signatures on all State contracts, when we were about to hear it in committee, the Governor appropriately issued a -- an administrative order that apply to those agencies reporting directly to him, to require three signatures on all State contracts over two hundred and fifty thousand dollars, all amendments to State contracts of over two hundred and fifty thousand dollars, or all continuums of contracts over two hundred and fifty thousand dollars. However, as we pointed out there that that did not cover all areas of government, including some of the off-budget agencies like the Housing Development Authority, the Tollway, other constitutional officers, and even this Body. By agreement with the Governor, we've worked out language that was adopted in committee today, working with the Department of Central Management Services, that says in any State agency contract, as defined by the State Finance Act, which means all of the agencies of State government, the Judicial Branch, except for local circuits, the Legislative Branch of government, and everything but municipal governments, in effect, including places like the Tollway and the Housing Development Authority and all those others who are off-budget-type items, that all of them will have to have a signature on any contract in excess of two hundred and fifty thousand dollars by the chief executive officer of that agency, board or commission, attested to also by the chief fiscal officer, and if they have one, the chief legal officer or some other appropriate designee. I think this will give us all the comfort that all of these contracts will now be appropriately and diligently looked into. It would also be a violation of the Act if any person working for any of these agencies tried to separate any contracts to fall under the two-hundred-and-fifty-thousand-dollar limit. So if logic says they would be over it, then they would have to have this kind of oversight, and I would urge its favorable passage.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Will -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR FAWELL:

Is this now an agreed bill with all the agencies and the government -- Governor?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Carroll.

SENATOR CARROLL:

It wasn't on my computer at the NCSL meeting, but, yes, the Governor's Office - somebody caught that late, okay - the Governor's Office - Central Management Services actually did the drafting for us; we worked this through them - yes, they are in total agreement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 777 be passed. Those in favor, vote Aye. Those opposed will vote Nay. The question -- the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? 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. 778. Senator Karpiel. Madam Secretary, will you read the bill?

ACTING SECRETARY HAWKER:

Senate Bill 778.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Bill 778 is a -- a request of the Chicagoland Chamber of Commerce, and it -- and it -- what it does is, it says that the Department of -- the Pollution Control Board may request from DCCA an economic impact when they file or change rules or regulations, and they can ask DCCA to come up with an economic impact on their rules. If DCCA doesn't want to do it, they don't have to do it, but they have to put in writing why they're not doing it. And with the amendment on it, everybody is neutral on it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 778 pass. Those in favor, 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, Madam Secretary. On that question, there are -- there are 53 voting Aye, 1 voting Nay, 1 voting Present. And -- and this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 781. Senator Parker. Madam Secretary, will you read the bill?

ACTING SECRETARY HAWKER:

Senate Bill 781.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson. Senator -- for what -- good, I'm glad you...
Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 78 {sic} does two things. It establishes a task force that will have twelve people on it. There will be

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representatives from the House, from the Senate, four parents, and four people appointed by Public Health, and they will look into immunizations and procedures and public input in the State of Illinois. The second thing it does is expand the exemption. Right now there is an exemption that parents can take for medical, for religious reasons, and this expands it to philosophical. I would answer any questions and request a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, the question is, shall Senate Bill 781 pass. Those in favor will vote Aye. Those opposed, vote No. And 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 52 voting Aye, 2 voting no, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 795. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 795.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. Senate Bill 795 is an administration bill for the Department of Natural Resources. Adds various changes that they sought as a result of their reorganization. We did have one amendment added to the bill in committee, Amendment No. 1, which would allow nonresident hunters in the -- when they're in the State of Illinois, the opportunity to purchase ammunition with their out-of-state hunting license.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall

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Senate Bill -- I'm sorry. Senator Parker.

SENATOR PARKER:

Thank you, Madam President. I have a question to the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Indicates he'll yield.

SENATOR PARKER:

Senator Sieben, could you please explain to me the Section in the bill, somebody had mentioned to me, about out-of-state people that don't have FOID cards for Illinois and how they can obtain them? Because I'm under the impression it's very easy for them to obtain them if they're out-of-state people. For hunting or something?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

The current law in the State of Illinois allows any resident of Iowa, Missouri, Indiana, Wisconsin or Kentucky, who is eighteen years of age or older, who is not prohibited by the laws of Illinois, the state of his domicile, or the United States from obtaining, possessing or using a firearm, may purchase or obtain a rifle, shotgun or ammunition for a rifle or shotgun in Illinois. What the amendment does is extend that same privilege to residents of other states who are in Illinois and obtain an out-of-state hunting license.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Parker.

