

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

104th Legislative Day

May 13, 1998

PRESIDENT PHILIP:

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

THE REVEREND RITA NAFZIGER:

(Prayer by the Reverend Rita Nafziger)

PRESIDENT PHILIP:

Please -- remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Tuesday, May 12th, in the year 1998, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment of a bill of the following title, to wit:

House Bill 3000, with Senate Amendment No. 1.

Nonconcurrent in by the House, May 12th, 1998.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Ladies and Gentlemen, if I could have your attention. We will be going to the Order of House Bills 3rd Reading, middle of page 2. So, will the Members in their offices please come to the Floor? We obviously don't want anybody voting your switches. Senator Burzynski, for what purpose do you arise, sir?

SENATOR BURZYNSKI:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR BURZYNSKI:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'm very pleased to inform you today that an individual who's important to us on the Republican side of the Senate is celebrating a birthday today. George Beckey's birthday, who's back here, one of our Doormen, is celebrating a birthday. He wouldn't tell me how many, though.

PRESIDING OFFICER: (SENATOR MAITLAND)

George, happy birthday. Thanks for all the service you give to us. Thank you. Thank you. Senator Shadid, for what purpose do you arise, sir?

SENATOR SHADID:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR SHADID:

Mr. President and fellow Members, it's a pleasure for me, on behalf of Senator Hawkinson, who is a -- sort of a shy individual, as we all know, he's allowed me the privilege of introducing his mother and dad, John and Marilyn Hawkinson, and his aunt and uncle, Jim and Beverly Hawkinson, who are sitting behind the President's Gallery upstairs, to welcome them to Springfield, on his behalf. Thank you.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Mr. and Mrs. Hawkinson, welcome to Springfield, and all your family. Carl, welcome. Thank you. Thank you. Senator Kehoe.

SENATOR KEHOE:

Point of personal privilege, Mr. Chairman.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR KEHOE:

Thank you. Today is Decatur Day at the State Capitol, and the Decatur-Macon County Economic Development Foundation is here today. And on behalf of the Foundation, we'd like to invite all the Senators who have not yet received their bag of goodies from the Foundation to -- out in front. There's a bag for every Senator, and popcorn and other gifts. And so, if you get a chance today, come down and visit them on the -- their exhibits, and they really appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR BOMKE:

Thank you. I would like to introduce to the Illinois Senate a eighth-grade class from Trinity Lutheran School. Teacher, Russ Benning. They just walked in. They're -- they're just piling in right now behind the Chamber.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you all please rise and be recognized by the Illinois Senate? And kind of wave at us so we know you're coming in. Welcome to Springfield. On page 2, about middle of the page, are House Bills 3rd Reading. I will -- like to remind the leader --

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or, the Membership that Friday is the deadline for House bills on 3rd Reading. So I would encourage all of you to call your bills today, and if your bills are on 2nd, to make sure that you get your amendments filed. 3rd Reading is the deadline, Friday. First would be Senator -- excuse me. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Thank you, Madam President. Like the record to reflect that Senator Shaw will not be here yesterday, today and tomorrow, due to personal business.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate record will so reflect. Senator Klemm, for what purpose do you seek recognition?

SENATOR KLEMM:

Well, just for a brief moment of introduction. Would that be appropriate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR KLEMM:

I want to introduce my Page for the Day, Chris Graham. He's with me today. His father is up in the balcony, David Graham. They're from Crystal Lake. Chris has worked with NISRA and a number of other activities. So I wish you'd give him a warm welcome, if you would. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized? Welcome. How are you, hon? Senator Philip, on House Bill 349. Read the bill, Madam -- Mr. Secretary.

SECRETARY HARRY:

House Bill 349.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 349 amends the Water Well and Pump Installation Contractor's Licensing {sic} (License) Act. That's a mouthful. Waivers certain licensing requirements for a person already licensed under the Act - Plumbing License Law. Requires the Water Well and Pump Installers {sic} (Installation) Contractors Licensing Board to consider recommendations of the Illinois Association of Groundwater Professional -- regarding appointments to the Board. Provides applicants for renewal licenses must fulfill certain continuing education requirements. This does include the plumbers. I've been led to believe there is no opposition to this. Both sides have signed off. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 349 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 349, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Well, just an announcement. It's my understanding also today that we are -- have another birthday person. Linda Hawker's celebrating her birthday also, and... Twenty-nine. Twenty-nine today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Happy birthday, Linda. If I could have your attention just a

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minute. We're getting a little noisy. There's a lot of conversations going on on the Floor. There's a lot of noise in the gallery, as well as on the sides of the Chamber. So, will the Senators please be in their seats? Will the -- staff take your conferences off the Floor? Keep your conversation low. Please. Next will be Senator Maitland, on Senate Bill -- House Bill 646. Out of the record. Senator Syverson, on House Bill 705. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 705.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. House Bill 705 is the bill that creates the Children's Health Insurance Program, which implements the Title XXI of the Social Security Act. This is a new program which comes on the heels of about four months of negotiating, and I would like to say, at the beginning, we appreciate the work that Senator Trotter and Senator Smith did on this program. The Governor put a task force together at the first of the year made up of House and Senate Members and a number of organizations that deal with children's health insurance, and we have spent the last four to five months working on a program that will expand health insurance to children in Illinois. If I can just cover some of the highlights of this legislation and then open it up for questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, just a second, before you begin. As I indicated, would the staff please take your conversations off the Floor? Senators be in your seats. And if I could ask the side

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door guardsmen if you would tell the people on the outside of the Chamber to keep your voices down, 'cause that's where I can hear noise. Please give your attention to Senator Syverson. This is a very important piece. Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This legislation represents Illinois' second phase to children's health insurance. The initial phase, which was implemented January 1 by the Governor, expanded the Medicaid program to individuals -- to children from one hundred percent to a hundred and thirty-three percent of poverty level. This program will now raise that threshold from a hundred and thirty-three percent to one hundred and eighty-five percent. This program is designed to give families a choice. Unlike other states that have implemented this program before us, Illinois is unique and Illinois is different and we'll be the leader in this program, and we'll be giving families a choice. They'll have a choice of, first, a Medicaid look-alike program which will be called Kid Care, or, second, an option to go into a equity subsidization program with their current employer's health care plan. Both of these components are linked together, from a funding standpoint. This program is designed to mirror and build on the private sector. This program involves premiums and co-pays. There is cost-sharing in this program, so whether you're in the Kid Care component or in the equity component, there is cost-sharing involved. There'll be a premium structure - initially, fifteen dollars for the first child, ten dollars for a second and five for subsequents: a maximum of thirty dollars a month per family for the cost of this program. This is the same cost that you would pay on the Kid Care or, most likely, in the equity portion as well. There is co-pays involved in this program as well. When there is an encounter with a -- a hospital, a doctor, a dentist, there is going to be a -- a five-dollar co-pay

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for each encounter. This co-pay is in addition to the current rate that is paid under the Medicaid limits. I think that covers the highlights. I'll be happy to answer questions that you would have on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Members of the Senate, I proudly stand in support of this legislation. As pointed out by Senator Syverson, this is a very comprehensive piece of legislation that does what we think that our taxpayer dollars should do, and that is, help the citizens of this State at -- at its maximum degree. The great thing about this bill -- and -- and like every bill and -- a negotiated bill, you don't get everything you want. But the great thing about this bill is that we have allowed ourselves a six-month opportunity to actually look at this program and revisit it and make those necessary changes. And then from that six months, we have also included an additional six months. In a year, we also will take that -- that jaundiced look at this bill and -- and cut out those things that aren't working and also try to reenforce those things that are working. It's a great piece of legislation, and I encourage everyone here to support it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I want to rise to make just a couple of comments about this bill and then ask the sponsor a couple of questions. First of all, I think Senator Trotter and Senator Syverson are to be congratulated again, following -- following last year's work, together with the -- the current Presiding Officer, in their work



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on -- on the child care bill, which broadened and changed the way we deliver child care for people in the State of Illinois. It -- that bill has become kind of a national model. We've been asked, on many occasions, by other states to take a look at what we've done in the child care arena, and I think this bill follows that tradition of compromise and hard work. We're the first State in the nation to deal with the equity issue and -- and fairness to all kids, and I just want to compliment the -- the Members who worked very hard on this. But a couple of questions to the bill. Senator Syverson, are Phase II managed care companies required to serve both the Medicaid and the Medicaid look-alike populations with this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Yes. The task force has agreed that all Phase II providers, including managed care entities, should also be required to serve regular Medicaid population as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator. Who -- who has access to Kid Care?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Under the -- the federal law, the way it was passed, the access is to children who are uninsured. So this portion of the population that currently does not have insurance will move into the Kid Care portion. Those that do have current coverage would fall under the equity piece. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Can -- can a child who has insurance apply for Kid Care?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

No, they can't. Again, unfortunately, the way our Congress and this President drafted this legislation, it was set up to punish those who were responsible and purchased insurance. So what is done is, to qualify for Kid Care, you need to be uninsured. But that's why we've added the component that no other state has done, which is the equity piece. So those individuals that have insurance under their employer-based plans will qualify under the equity portion of the coverage and will get assistance.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just would like to say I think you've done a wonderful job. I know staff has worked exceptionally hard. You're -- you're very lucky to have a staffer, Senator Syverson, that makes you look good not only on this legislation, but on child care as well. And we really appreciate the hard work, and I urge people to vote for this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I also want to compliment the sponsor and -- and all of those who have worked very hard on this. It's -- it's a wonderful piece of legislation. I do have a couple of concerns that I'd like to express for the record. One is the immigrant children who are not eligible and yet are legal immigrants and are in need of -- of services. And the other concern is: How are we going to disseminate the information about the programs so that we can make sure that there's maximum utilization? I'm not too sure what's in the bill to ensure that

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adequate outreach is done. So, Senator, I hope, we'll be able to address those issues as we move along.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you. I have a few questions of the sponsor on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Radogno.

SENATOR RADOGNO:

Thank you. First off, could you tell me what types of providers will be authorized under the Medicaid look-alike?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

These need to be Medicaid providers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you. And then, what requirements will be placed on employer plans?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

In order to provide and ensure quality, plans must provide comprehensive major medical coverage consisting of physician and hospital inpatient services to provide the maximum flexibility to families. The plans do not have to meet federal benchmark standards or other cost-sharing provisions required under the federal law. So we've left this open to make it easier for more people to have access to it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

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SENATOR RADOGNO:

Finally, this program has a significant federal funding component. What happens if that federal funding dries up?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Senator. Very good question, especially in light of what we have been getting from the federal government in the past, where they introduce programs that sound great and then quit funding those programs. We have had to, because of the cost of this program, put language in the legislation that makes it very clear if the federal government pulls out of this program or ceases to fund this program, this program will terminate immediately. We think it's important that if the federal government starts a program, that they need to continue to fund it. So if this program is terminated, it'll be because of the fact the federal government has chosen to pull out of this program.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Halvorson.

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Halvorson.

SENATOR HALVORSON:

Senator del Valle mentioned the outreach and -- and that there should be some. I was just curious: Are there dollars allocated for outreach, and how much?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

The -- the federal law says we can spend up to ten percent for

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outreach programs. We have not put anything specific in this legislation but have left that up to the Department. The Department has assured us, under Director Joan Walters, that there are a number of programs that they plan on doing to implement ways to educate and inform the public about the programs that are out there, with -- with brochures, advertising, public service announcements, working with Department of Human Services, schools, the free lunch program, as well as many other outreach programs. So we -- we hope that the Department will come back to this Body and give us a game plan of what they plan to do over the next six months in getting the message out about this program, how to sign up for this program and how the program works.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Is it my understanding that children of immigrants who were here from -- prior to 1996 of August will be covered?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

That is correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I think this bill is a step in the right direction. If we can help children who've been underprivileged, low-income children, to have coverage -- insurance coverage, so to speak, I think it's -- it's

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wonderful. And I'm happy to congratulate the sponsors of this bill for the hard work they put in and taking a particular -- particular interest in helping children who have been unfortunate, and I certainly support the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, would Illinois jeopardize their support for -- from the federal government if they include those children who are legal immigrants that have not been here five years?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Senator, there's not a jeopardy, but it would be total State funding - it would be total GRF - that we would be using and would not be receiving a match for that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

But -- but we would not be penalized. We would just be picking up those children ourselves here in the State of Illinois?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

That is correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

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...Syverson, what happens right now if a child end up in, let's say, Cook County Hospital? Let's say they were legal immigrants and they lived in the City of Chicago. Would not that child be treated at Cook County Hospital right now?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

More than likely, they would be, yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

So, in reality, Senator, we're really not saving any money on the treatment of those children who are in this country legally but have not been here - because their parents have not been here - for the five-year period. They can still go to and be served at a public -- public hospital where taxpayers will still pay the money. I think this is a good bill, to the bill. I think it's a great beginning, Senators, and I think we had an opportunity to make our program unique than other states and I think we did, to -- to some extent. But I think we should have and we have a moral responsibility to cover all children. This country have done and provided humanitarian aid, I think, to foreign countries around the globe, and there is no reason - no reason - why we should not include these children in this insurance plan, because it is the human thing to do. We have to pay it, and I think we could save money by including them into an insurance -- the insurance plans, because we're going to have to spend the money one way or another. It's so important that we understand that we're not saving anything by not doing it. So why not be unique and include them? How much money are we talking about, additional, to -- to provide the insurance coverage, and would that amount be less than what we will pay when those kids end up into emergency rooms across the

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State and to our hospitals that are paid for by local units of government? What's the difference in -- in the amount of money we're talking about?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is that a question, Senator?