SENATOR PARKER:

How easy is that to obtain, and are there records to really verify the backgrounds of those people?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

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Yes. When they go into a -- a -- a vendor that sells an out-of-state hunting license, they have to provide identification -- proper identification to obtain that nonresident hunting license.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Parker.

SENATOR PARKER:

Would they know their background, or is it just identification?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

No. They're required to provide the identification, and there's a duplicate of the hunting license that's retained by the vendor that sells them that hunting license.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 795 pass. All those in favor, 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, Madam Secretary. On that question, there are 43 voting Aye, 5 voting no, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 800. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Madam Chairman. This is a bill that is

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offered by IDOT to put us in federal compliance with the Federal Transit Administration. We had to come up with this rail safety oversight agency. The RTA has -- under this bill has been designated as an -- a rail safety over -- oversight agency for the CTA and the city -- the State of Missouri Department of Economic Development will oversight the MetroLink System in St. Clair County, which -- and it only comes into St. Clair County by about a mile. We did add an amendment which sunsets this, and we also put some other safety measures in so that the State of Illinois had more oversight in the rail that is in the State of Illinois. Be glad to answer any questions. I know of no opposition with the amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, the question is, shall Senate Bill 800 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 54 voting Aye, none voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 801. Senator Madigan. Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 801.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 801 represents the work product of the General Assembly, and particularly the Department of Insurance, in trying to address some arising problems with financial solvency and determining

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financial solvency of insurance companies writing business in the State of Illinois. Think these hearings and work on this began about three years ago, at least to this -- the Insurance Committee of the Illinois Senate, with hearings in Chicago and Springfield, and arriving at some agreement towards establishing a way of determining a company's financial solvency. To say that it is somewhat complicated is a great understatement. We have -- merely want to say that we would try to answer any questions on this. It is -- I think the only component that still has some opposition to this extensive, complicated bill is addressing the cap as far as the reserve requirement. There is some degree, from at least one outfit, that thinks the cap at five hundred million dollars is too high and would prefer it to be at two hundred million. I'm very comfortable with the Department of Insurance assessment that five hundred million dollars is a -- an adequate and should remain in that. That's basically what it is. Again, it -- it goes through formulas as far as risk-based capital, real estate, stocks, bonds, et cetera. And we will try to answer any questions if anybody does have any, but otherwise would ask for its approval by the Illinois Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 801 pass. Those in favor, vote Aye. Those opposed will vote No. 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 56 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 815. Senator Mahar. Madam Secretary, will you read Senate Bill 815?

ACTING SECRETARY HAWKER:

Senate Bill 815.

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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 creates the Public Water Safety -- Supply Loan Program. Federal legislation reauthorizing the Safe Drinking Water Act was signed into law on August the 6th of 1996. A provision for low interest loans for drinking water facilities was included in the legislation. This will allow Illinois to capture some federal dollars. I know of no opposition and would ask for your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, the question is, shall Senate Bill 815 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. On that question, there are 55 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Great job, Senator Geo-Karis. Ladies and Gentlemen, it's five minutes after two and we still have thirty-nine bills remaining on 3rd Reading. Turn your Calendars to the top of page 8, Senate Bills on the Order of 3rd Reading is Senate Bill 862. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 862.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

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SENATOR FITZGERALD:

Thank you, Mr. President. This bill is an IDOT bill, and it simply allows IDOT to convey property that they don't need any more for road purposes to another governmental agency or not-for-profit organization, such as one that would maintain a wetland, and I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 862 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, 2 Nays, none voting Present. And Senate Bill 862, having received the required constitutional majority, is declared passed. Senator Weaver, what purpose do you rise?

SENATOR WEAVER:

Thank you, Mr. President. I'd like to commit 871 to Senate Rules.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Hearing no objection, leave is granted. Senate Bill 890. Senator Shadid. Senate Bill 899. Senator Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 899.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. This is a vehicle for some changes perhaps in the Horse Racing Act. Senator Cullerton has a vehicle out there. Senator Weaver has a vehicle.