SENATOR COLLINS:

Yeah. I'm saying, how much more...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR COLLINS:

...how much...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

We don't know what that cost is. Those discussions are still ongoing. You certainly raise a -- a good point and a point that was raised throughout this process. That discussion is still going and is really more appropriations-driven right now, and we have not said that this -- this population will not be served, but that is currently being discussed. This is a working population. When these individuals go in to see a doctor or go into the hospital, in many cases these individuals will still work to pay that cost. This is not a -- a Medicaid population. So what happens with many of these individuals is they just end up making payments because they don't have and cannot afford actual insurance. So, there is some cost-sharing involved in that. What it would cost to cover this population, we don't really know. But again, it's something that -- it is being looked at, and it is being discussed as we speak today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:



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So that in the process of -- of putting together this bill, no one actually took a survey of the number of children who were legal immigrants and were already in the -- had not served -- had been here the five-year period. So we don't know how many children out there that's not being served?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

That's correct. We don't know how many children are going to be served. One of the frustrating things throughout this whole program was trying to get a -- a -- an idea of how many children, whether they're the immigrant, non-immigrant, downstate, upstate. We don't know. One of the things that we've agreed to do under this proposal was to have a detailed study done to find out who they are, where they are, what the need is, so we can tailor the plan. As Senator Trotter said, we can tailor this plan and make changes in this plan over the next six months so we can react to what the true needs are of the children of this State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

If -- if I could just give some more clarity...

PRESIDING OFFICER: (SENATOR DONAHUE)

Oh, okay. Then it's for a second time. I didn't know if you were -- all right.

SENATOR TROTTER:

Yes. This is the second time now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Just -- as pointed out, this is a great partnership that we

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have going on with the federal government and they have given us this opportunity and -- to make these changes. So this is not something that -- that is cut-and-dried. As pointed out for the third time, we are going to be looking at this again in six months and make all those necessary changes and we'll not be penalized on the federal end, which is normally what happens: The feds give us dollars, and they give us all these rules and this is the way things must be done. They didn't make that kind of mandate here. They have given the states - our State - a lot of flexibility and we intend to utilize that.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR SYVERSON:

Thank you. We have a unique opportunity here. We are the first state in the country that has taken a program and said we are going to treat all children in this State equally. We are not going to punish those children whose families or whose employers made the tough financial decision to purchase insurance for their children. We will treat all of them equally - again, which no other state has done. We are helping those families that don't have the opportunity, that are working hard, that don't have the money to cover the full cost of insurance. Yet, we understand that -- that there is a responsibility here, and so that's why we've built in premiums and co-payments into this program, since that is something that everyone else in Illinois has to be involved in. That's what makes this program unique and makes this program good. It has had bipartisan support throughout, and again, I want to say thank you to Senator Smith and Senator Trotter for the many, many hours of work put into this. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

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The question is, shall House Bill 705 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 705, having received the required constitutional majority, is declared passed. Senator Cullerton, on House Bill 1151. Out of the record. Senator Sieben, on House Bill 1217. Senator Sieben? Out of the record. Senator Geo-Karis, on House Bill 1318. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam Secretary -- Madam President, rather, and Ladies and Gentlemen of the Senate, this is a simple bill that is asking for a study for the aging veterans to study the State's capability to provide health care for -- for veterans. And I certainly recommend its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1318 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1318, having received the required constitutional majority, is declared passed. Senator Hawkinson, on House Bill 1422. Out of the record. Senator Madigan, on House Bill 1552. Out of the record. Senator Cronin,

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on House Bill 1640. Out of the record. Senator Cronin, on House Bill 1685. Out of the record. Senator Maitland. House Bill 2295. Out of the record. Senator Mahar, on House Bill 2306. Out of the record. Senator Peterson, on House Bill 2363. Out of the record. Senator Parker, on House Bill 2370. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President and Members of the Senate. House Bill 2370 is basically the same as we had passed through the Senate before without anybody being against it. It's the identical Senate {sic} Bill to 1591 except for a new effective date, and that date is July 1, 1998, six months earlier than the Senate Bill of 1591. I'd like to take this opportunity to clarify some remarks that I made on April 1st during the Floor debate on Senate Bill 1591. Those remarks have been interpreted to mean that RFA {sic} (RFRA) does not apply to the civil rights laws, specifically the Illinois Human Rights Act, and that these laws necessarily constitute a compelling governmental interest. It is true the RFA is not intended to grant religious individuals or organizations an automatic exemption from any particular law or to restrict the power of governments to legislate in any given area of law. However, no area of law - including public health and safety, civil rights, education, and any others - is exempt from the standard that RFA establishes. Again, no Statute necessarily constitutes a compelling governmental interest. As Section 10(b)(1) states, RFA simply restores a standard of review to be

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applied to all State and local laws and ordinances in all cases in which the free exercise of religion is substantially burdened. Although this standard is stringent, it is not intended to be impossible to satisfy. The government will win RFA cases whenever it has chosen the least restrictive means of furthering a compelling government interest. By way of example only, courts in certain circumstances have found fire, public health and safety, civil rights, child welfare, and other laws as meeting the compelling government interest test. However, the existence of these cases does not foreclose successful RFA claims in these areas; rather, they simply demonstrate that it is open to the State to approve {sic} (prove) its case in any context where a claim is raised. The outcome of future cases will thus depend on any objective assessment of the specific facts of each case. This should correct any misunderstanding created by my remarks April 1st that suggested civil rights, such as Human Rights Act or other laws, stand wholly outside of RFA or that such laws automatically constitute a compelling government interest. I will answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield. Just a second, Senator Parker.  
Senate -- Senator Parker.

SENATOR HAWKINSON:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Madam President. Senator, let me ask you

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a few questions about the statement that you've just made. And I understand, I believe, your statement that if RFRA is -- is raised, it can be raised against any Statute and then the governmental body can raise a compelling interest and there's a balancing test that -- that goes on. But if a city has a zoning ordinance which could stop a church from operating a homeless shelter or a soup kitchen, could the church raise RFRA in that circumstance?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Yes, it could. RFA applies to all Statutes and ordinances, including zoning and use ordinances, in all cases where a person's or, in this case, church's freedom of religion is substantially burdened. In your example, the city would have to show a compelling interest for a zoning ordinance and that ordinance is the least restrictive means of furthering its compelling government interest.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

And let's assume that an otherwise qualified female is denied employment as a Roman Catholic priest simply on the basis that she is a woman. Would RFRA be applicable in that kind of situation?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Yes, it would. No area of law, including human rights laws, is exempt from the standard that RFA establishes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

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If a county coroner wishes to perform an autopsy on a Hmong individual over a family's religious objections, could that family assert a claim to be analyzed under RFRA?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Yes, it can. RFA applies to all circumstances, including health and safety laws.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Now, let's assume that a city would fire a public employee who's a Seventh-Day Adventist because she refuses to work on a Saturday, her Sabbath. Could the State employee argue that RFRA applies?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Absolutely RFA would apply, and it would be up to the government to show that its action was the least restrictive means of furthering a compelling government interest.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

And finally, Senator, are there any areas of law which automatically are exempt from RFRA because they are a compelling State interest?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

No. Depending upon the facts of various cases, court may conclude that there is or there is not a compelling State

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interest. Even in those cases in which a court will find a compelling State interest, a court may conclude that the method chosen by the State or local government is not the least restrictive method of furthering its compelling governmental interest. All cases depend upon the facts and will be for the judges to decide.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Thank you, Senator Parker. I have no further questions, and I urge your strong support of House Bill 2370.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Collins.

SENATOR COLLINS:

Senator Parker, if my Catholic daughter got pregnant and wanted to have an abortion, even though she's Catholic and -- and the family is Catholic, went to a -- an abortion clinic and she was twelve years old - let's say twelve years old - would this bill apply? Would -- would I have legal standings in the courts after I found that she had had that abortion, because I'm Catholic?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

On abortion, this is neutral, and bill -- the bill applies, of course, to -- to Statutes, but it's up to the court to decide. We are not deciding any outcomes, and basically that is up to the



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judges to determine. But the bill is abortion-neutral.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

But are you saying that it will give me, as a parent, legal standings in the court, even though it would have to be adjudicated by the court?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

No, it doesn't.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins. Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, I have received a number of letters from my municipalities who have some concerns about these -- this bill. One of their concerns is, is the zoning portion that they feel might be in jeopardy -- their zoning ability might be in jeopardy with this bill. For instance, they have got a couple of churches in their municipality who want to expand their parking lot and they have denied the expansion of the parking lot, and one church also wanted to expand the building, the church building itself, and then a parking lot. Would this bill allow those churches to go ahead and -- and expand or build their parking lots, regardless of whether the zoning was detrimental to the rest of the neighborhood or that the city council had decided that this was not a good use for the land?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Parker.

SENATOR PARKER:

They can raise a claim, just like they could do, but the court actually makes that outcome. And I want to stress, because there have been several questions: Remember that, up until recently, State and local governments have had to follow the same standards of RFA as we are proposing here. This has been done for decades. If State or local governments had a problem, we would have heard about these problems. It has been working effectively. RFA does not limit local government powers to regulate for health, welfare, zoning and other governmental purposes and responsibilities. What it does is offer an opportunity for government to have to prove compelling interest. We're founded on our religious freedom. All it says is the government, as it had to in the past, has to prove compelling interest and use the least restrictive means if they are to infringe upon our religious beliefs.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR PARKER:

The Religious Freedom Restoration Act protects the religious freedom of the citizens of Illinois. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 2370 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2370, having received the required constitutional majority, is declared passed. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR BOMKE:

Thank you. I would like to introduce to the Illinois Senate two school districts. We have directly behind the President, Trinity Lutheran School eighth graders, teacher Russell Benning; and also, we have St. Joseph School eighth graders, teacher Ethel Wolken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you all please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator O'Malley, on House Bill 2375. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2375.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 2375 amends the Chicago Park District Act to change procedures in regard to acquisition and use of real estate. The language that is offered is identical to the language for powers given to downstate park districts currently. It gives the district commissioners authority to acquire by lease or permit the right to occupy and use real -- real estate lands and riparian estates and to improve, maintain and equip those lands. Also authorizes the district the power to grant licenses, easements, and rights-of-way to municipalities, corporations, for construction, operation, and maintenance of facilities on, under, or across district property for water, sewer, telephone, electricity, gas, and other public services. Finally, it

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authorizes the district commissioners to enter into leases for a period not to exceed five years. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2375 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2375, having received the required constitutional majority, is declared passed. Senator Myers, for what purpose do you rise?

SENATOR MYERS:

Madam President, it appears that my vote was not registered on 2370. I would like to record that I would have voted Yes, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

The electronic record will so reflect. Senator Dudycz, on House Bill 2400. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2400.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House Bill 2400 amends the Criminal Code to modify definition of "peace officer" to include persons summoned by peace officers or active participants in a community policing program. The bill was amended, gutting -- or, providing a definition of "community policing volunteer" to include either a person summoned or directed by a police officer, as well as any person actively participating in a community

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policing program developed under the auspices of a law enforcement agency. There is a limitation that the person would be engaged in lawful conduct intended to assist a unit of government in enforcing criminal or civil laws. The amended bill would create a separate aggravating factor for death penalty eligibility for murdering a person by reason of a community policing volunteer's participation. This means that if a murdered individual is a family member of a volunteer and killed because of that individual or that community policing person's activities, the murderer is subject to death penalty provisions. And in addition, community policing volunteers are given special protection under the following offenses: aggravated assault from a Class A misdemeanor if no firearm is used and a Class 4 felony if one is used; aggravated battery to a Class 3 felony - currently it would be a -- a Class A misdemeanor; aggravated battery with a firearm is a -- would be a Class X felony punishable by a prison sentence of fifteen to sixty years in prison, where currently a sentence would be six to thirty years; aggravated intimidation would be a Class 2 felony punishable by a prison sentence of three to fourteen years - currently intimidation to threaten someone to perform or not perform some act is only a Class 3 felony; and aggravated discharge would be a Class X felony punishable by a prison sentence of ten to forty-five years, where currently shooting in the direction of someone is a Class 1 felony. And I'll be more than happy to answer any questions, if I may.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

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Senator, I support your bill, but as you know, we had a rather lengthy discussion in committee, and I think there's still some unresolved questions. And perhaps they're beyond the scope of the bill, but I think to -- to make certain that if this bill is challenged, as it undoubtedly will be on the application of the death penalty at some stage in the future, we want to make sure that the class of persons and the reasons we're defining the class of persons are -- are clearly identifiable. So, I -- I guess I would ask, as I did in committee, how do we identify individuals as community police persons?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Are you talking about, Senator, the list of the people who are community policing members?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

If a person is the victim of a crime, how does the State prove, for purposes of enhancement of the penalty or the applicability of the death penalty, that the victim of the crime was a person engaged in community policing?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Well, staff informs me that -- that there would be a -- a number of factors involved in their activity, but there is also -- would be a list kept within that law enforcement agency of that individual being the community policing person.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

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Will that list be updated to add as well as subtract persons who are no longer active in community policing? In other words, if they attended a meeting one time and are on a roster but they later decide that they no longer wish to be involved in community policing, will the City of Chicago, in particular, have the technical ability to keep that list updated?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator, that's a factor that would have to be considered when -- when the trial is -- is in play. I -- I don't know how the City would be able to maintain a list that if someone is attending a community policing meeting or -- or joins it the day before or a week before.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Since these individuals are engaged in a police function, will there be any background -- criminal background check to ascertain whether or not these individuals have a gang membership or a prior felony record?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Well, the -- as you know, Senator, the -- the law enforcement communities are quite aware of who the individuals are that are involved in gang activity in that particular district or precinct, and best I can offer is that the police officers would be fully aware of who and who is not involved in these activities.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

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The way these meetings work - and you'll have to help me here - then if the officers are present and they see someone who they know is -- has been involved in criminal activity, do they have the authority at those meetings to deny that person enrollment as a community policer?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

That is correct. They are prohibited from even being involved in these meetings at that time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senator, really along the same lines as Senator Hawkinson, there -- there are serious deficiencies with the community policing program in Chicago. Individuals are afraid to attend meetings because they will be singled out. The meetings are open. People walk in and out. Sometimes the gang-bangers, who are not necessarily pre-identified, will -- will sit there and -- and listen to some of the discussion. How -- again, how is this bill going to be able to document? What will be the process for documenting that someone is a member, is -- is a participant with the community policing program, number one? And number two, what about the individuals who do not go to the meeting but will call in -- because they don't want to be identified, will call in information and provide information that gets talked about at the meeting and then those who are out to get even find out about that information, get that information and then take action based on what they've heard? How do we protect those individuals? I -- I certainly am supportive of the bill, but I think that we've got a problem here with defining who is a member of a group that -- that