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If -- if either one of those horses throws a shoe or throws its rider, Senate Bill 899 will come into play. I'd be happy to answer any question, but it's a vehicle.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 899 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, 1 voting Present and Senate Bill 899, having received the required constitutional majority, is declared passed. Senate Bill 902. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 902.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the Illinois Optometric Practice Act of 1987, the Professional Service Corporation Act. Permits optometrists to split fees and to jointly own a corporation with practitioners of medicine, podiatry, and dentistry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 902 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, none voting Present. And Senate Bill 902, having received the required constitutional majority, is declared passed. Senate Bill 908. Senator

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Luechtefeld. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 908.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. In Senate Bill 908, Farm Economic Development and Renewable Fuel Act will create economic incentives for processing centers which begin after January 1st, 1998. The purpose of the Act is to create jobs and promote rural economic growth, while also encouraging energy self-reliance through the establishment of community-sized grain processing centers. By providing economic incentives to community processing plants, Illinois will be placing a viable industry into areas of the State that are in desperate need of economic growth. Not only will the plant provide millions of dollars in construction costs and technical jobs in economically depressed areas, it will raise the demand for the price of Illinois corn. This particular project was brought to my attention by the Jackson-Union County Port Authority, who have -- for the last three or four years, have worked on trying to create some jobs in the area. They would like to build an ethanol plant with some incentives from the State. They -- probably more important than the ethanol plant - and it -- it will be a small ethanol plant compared to some of them - will be the jobs that it creates - the spin-off jobs. They have done an awful lot of leg work. They have a huge fish farm that is coming in, a huge tomato farm. The CO2 will be used by Pepsi, and many other spin-off jobs that we hope that we can create with this -- with this particular facility. I would be willing to answer any questions of anyone

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who might have one.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 908 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 52 Ayes, 2 Nays, none voting Present. And Senate Bill 908, having received the required constitutional majority, is declared passed. Senate Bill 910. Senator Luechtefeld. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 910.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Senate Bill 910 amends the State Finance Act and the Liquor Control Act of 1934 to create a grain -- or, a Grape and Wine Resources Council. The Grape and Wine Resources Council, consisting of seventeen members, shall provide support and growth services to the grape and wine industry of Illinois. This -- this particular council -- several States around us have this and they have found that it has really increased the number of -- the number of wineries, the amount of grapes being grown, and also, more important than all of it, would be the tourism that has developed within their states. I would be willing to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 910 pass. All those in favor will vote Aye. Opposed will vote

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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, 1 Nay, none voting Present. And Senate Bill 910, having received the required constitutional majority, is declared passed. Senate Bill 927. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 927.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Under current law today, eight dollars of each annual registration of a motorcycle is deposited in the Cycle Rider Safety Training Fund. At this time, all of the training courses for almost the next six months are completely full. This bill will increase the deposit from eight dollars to nine dollars this year, and then in 1999, to ten dollars into the Cycle Rider Safety Fund. This will permit about a thirty-percent increase in safety training availability to motorcycle riders. The bill also requires a twenty -- a brand new twenty-dollar fee from the participants to help pay for the program. I'd hope for favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, could you tell me if there's a diversion from the

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Road Fund, and if so, how much, and if so, why?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, Senator, currently the registration fee in excess of the eight dollars - I think it's forty-eight dollars - the balance goes into the Road Fund. This will reduce that by a dollar next year, and by 1999, an additional dollar. The total cost to the Road Fund annually is a little less than a hundred and ninety thousand dollars to get about a thirty-percent increase in rider cycle training in the State. And as I said, it does include participation now by the participants of twenty dollars for the first time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

If I understand, under current law students are -- are charged this twenty-dollar registration fee, and upon completion of this course, they can receive either a cycle rider T-shirt or they can be refunded the money. Most are being refunded the money. If I understand your bill, they no longer will be authorized to get the refund. Will they still get the T-shirt?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Cullerton, you are correct about the twenty dollars. I'm not sure about the disposition of the T-shirt, but I will work with House sponsorship to answer that question for you. I really don't know.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

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Just briefly, I would say that, since I've been here, the Road Fund has always been sacred, and I think there's been diversions that perhaps were fair and equitable. I think, in this particular case, in order to have more people take this driver's training class, that the charge of an extra two dollars would not be unreasonable, rather than take the money out of the Road Fund. And so for -- for that reason, I'm going to oppose the bill. It's not because I don't think there ought to be education and increased classes, but I think we can have a user fee here, as opposed to taking it out of a fund, which we all know from our caucuses, from meeting with Secretary Brown, is in dire straits. And for that reason, I think it's a bad concept.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

Thank you. A quick note to Senator Cullerton: Raising the participant's -- raising the participant's fee would not generate the money he might think, because that would only be on the people taking the course. Currently the two-dollar diversion of the registration fee is to all registrations, is where the money accumulates from. I'd still urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 927 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 49 Ayes, 4 Nays, none voting Present. And Senate Bill 927, having received the required constitutional majority, is declared passed. Senate Bill 930. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

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Senate Bill 930.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 930 requires local exchange monopoly phone carriers to disclose financing related to competitive services. It requires the ICC to study the effect of the entry of local phone telecommunication monopolies into competitive markets. In addition, the amendment to the bill exempts small telephone carriers under thirty-five thousand lines. This bill is kind of in response to some of the concerns about monopoly, rate-based companies entering into competitive businesses like cable and other things, and it -- it really requires the ICC to carefully study that there's no cross-subsidization and carefully track it. I'd urge it's favorable...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion?

SENATOR RAUSCHENBERGER:

...consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

After the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If there is no discussion -- no further discussion, the question is, shall Senate Bill 930 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 47 Ayes, 6

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Nays, 1 voting Present. And Senate Bill 930, having received the required constitutional majority, is declared passed. Senator Berman, what purpose do you rise?

SENATOR BERMAN:

Thank you, Mr. President. On Senate Bill 927, I reached for my green button, but the roll was taken, and I want the record to indicate that I would've voted Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will so reflect, Senator Berman. Senate Bill 934. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 934 amends the Public Utilities Act. Makes technical changes to the article dealing with the common carriers of pipeline transporting crude oil only. It codifies the area of deliberation that the ICC currently follows in their consideration of a certificate for convenience and necessity, and I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 934 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 934, having received the required constitutional majority, is declared passed. Senate Bill 944. Senator Petka. Madam Secretary, read the bill. No. Out of the

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-- out of the record. Senate Bill 945. Senator Petka. Senate Bill 950. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 950.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the Secretary of State George Ryan's bill which provides for the establishment of a graduated driver's licensing system for young drivers. Traffic car -- clashes are the number one cause for young people dying in Illinois, and I sent out a paper that shows that. The intent of this bill is not to punish the good and responsible young driver, but to target those who need additional training to become safe drivers. The bill institutes a three-tiered system with various requirements, such as those requiring under the ages of eighteen to wear seat belts, to limit the number of persons allowed to sit in the front seat in order to reduce the driver's distraction, and no violations of the Child Curfew Act. The bill...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further...

SENATOR FAWELL:

...has been amended twice.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If -- Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Berman.

SENATOR BERMAN:

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Is this the bill that says that I -- if -- if -- my grandchild, who's under twelve, I cannot let them ride in the front seat?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 950 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, 1 Nay, none voting Present. And Senate Bill 950, having received the required constitutional majority, is declared passed. Senate Bill 952. Senator Dillard. Senate Bill 953. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 953.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate - excuse me - this bill repeals the -- the Trademark Registration Act and it creates the Trademark Registration and Protection Act, and it -- it establishes procedures to make it more in line with the federal Act, and provides for the registration of trademarks and servicemarks with the Secretary of State. And I'm here to answer your questions, otherwise ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 953 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, 2 Nays, none voting Present. And Senate Bill 953, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to the previous bill, Senate Bill 952. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 952.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is an agreed bill, a model bill, from the Secretary of State's Office dealing with the changes in the Business Corporation Act, as well as suggested changes from the Taxpayers' Federation of Illinois, 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 952 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 952, having received the required constitutional majority, is declared passed. Senate Bill 959. Senator Klemm. Senator Klemm. Senate Bill 996. Senator Cullerton. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 996.