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is really not that well-defined to begin with. It's just a kind of open process. How do we do that? Another question I have is, why did we reduce the penalty for aggravated intimidation from a Class 2 felony to a -- or, reduce it from a Class 1 felony to a Class 2 felony?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro. Oh, I'm sorry. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senator, to answer one of your questions, that is why we have increased the -- the penalties for these -- these assaults and these crimes that are committed against a person who is acting as a community policing person. What we're trying to do is give someone who is being identified in the community as one who is working with law enforcement, much like someone who would be summoned by a police officer -- I, as a police officer, can request you to help me in the performance of my duty if I am out in the street today. And if you do so help me in -- whether I am injured or -- or I need some sort of assistance, you -- you perform this assistance for me, as a police officer, you are indemnified and you are covered under -- under the current Statutes. What we are trying to do is to -- is to include the community policing individuals. As you know, in Chicago late last year, there was a police officer -- or, excuse me, a citizen who, because of his activity with the police department, was -- was murdered. And this was directly related to his activities as a community policing volunteer, and we're trying to provide these penalties to -- to protect and to tell the community and the -- the good people of the community that they will have these protections if they are volunteers working with the police under this highly successful CAPs program. Now, as far as your last question, I'm not quite sure. If you would please

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repeat that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Well, Senator, the -- the original bill had a Class 1 felony penalty for aggravated intimidation, and your amendment has changed it to a Class 2 felony. I was wondering why it was reduced.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

For proportionality concerns is what I was told by the -- by my handler here, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President and Members. I'll just make a brief comment, and then it's a question. Obviously, whenever you're increasing the death penalty, even death penalty proponents would have to say that you have to take a hard and fast look. So this is what I'm going to ask: In the categories, such as the offense of murdering a police officer, it's my understanding that the fact that he's a police officer, or she, enhances it and allows for the implication of the death penalty. It doesn't matter whether the perpetrator had knowledge that he or she was a police officer. The fact that it was a police officer, it's death penalty. Now, in this particular one, if we're going to enhance and allow the death penalty, the genesis of the bill is that someone in Chicago committed murder upon one of these activists and we have to protect these people. So I think, however, since a police officer is so clearly defined and this isn't, then I think we should be using the language "known or should have known" that he was a

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community activist, as opposed to not imparting any knowledge upon the offender. So, I don't have the bill in front of me, so I think, Senator Dudycz, what you want it to be, that when someone knows it's a community activist and you're going to go put a hit on him or you're going to - or her - or you're going to go out and commit murder, you're going to do the death penalty. But if they didn't know, I don't know if we want to enhance it, 'cause it could just be a -- a simple robbery. So what I'm getting at would be is, if I'm going to commit an armed robbery and I commit it, say, on a Senate staffer, as opposed to a community policer, and I don't know that they was, why should it be enhanced? So, that's the question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Senator Molaro, page 7 of the -- of the bill, as amended, clearly states that "the murder was committed by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer." Again, my handler says that the knowledge must be there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins. ...Senator Collins?  
Further discussion? Senator Dudycz, to close.

SENATOR DUDYCH:

Just would ask support from the entire Membership.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 2400 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. House Bill 2400, having received the

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required constitutional majority, is declared passed. Senator Mahar, on House Bill 2411. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2411.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. House Bill 2411 adds language that fulfills our intent of House Bill 452, the education reform bill passed last fall. It's almost identical to Senator Watson's bill, which passed earlier this year. It adds the hold-harmless payments to the continuing appropriation. It's passed the House unanimously and Senate Education Committee. I know of no opposition and would ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the -- of the Body. Let me remind you that you're voting again for a continuing appropriation. A hold harmless was a onetime event designed to make sure no school district was affected by changes we made in the middle of the year. To institutionalize that into a continuing appropriation is to do formula work - okay? - without an analysis of what changes you're making. If you decide to support this, as you might have an earlier bill, I just want you to do it with the understanding that you're making a School Aid Formula, which a lot of people argue is no longer rational, even more irrational, as you continue to layer on continuing appropriations on top of it. As you walk through the budget walk-ups with us this year and realize that you're already

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deferring - giving over - almost half of your statutory -- your constitutional responsibility to appropriate by passing continuing appropriations, I just want to make sure that you realize there's a continuing appropriation in this bill and that -- that -- as your Appropriation Chairman, you know, you need to think hard about whether this is the right public policy, whether we ought to give up each year. We have the authority each year - each and every year - to appropriate this money into the budget, if that's the desire or the will of this Body. We should not do this in continuing appropriations unless there is a reason much more compelling, I believe, than a hold harmless that keeps some school districts happy.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there -- Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I rise in support of the bill. I think what we are being asked to do by this bill is what many of my school districts have been worried about; that when we changed the School Aid Formula, for example, where we reduced the high school weighting factor, those school districts would be hurt if it was not for a bill like this. And many of us in support of House Bill 452 said that we were going to do everything necessary to protect those schools so they wouldn't get hurt while we were bringing up the bottom portion of the school districts. So I stand in support of House Bill 2411.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, I'd like to ask a single -- one, single question, and that is: Help me - can you think of any other instance for any other agency where we guarantee, in perpetuity, the funding of any kind of a mechanism,

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any kind of a -- any kind of a project? What -- the problem I have is what we're -- is exactly what Senator Rauschenberger said. We are guaranteeing, in perpetuity, that money, and I -- it seems to me, I agree with him, we ought to be looking at this every -- every budget year.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Berman, for a second time.

SENATOR BERMAN:

Thank you, Mr. President. I thought I would answer my colleague's question. We do three things, so to speak, in perpetuity. One is that there is a continuing appropriation for State indebtedness. When we issue bonds, the creditors require us to take money off the top to make sure they get paid. Number two, there's a little thing that we're all very interested in; it allows us to sleep nights: It's called legislative pensions. That's funded on a continuing appropriation. And I think that, based upon the press releases that we issued last December 4th, when House Bill 452 became law, we have moved children up to the level of our own pension system. I think that's what they're entitled to. That's what we all campaign on, and that's why I'm pleased to stand up and say let's vote for House Bill 2411.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Seeing none, Senator Mahar, to close. All right. The question is, shall House Bill 2411 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, 3 Nays, no Members voting Present. House Bill 2411, having received the required constitutional majority, is declared passed. House Bill... Senator Rea, for what purpose do you arise, sir?

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SENATOR REA:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR REA:

Gives me deep honor to introduce a person who has served in this great Body in the past, from southern Illinois, from Johnston City, Senator Delmer Mitchell, served on the Republican side.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mitchell, welcome back to Springfield. Nice to have you here, sir. Thank you. Thank you. House Bill 2424. Senator Myers. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This bill amends the Property Tax Code, the Public Officer Simultaneous Tenure Act and the Township Code, and it basically reflects technical changes in the Code where there had been conflicts in related Sections. With the amendment that was made to this bill, it deals with filling a vacancy in a township office, that person must be -- the appointee must be a person of the same political party as the person vacating the office. So with the amendment, if the appointee has not voted in a party primary election or is not holding or has not held an office in a political party organization before the appointment, then the appointee shall establish his or her political party affiliation by his or her record of participating in a political party's nomination or

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election caucus. Additionally, the bill changes a Section of the Public Office {sic} (Officer) Simultaneous Tenure Act which conflicts with another Section of the Act. And the third provision: It shortens the time period in which a township board of trustees must fill a vacancy in the office of the township board from a hundred and twenty days to sixty days before the electors, at a special town meeting, may fill the vacancy. So I would -- I would answer any questions, but I would ask for a favorable vote on this issue.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is -- is there discussion? Is there discussion? Senator Walsh.

SENATOR T. WALSH:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Walsh. She indicates she will yield. Senator Walsh.

SENATOR T. WALSH:

Thank you. Senator, what -- what about in situations where a township ticket runs not under the label of Republican or Democrat, but they run on a united ticket, so to speak?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

Well, this deals with establishing for the political party who wants to fill a vacancy. As you know, it must be filled with the same party. So it's only dealing with the appointment to fill a vacancy and how to establish party affiliation if there is a vacancy. It's not dealing with somebody who chooses to run in an election, but only in the filling of a vacancy of a township office.

PRESIDING OFFICER: (SENATOR MAITLAND)



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Senator Walsh.

SENATOR T. WALSH:

Now -- now, how is it going to be done then? You have to have voted in three primaries...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR T. WALSH:

...the same as the -- the same as the person whose vacancy you're going to fill, and you have to have voted the same way that they did?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

It basically states this: If the appointee has not voted in a party primary election or is not holding or has not held an office in a political party organization before the appointment, then the appointee shall establish his party affiliation by a record of participating in a nomination or election caucus. This only deals with the issue of appointing someone to fill a vacancy in a township office.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR T. WALSH:

I think -- this doesn't apply to Cook County.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

This applies to township offices. I don't know it if applies to Cook County.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? If not, the question is, shall House Bill -- I'm sorry. Senator Bowles.

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SENATOR BOWLES:

Thank you, Mr. President. I rise in support of this bill. We worked out the amendments. It was considerable discussion, and we worked with the people we were having a problem with. And this bill now is an agreed bill among all of the parties that were concerned with the issue. And I support this particular piece of legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 2424 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, 1 Nay, no Members voting Present. House Bill 2424, having received the required constitutional majority, is declared passed. House Bill 2430. Senator Luechtefeld? I'm sorry. Senator O'Daniel. I -- I beg your pardon. Senator O'Daniel? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2430.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. House Bill 2430, as amended, would create the Illinois Petroleum Education and Marketing Act and -- and the Illinois Petroleum Resource Board. It would allow the Board to levy an assessment equal to one-tenth of one percent of the gross revenues from oil and gas produced in -- from each well in -- in the State of Illinois, and that -- it would create this Petroleum Resource Revolving Fund. This bill is the industry's bill. It's the same bill that Senator

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Donahue and I had last year, House Bill 998. Went over to the House, passed there, went to the Governor. The Governor made some changes. The House sponsor failed to file a motion, not that he was -- didn't -- didn't support the bill, but he just overlooked it, and so we have the bill back this year. This is the industry's bill. They wanted to assess themselves this assessment to help clean up some of the orphan wells and different things in -- in the oil basin. And I would appreciate your support. If you have any questions, I'll attempt to answer 'em.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Senator, this is, as you indicate, a fee increase, which the -- the industry itself has indicated that they are -- they're willing to -- to put on. Do we have any commitment from them that they'll not pass that on? Is this one they're going to absorb, or are they going to pass it on to the consumer?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Daniel.

SENATOR O'DANIEL:

I'm -- I doubt if there's any commitment out of 'em. This is their bill. They were willing to assess themselves this one-tenth of one percent. I don't know whether you're aware of it or not, but, especially in my district, there's thousands of abandoned orphan wells that no one claims ownership of that we're -- they were drilled back in the thirties and all and some of them are -- are leaking salt water and all. And EPA doesn't have enough money

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-- or Oil and Gas to cap these wells and clean up these sites, and so the industry agreed to do it themselves. So this -- this is the way they plan to -- to do that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Bowles? Okay. All right. If not, the question is, shall House Bill 2430 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 47 Ayes, 8 Nays, no Members voting Present. House Bill 2430, having received the required constitutional majority, is declared passed. Senate {sic} Bill 2474. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2474 amends the unperfected security interest Section of the Uniform Commercial Code with respect to the priority of liens. It provides that the rights of a claimant who is a public funds depositor to an unperfected security interest are superior to the rights of a lien creditor who is a trustee in bankruptcy. The Public Funds Investment Act permits public agencies to invest public funds in interest-bearing savings accounts and -- and other forms of investment which will be secured, and also permits those funds to be invested in the purchase of repurchase agreements. The Public Fund Deposit Act permits the treasurer or custodian of public funds to condition

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their deposit upon a depository institution's collateralization of the deposit with -- with federal government or agency securities where the deposit exceeds the FDIC insurance limit of a hundred thousand dollars. What brought this legislation about was brought to the attention of the General Assembly by Representative Leitch who -- who realized that effective in January 1996, with the UCC amendment, that decades of local custom and practice were -- were changed by that UCC amendment. In effect, many of us have served in local government and we know, in our capacity in local government, that we took care, on boards that we may have served on, to make sure that any deposits of public resources were properly secured, notwithstanding the hundred-thousand-dollar insurance limit. That UCC amendment in January '96 threw that out. In addition, the testimony that we had in committee indicated that as many as sixty-five hundred of the some seven thousand local governments across the State of Illinois are not even aware, at this point in time, that their deposits may be unsecured in the event of the appointment of a -- of a trustee in bankruptcy for any financial institution where they have their funds deposited. This legislation corrects that situation, and I'd seek your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Is there discussion? If not, the question is, shall House Bill 2474 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 54 Ayes, no Nays, 2 Members voting Present. House Bill 2474, having received the required constitutional majority, is declared passed. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports

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that the following Legislative Measures have been assigned: Refer to Education Committee - Senate Amendments 2, 3 and 4 to House Bill 1640, Senate Amendments 3, 4, 5, 6 and 7 to House Bill 2844; refer to Environment and Energy Committee - House Joint Resolution 58, Senate Amendment No. 2 to House Bill 3129, and Senate Amendment No. 2 to House Bill 3257; refer to Executive Committee - Senate Joint Resolution 68, Senate Amendment No. 2 to House Bill 2700, Senate Amendment No. 2 to House Bill 3030, and Senate Amendment No. 3 to House Bill 3249; refer to Financial Institutions Committee - Senate Amendment No. 1 to House Bill 3321; refer to Judiciary Committee - Motion to Concur with House Amendment No. 1 to Senate Bill 1259, and Senate Amendments 2 and 3 to House Bill 3778; refer to Licensed Activities Committee - Senate Amendment No. 2 to House Bill 2589; refer to Public Health and Welfare Committee - Senate Resolution 206, and Motion to Concur with House Amendment No. 1 to Senate Bill 1473; refer to Revenue Committee - Senate Amendments 3 and 4 to House Bill 3026, and Senate Amendment No. 1 to House Bill 3811; referred to State Government Operations Committee - Senate Amendment No. 1 to House Bill 2643; refer to Transportation Committee - Senate Amendment No. 1 to House Bill 2466; Be Approved for Consideration - Senate Amendment No. 2 to House Bill 3026, Senate Amendment No. 2 to House Bill 3180, and Senate Amendment No. 1 to House Bill 3383; Sponsorship Change Approved Pursuant to Rule 5-1(c) - House Bill 3778, Senator Cullerton as the new sponsor.