(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 bill is a product of cooperation with the telecommunications industry and local governments in Illinois, and it will create a uniform franchise fee within the State, reform some telecommunications taxes, and continue to provide some property tax relief. The package achieves these goals by establishing this infrastructure maintenance fee for the telecommunications industry in Illinois, and it also repeals the invested capital tax on telecommunication companies and keeps that fund whole through this infrastructure maintenance fee. The -- we have adopted an amendment - Senator Mahar was kind enough to adopt an amendment in committee - which attempts to address some of the concerns raised by the Municipal League. I've spoken to their representatives. They are asking that we continue to debate the issues with them and allow them to give their input. Their concerns are the issue of access to rights-of-way. That is being dealt with. The purpose of the -- the -- the bill, from the point of view of the City of Chicago, was to keep what is -- what they are now charging as an -- as a franchise fee, to keep the bill to be revenue-neutral, and that it does; it does not increase the fees in any way. As a practical matter, for someone in -- in Chicago, for example, on your phone bill, the fee that you now pay for the franchise fee, which is three percent, will go down to two percent. However, if you have a cellular phone - a car phone - right now you're not paying any tax at all; the same across-the-board two-percent tax would

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apply, as well. Outside of Chicago, it's one percent, and the reason for that, as I indicated, was so that the bill remains revenue-neutral for the purposes of the -- of the City of Chicago. It is something which the telecommunication industry supports, MCI and Sprint and Ameritech and AT&T. And, of course, the reason for that is the - in part - the invested capital tax is really something which is not good for -- for -- for industry and for business. It -- we should be encouraging infrastructure improvements rather than -- than taxing it. Also this bill will guarantee that that fund will grow. I'd be happy to answer any questions. I understand that this bill does preempt home rule in a limited fashion, would require thirty-six votes. I urge your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've talked with the Municipal League general counsel as late about -- as about three hours ago and no agreement has been reached. And even as amended, this bill is not acceptable. One thing, it removes the ability of a municipality to require a franchise agreement for the use of municipal right-of-way. It curtails the abilities of municipalities to manage the use of local rights-of-way, and it removes the local zoning authority, and that's not we want to do. And it also removes the ability to recoup any regulatory costs. So for those reasons, I would certainly ask you that you vote against the bill, 'cause I don't think we're doing any good to our municipalities with this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I move the previous question.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

They are three additional speakers. Further discussion?
Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, I -- I kind of echo what Senator Geo-Karis just said, and I'd like to add a word of caution. You know, I -- I have the feeling down here that what we're doing is kind of like a piranha attack on municipalities. We seem to place them in some sort of a subservient position. We're kind arrogant in the way we treat them, particularly when -- when the word "telecommunications" is mentioned. We seem to go -- we seem to go gaga. If it's telecommunications it's got to be -- it's got to be wonderful for everyone. I urge a lot of caution on this. Senator Geo-Karis was -- Senator Geo-Karis is absolutely right. There was a -- a hundred-foot tower put up in -- in a nearby neighborhood in my town and it's ugly, but there was nothing the community could do, nothing the citizens could do. So let's slow down. Let's be a little less arrogant. Let's be thinking of the people living in the -- in neighborhoods and the problems that we are creating directly and indirectly for nearly every community in this State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Link.

SENATOR LINK:

...sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Link.

SENATOR LINK:

Senator Cullerton, is there any way we could work out with these local municipalities as far as getting the -- the permits to the time that they want, like thirty days instead of ten days or twenty days? Can we work with them on as far as getting their

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input into this a little bit more?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. The amendment that was adopted yesterday, and by the Senate today, is a result of the conversations that have been had with the representatives of the Municipal League. They are not yet fully there, and that's what Senator Geo-Karis referred to. My understanding was that they were not opposed to the bill, and they will not be opposed to the bill. I suspect we're going to pass this bill. If not today, we're going to pass it maybe the last day of the Session, but we will pass the bill. And the municipalities will be in favor of it because this gives the municipalities, quite frankly, an opportunity to have their revenue base even potentially grow. And I can specifically tell you, for example, this issue of -- of the ten-day requirement, the -- the Supreme Court case extends that ten-day requirement to municipalities; this bill makes it twenty days. With regard to the issue of towers that Senator Butler talked about, we -- right now, facility-sharing and -- and location of these towers is largely controlled by federal law. If they're not, the Commerce Commission controls them. We specifically put in this bill standards for review for structures that obstruct the public way. Zoning still remains in effect. You can still control through your zoning. Your zoning powers are not eliminated. So the fact is that the Municipal League perhaps doesn't have every thing that they want, which is what happens when people negotiate, but they are going to be in favor of this bill. In fact, my understanding is, they're not even opposed to the passage of the bill right now. But it might be premature to pass this bill right now. Maybe that's what some people are saying.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Link.

SENATOR LINK:

Just one last thing. I have the assurance of the sponsor that we will continue working on this in the House to -- to get this worked out with the Municipal League as far as this problem?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator. Even if this bill wasn't to pass, there's another bill coming over from the House and we can continue to work the Municipal League. 'Cause I think that this -- once people have had a chance to digest the federal law and how that affects what we can pass in the State law, they will be in favor of this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cronin.