Filed by Senator Weaver, May 13, 1998.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles, for what purpose do you arise?

SENATOR BOWLES:

Thank you, Mr. President. On House Bill 2424, apparently someone had turned my key and my Aye vote did not register, and since I spoke in favor of the bill, I would like the record to

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reflect an Aye vote for -- for me.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will state your intent, Senator Bowles. Thank you very much. Senate {sic} Bill 2493. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, we're on 3rd Reading. This is final passage stage. These are important issues. It is important that you give your attention to the Gentleman presenting the bill. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill authorizes school districts that maintain a grade 9 and 10 curriculum to include, if they want - it's not a mandate - if they want, to include one unit of instruction on organ and tissue donor or transplantation problems {sic} (programs). The only mandate that is in here - and there's no cost to it because the regional organ banks will provide the information to 'em - is that the regional school superintendents shall maintain a -- a curriculum for teaching about organ and tissue transplants, and the regional organ banks will provide that to 'em. The regional superintendents want that duty. It is not a mandate. It's up to the local school board to determine whether one unit of instruction in the ninth and tenth grade can be offered about organ and tissue donations. And importantly, a parent may take their child out of this curriculum should they deem it. I think a lot of us have recently become aware of the importance of organ and tissue donation, and it's important that we get to the

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schoolchildren of Illinois right before they apply for their first driver's license so that they know, when they get their driver's license, about organ and tissue donations, which are on the back of all our licenses in Illinois. I'd be happy to answer any questions. This comes from a teacher in my district, in Downers Grove South High School, that was the recipient of an organ transplant - not once, but twice - and he testified in committee that he's living proof of the virtues of organ donations. And I'd answer any questions and appreciate a favorable roll call. Thanks, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there -- is there discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you, Mr. President. Just a quick question for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

Certainly the objective of this program is very good. I'm -- my guess is that there would be people who would be concerned about diluting the -- the -- the curriculum. Can you address that problem, that potential problem?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Senator Lauzen, I don't -- I don't know if you mean diluting, meaning taking time out of the school day that could be used for reading, writing, arithmetic. And obviously that's always an issue, although I believe this is an important topic. The curriculum itself, and there already is a curriculum that is put together by the regional organ transplant people or organ donor banks, that's professional. It's somewhat succinct and it's --



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it's virtuous. So in terms of watering it down, again: These decisions are up to the local school board to determine whether it's watered-down, in whatever fashion you mean it. It's a local decision. All we do is provide a centralized repository. If the local school board wants to teach it, about organ and tissue donation, there are a number of speakers who go out and teach this, like this man from Downers Grove South High School. So I don't think it's a major problem. The local control is there. And, Senator Lauzen, you should know, I think, that this bill originated in the House of Representatives by one of your two House Members, for better or for worse. She brought this to me. She went out and found this teacher from my district. But one of your two House Members was the originator of this fine idea.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 2493 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 2493, having received the required constitutional majority, is declared passed. House Bill 2503. Senator Karpel. House Bill 2553. Senator Butler. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2553.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, House Bill 2553 pertains to changes in the Sanitary District Act,

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and it permits three -- three things that seem to be overdue. First of all, where a forest preserve district is -- is separated from a potential area for the -- for the sanitary district, this bill provides that they can leapfrog the forest preserve, but they must not touch the forest preserve itself or make any changes, pipes or anything like that, without the expressed consent of the forest preserve's governing body. Secondly, it -- it permits the sanitary districts to self-insure their employees provided, of course, that they -- they -- and it also permits them, I should say. It permits them -- it permits them to sign any for-profit or non-for-profit organization offering health services. They were restricted previously. Thirdly, it provides that where there is a -- a failure to pay a special tax for the services of the sanitary district, that it -- it takes away the lien and foreclosure provisions and it replaces it with the standard - so to speak - standard collection methods for unpaid taxes. That is essentially what it does. It is supported by the Association of Wastewater Agencies. I'd be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2553 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2553, having received the required constitutional majority, is declared passed. House Bill 2581. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill does exactly what it says on the Calendar. It amends the Act of {sic} (on) Aging to delete the provision prohibiting citizen members of the Council on Aging from serving more than two consecutive terms. These members are volunteers. They are not paid anything except their expenses. I know of no opposition to this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2581 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2581, having received the required constitutional majority, is declared passed. House Bill 2583. Senator Bomke. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- or, House Bill, excuse me, 2583 would require the Department of Child and Family Services to establish a statewide toll-free hot line to offer callers information about past history and violations of Illinois day cares. Amendment 1 to House Bill 2583 requires the Department of Child and Family Service to establish and maintain a list of licensed day care facilities and make that list available on the Internet. Be happy to answer any

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questions. I know of no opposition.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2583 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, 1 Nay, no Members voting Present. House Bill 2583, having received the required constitutional majority, is declared passed. House Bill 2607. Senator Peterson. Senator Peterson. I beg your pardon. Senator Sieben. It's those trifocals, Senator. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I'm glad to know it was the trifocals and not my short stature. Difficult to spot me out here. This -- this legislation does two things. First of all, it authorizes any county or municipality that imposes a surcharge for 9-1-1 services to make expenditures from the surcharge for a computer-aided dispatch system that records, maintains, and integrates information to increase operational efficiency and improve the provisions of emergency services. And secondly, under the Township Code, it authorizes the city council of any home rule municipality to cease to exercise the powers of the township board by a three-fourths vote of that city council. Supported by the Township Officials. I know of no opposition, and I would ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2607 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2607, having received the required constitutional majority, is declared passed. House Bill 2652. Senator Mahar. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2652.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. This bill is the property owner bill of rights as it applies to the Illinois Toll Highway Authority. The purpose is to ensure that property owners shall not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public and to minimize hardship of displacement of these people. It also requires more accountability and public input by the Tollway Board. This is identical to the bill, the Senate Bill 1288, which passed here unanimously, and I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2652 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no

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Nays, no Members voting Present. House Bill 2652, having received the required constitutional majority, is declared passed. Top of page 5 is House Bill 2671. Senator Peterson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2671.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 2671 requires the Illinois Department of Revenue to disclose an annual list of all taxpayers with delinquent tax liabilities. It specifically states that the Director shall annually disclose a list of all taxpayers, including but not limited to individuals, trusts, partnerships, corporations, and other taxable entities, that are delinquent in the payment of tax liabilities collected by the State in an amount greater than ten thousand dollars for a period of at least six months from the time that the taxes were assessed. The list shall contain the name, address, type of taxes, month and year in which the -- each tax was assessed or became final, and the amount outstanding of each delinquent taxpayer. In the case of corporations, the list shall also include the name of the current president of record of the corporation. This is -- this bill is similar to Senate Bill 1316, which did not get out of the Revenue Committee. We went back and addressed the concerns of Senator Clayborne and Senator Berman, and I believe there's no opposition against this bill and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Collins.