SENATOR CRONIN:

Thank you. I just wanted to rise in opposition, I don't want to beat a dead horse, 'cause I think this is a dead horse. But the bill -- really, it fails to accommodate reasonable needs of municipalities to use regulations to manage the local -- the local public rights-of-way. It requires municipalities to comply with outdated 1903 Telephone Company Act. It preempts home rule. It -- it puts a tax on cellular phones. It sends the wrong message, and I think you should vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Just to make it clear: This is a bill which we are going to pass this Session, because so many people want it to pass, and people are negotiating now for what's going to be in it. So I would urge you all to not lock yourself into a No vote. If

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you want to vote Present because you think it's premature, I can understand that. But I would indicate that many of the answers to the questions you raised have been answered in this legislation. The final product is not going to be a lot different than what this legislation is, and for that reason, I urge an Aye, or a Present vote if you can't vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

This bill will take thirty-six votes to pass. The questions is, shall Senate Bill 996 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 23 Ayes, 22 Nays, and 10 voting Present. And Senate Bill 996, not having received the required three-fifths majority, is declared failed. Madam -- or, Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate, I'd like all of you to welcome to our distinguished Senate Al Machak from Waukegan, Illinois, my constituent, who is the President of the Kiley Developmental Center Parents Association, who's here, and very interested in keeping Kiley alive. And he's sitting in the balcony right above here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest please rise and be recognized? Welcome to Springfield. On the top of page 9, the Order of Senate Bills 3rd Reading, is Senate Bill 1001. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1001.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1001 updates definitions, clarifies authority under the Act. Is a general technical cleanup of the Metropolitan Water District. It's not controversial. Urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 1001 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, none voting Present. And Senate Bill 1001, having received the required constitutional majority, is declared passed. Senate Bill 1002. Senator Halvorson. Senator Molaro, what purpose do you rise?

SENATOR MOLARO:

To rise to get leave of the Body to handle this for Senator Shaw, who was the chief sponsor, who was unable to be here today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro, the Calendar shows Senator Halvorson as the lead sponsor on this bill. Senator Molaro.

SENATOR MOLARO:

Well, according -- according to what we have from -- wherever this is from, it says Shaw is the chief sponsor, so -- but...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Motion's been filed. The parliamentarian has informed the Chair of that. Hearing no objection, leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 1004. Senator Molaro.

SENATOR MOLARO:

Thank you.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Pardon me, 1002. Senator Molaro.

SENATOR MOLARO:

1002. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 10002 {sic} (1002).

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Thank you again, Mr. President, Ladies and Gentlemen of the Senate. This bill will allow -- it's permissive to allow the County of Cook - which is Cook County, of course - to operate a juvenile boot camp. Two years ago we left them off. We've talked to the Department of Corrections. There is no fiscal impact for them, and we'd ask a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1002 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, no -- none voting Present. And Senate Bill 1002, having received the required constitutional majority, is declared passed. Senate Bill 1005. Senator Maitland. Senate Bill 1007. Senator Karpziel. 1009. Senator Petka. Senate Bill 1010. Senator Maitland. 1011. Senator Maitland. 1017. Senator Philip. Senator Philip. Senate Bill 1019. Senator Karpziel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

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Senate Bill 1019.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1019 authorizes the President of the Kendall County Forest Preserve District to convey a parcel of land in Kendall County to the Kendall County Fair Association for two thousand -- two hundred thousand dollars. Said conveyance is predicated upon the condition that sale proceeds be used by the Forest Preserve District for land acquisition. It also permits the President of the Kendall County Forest Preserve District to convey a small portion of an acre parcel of land in Kendall County to Kendall Township for ten dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1019 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, 2 Nays, none voting Present. And Senate Bill 1019, having received the required constitutional majority, is declared passed. Senate Bill 1031. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1031.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

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Thank -- thank you, Mr. President. This bill is intended to carry some of the language that would be necessary for the Task Force on Weights and Measurements {sic} (Measures). I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Karpziel.

SENATOR KARPIEL:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Karpziel.

SENATOR KARPIEL:

Senator Burzynski, could you tell us please what the optometrists think of this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. One thing, Senator, I wish that, whenever you're getting into this, you'll really take a look at - I know I'm getting a lot of phone calls from my district at this time - to where the State Police and the weights -- the scales are currently blocking traffic to -- to certain locations. And it appears we've got some cops out there that get a little overzealous, and I'm sure -- it's one of the things I hope you'll address in this issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR BURZYNSKI:

Thank you. Senator Jacobs raises some very good points. We have taken those under consideration. They are being talked about now, and we hope to have a final message. And the optometrists are neutral on the bill, Senator Karpziel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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The questions is, shall Senate Bill 1031 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, and none voting Present. And Senate Bill 1031, having received the required constitutional majority, is declared passed. Senate Bill 1043. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Take that one out of -- next one. Take that...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 1044. Senator Geo-Karis. Madam Secretary, read that bill.

ACTING SECRETARY HAWKER:

Senate Bill 1044.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill, after having been studied and worked on by three groups - the Treasurer's Office, the Retail Merchants, and also the -- the Bankers - we've come to a good conclusion and it's -- the bill has the agreed amendment that has -- that should be the bill. Permits cash-dispensing terminals, which are not owned by financial

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institutions or affiliates, to establish their own cash-dispensing terminals if the terminal does not accept the deposits of funds into accounts and if the terminal owner files notice with the Commissioner of Banks and Real Estate on a form required by the Commissioner within sixty days after January 1, 1988 {sic}, or upon the establishment of the -- the terminal. I ask for favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the Senate -- the question is, shall Senate Bill 1044 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, 1 voting Present. And Senate Bill 1044, having received the required constitutional majority, is declared passed. Senate Bill 1045. Senator Geo-Karis. Senate Bill 1048. Senator Jones. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1048.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. The bill, as passed out of committee, had substantive language as relate to the training and self training for our persons suffering with diabetes and education. However, there were interested parties who have not yet come to an agreement on the proper language, so I -- it is now a shell bill, as amended. We want to move it over to the House until those parties get together and come up with the proper language.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1048 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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, none voting Present. And Senate Bill 1048, having received the required constitutional majority, is declared passed. Senate Bill 1070. Senator Watson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill comes to us from the Illinois Administrators of Special Education, and it provides that school districts need only provide parents and guardians of special education students with copies of their behavior innovation policies within fifteen days after those policies have been changed. There was -- the special education parents came in and had some concerns. An amendment was drafted that alleviated their concerns. The bill passed out unanimously, and -- and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1070 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 1070, having received the required constitutional

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majority, is declared passed. Senate Bill 1072. Senator Berman.
Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1072.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1072 is introduced at the request of the Association of Special Education Administrators, and what it provides for is that at least eighty percent of the IDEA Part B discretionary funds, dealing with the funds necessary for special education children, will go to the school districts and special education joint agreements as needed. Solicit your Aye vote. I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1072 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 1072, having received the required constitutional majority, is declared passed. Senate Bill 1084. Senator del Valle. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1084.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Mr. President. This bill creates the Assistive Technology Evaluation and Training Centers Act. And the centers will offer comprehensive services to person with disabilities. And it's subject to appropriation from DORS and the Department of Human Services, and the Department can either contract to establish the center or establish the center itself.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1084 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, no Nays, 1 voting Present. And Senate Bill 1084, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch, for what reason do you rise?

SENATOR WELCH:

Point of information.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR WELCH:

On Senate Bill 577 {sic} (557), I left the Floor briefly and I was not recorded as voting. Had I been on the Floor, I would have voted Yes. I would ask that the record reflect that intention. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record shall so reflect that. Senator Cronin. Senate Bill 1100. Senate -- Senator Carroll, for what reason do you rise?

SENATOR CARROLL:

Thank you, Madam President. Likewise to Senator Welch, that I had been off the Floor when Senate Bill 927 had been called. Had

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I been on the Floor, I would have voted Aye. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record shall so reflect. Senator Rauschenberger. Senate Bill 1101. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1101.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. This is the annual shell bill that we pass over for the House to amend. It's the budget implementation shell. There's no way we could know the language in advance. This is a procedural part of getting ready to move the budget. Urge a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall Senate Bill 1101 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 57 voting Aye, none voting Nay, none Present. And Senate Bill 1101, having received the required constitutional majority, is declared passed. Senator Dudycz on Senate Bill 1105. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

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Thank you, Madam President. Senate Bill 1105 amends the Lobbyist Registration Act by stipulating that, within thirty days of the filing deadline, each lobbyist shall notify each official on whose behalf an expenditure has been reported. Notification shall include the name of the registrant, the total amount of the expenditure, the date on which the expenditure occurred, and the subject matter of the lobbyist's activity. And I seek your affirmative support.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there is no discussion, the question is, shall Senate Bill 1105 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 55 voting Aye, none voting Nay, none Present. And Senate Bill 1105, having received the required constitutional majority, is declared passed. Senate Bill 1108. Senator Butler. Senator Obama, for what purpose do you rise?

SENATOR OBAMA:

Yes, Madam President. On Senate Bill 700, I should have pressed a Yes vote; pressed a Present vote. I'd like that reflected in the record, please.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record shall so reflect.

SENATOR OBAMA:

Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

For the purpose of an announcement. There will be a Rules Committee meeting very shortly in the Anteroom. We're going to try to get a few House bills assigned, and so it won't take very long.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 25, offered by Senator Donahue.

(Secretary reads SJR No. 25)

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of SJR 25. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Donahue has moved for the adoption of SJR 25. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted.

SECRETARY HARRY:

Senate Joint Resolution 24, offered by Senators Carroll, Berman and Link.

It's substantive, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No objections filed, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

Just a point of inquiry. Are we going to get to Postponed Consideration?

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PRESIDING OFFICER: (SENATOR KARPIEL)

I'll have to get back to you. ...Bills 1st Reading.

SECRETARY HARRY:

House Bill 287, offered by Senator Severns.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Insurance and Pensions - House Bill 366; to the Committee on Judiciary - House Bills 56, 66, 139 and 236; to the Committee on Licensed Activities - House Bill 72; to the Committee on Revenue - House Bill 709; and to the Transportation Committee - House Bill 242.

PRESIDING OFFICER: (SENATOR KARPIEL)

Messages.

SECRETARY HARRY:

A series of Messages addressed to the Secretary of the Senate. The first from Senator Bowles:

Dear Mr. Secretary - Please be advised that I hereby resign my position on the State Government Operations Committee.

From Senator Cullerton:

Please be advised that I hereby resign as Minority Spokesperson on the Insurance and Pensions Committee, but will continue as a member of the Committee.

From Senator Jacobs:

Please be advised that I hereby resign my position on the Local Government and Elections Committee.

From Senator Viverito:

Please be advised that I hereby resign my position on the

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Insurance and Pensions Committee.

And from Senator Shaw:

Please be advised that I hereby resign my position on the State Government Operations Committee.

Series of Messages from the Minority Leader.

Dear Mr. Secretary - Please be advised that I have appointed Senator William Shaw to replace Senator Tom Dunn on the Judiciary Committee.

Please be advised that I have appointed Senator Denny Jacobs to replace Senator John Cullerton as Minority Spokesperson on the Insurance and Pensions Committee.

Please be advised that I have appointed Senator Evelyn Bowles to replace Senator Denny Jacobs as Minority Spokesperson on the Local Government and Elections Committee.

Please be advised that I have appointed Senator Louis Viverito to replace Senator Evelyn Bowles as Minority Spokesperson on the State Government Operations Committee.

And, please be advised that I have appointed Senator John Cullerton to replace Senator Tom Dunn as Minority Spokesperson on the Judiciary Committee.

All signed by Senator Jones.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Link, for what purpose do you rise?

SENATOR LINK:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR LINK:

I'd like to welcome Louis Atsaves of Lake Forest, a constituent and good attorney for my area. Stand up -- and give...

PRESIDING OFFICER: (SENATOR KARPIEL)

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The Senate...

SENATOR LINK:

...him a welcome.

PRESIDING OFFICER: (SENATOR KARPIEL)

The Senate welcomes your guest. Messages.

SECRETARY HARRY:

Message from the President.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadlines for final action on the following categories of bills, with specific bills enumerated under these categories of bills, to May 31st, 1997: Education Funding and Reform, specifically Senate Bills 1 and 2; Judicial Redistricting, specifically Senate Bills 175, 944, 945 and 1009; Managed Care, specifically Senate Bill 131; Pensions, specifically Senate Bill 138; and Job Training, specifically Senate Bill 77.
Filed by President Philip, March 20th, 1997.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Myers moves the Senate stand adjourned until noon Wednesday, April 9th.
Senator Berman -- we are adjourned.

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