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SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

Senator, I -- I support the bill, but I'd like to ask a question. You said six months from the time. Is -- is that the -- the deadline for filing taxes?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

They have to be delinquent for six months.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

I said, you are -- wouldn't it -- if you -- if the deadline is April 15th and I owe twenty thousand dollars six months later, then my name would be printed, and I -- if I had not paid it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Yes, but you would be notified. You would have time enough to respond.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

If I respond favorably and work out a payment plan, will my name be published?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

You would not be on the list.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 2671 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, 2 Nays, no Members voting Present. House Bill 2671, having received the required constitutional majority, is declared passed. House Bill 2696. Senator Molaro. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2696.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Members of the State Senate. This bill creates the Advisory Commission on Internet Privacy Act. This is born about because the Internet is growing leaps and bounds. World Wide Web, as you all know, is taking off in leaps and bounds. And as we try to control the privacy aspect of it, it's very difficult and we don't really know how to do it and what Statutes we should bring, and we don't want to do it in a hodgepodge nature or willy-nilly. It's just too -- too important and too mainstream of an industry for us to take that approach. So what this bill -- it creates a seventeen-member commission, unpaid, but they will be reimbursed for expenses - eight appointed by the Leaders of the General Assembly and nine by the Governor. And it tells the Governor that the appointees must include both -- both laypersons, computer experts. This only lasts for five or six months. The report is going to be due January 1st of next year, and they'll be reporting back to us the ways that we can



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make sure that privacy is maintained on the Internet. They'll have some bills for us, looking for sponsors. And it's the responsible way to look at this problem and attack it. And I would stand for any questions, if necessary.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is -- is there discussion? If -- Senator Molaro, to close. I'm...

SENATOR MOLARO:

I think Senator Butler had his light on.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler, Senator Molaro thinks you had your button on.

SENATOR BUTLER:

I'm sorry, Senator. I did...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Sorry, Senator. I did have a question. I was otherwise occupied. First of all, for -- I think for purposes of legislative intent: Will the -- the duties of this organization include a study of unsolicited E-mail? Because I think you, like me, have had many complaints from our constituents over so-called -- spam mail. So would you clarify that, please?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Thank you, Senator Butler. You were actually reading my mind, and I'm glad you brought this up. Part of it and I want to let the Senate know that the commission will study ways to look at unsolicited E-mail that comes over our ways, of course, called spam in the industry. So, to let you know, Senator Butler, and through legislative intent, that that is also part of the duties of this commission. Thank you. And I would ask for a favorable

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roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the question is, shall House Bill 2696 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2696, having received the required constitutional majority, is declared passed. House Bill -- okay, out of the record. House Bill 2758. Senator Smith. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2758.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to present this House Bill 2758, which is the epitome of our reading here in -- on our Calender. But for legislative intent, I'd like to read this if I can, and...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith, excuse me just a moment. Ladies and Gentlemen, please give Senator Smith your attention. Would you, please? And -- and if we're going to speak to one another, let's walk up and speak to each other very closely, not across the room. Please give the Lady the courtesy of your attention. Senator Smith.

SENATOR SMITH:

Thank you, Mr. Maitland. House Bill 2758 may be necessary to provide consumers of long-term care services - visitors and employees {sic} (patients) of long-term facilities - with posting

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in a multiple location, rather than a single posting as required by current law, of the address, phone number of the Long Term Care Ombudsman Program. It is the intent of the General Assembly, per House Bill 2758, to further advance the public awareness of the Long Term Care Ombudsman Program without distracting from long-term care providers' goal to maintain a homelike setting. Therefore, it is further the intent of the Legislature, per House Bill 2758, that the required information be posted in public common areas of a facility and not in the residential areas of a facility. I ask your favorable vote on this, if there's no more questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2758 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 2758, having received the required constitutional majority, is declared passed. House Bill 2802. Senator Clayborne. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2802.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. 2802 -- thank you -- thank you, Mr. President. 2802 creates a pupil transportation start-up loan program for districts that are not currently providing free transportation. School districts providing transportation services for the first time in the fiscal year of 1999, 2000 and 2001, will be eligible for this

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loan. The total cost to the State in terms of loan dollars are about 1.4 million dollars. Currently, there are about forty school districts, in the State that do not provide pupil transportation. In those districts, parents are reimbursed directly for the transportation costs. There was some discussion earlier about the cost. To my particular district, it's about a two-hundred-and-fifty-thousand-dollar loan that will be paid back over ten years. And I know some analyses indicated that it was a -- a smaller amount, but clearly in my situation, even in Senator Watson's district, the loan amount is significant. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To the best of my understanding, we're creating a new mandated categorical program here at a time when the Governor's proposed budget proposes to short-fund those categoricals below last year's rate of -- of -- of funding. I just would caution the Body that although this is a worthy cause, and Senator Clayborne always brings good bills before this Body, that -- that reimbursement programs are just that. They reimburse costs after they're incurred. To argue that because someone is going to -- to have a program, that we ought to loan 'em the money to have the program so they can then seek reimbursement from us, I -- you know, I think it's a -- it's a very inventive bill, but it -- it's another House bill that maybe should have stayed in Rules or maybe we ought to wait until we fully fund the categoricals that Art Berman worked so hard to build over the years before we add another one. I would -- I would caution the Body about adding another mandated categorical.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, Senator Clayborne, you wish to close?

SENATOR CLAYBORNE:

Thank you, Mr. President. I would just ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2802 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 43 Ayes, 12 Nays, 2 Members voting Present. House Bill 2802, having received the required constitutional majority, is declared passed. House Bill 2818. Senator Tom Walsh. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2818.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President, Members of the Senate. House Bill 2818 makes the following changes in the Medical Practice Act. It provides that in mandatory reporting cases, the Department of Professional Regulation shall have the right to inform the patient of the right to provide consent for the Department to obtain copies of hospital and medical records. Additionally, House Bill 2128 {sic} also authorizes the Medical Disciplinary Board and the Department to subpoena copies of hospital or medical records in mandatory report cases alleging death or permanent bodily injury when consent to obtain records is not provided by a patient or

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legal representative. And finally, the bill authorizes the Director of the Department of Professional Regulation, upon a recommendation of the Medical Disciplinary Board to close a case, to request further investigation. This bill is the result of an audit finding we had on the Legislative Audit Commission, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2818 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2818, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you arise, sir?

SENATOR LAUZEN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR LAUZEN:

I'd like to just take a moment to introduce to the Body -- reintroduce to the Body Senator Bob Mitchler, who served very admirably and honorably in this Body for many years, from back home. I remember that he had an oratorical contest when some of us were younger and -- with the American Legion, and serves very ably with veterans' affairs currently. So I'd like to welcome Bob Mitchler back to the Body.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mitchler, welcome back. Nice to see you today. House Bill 2837. Senator Butler. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2837.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, House Bill 2837 corrects an inequity which was created when we passed both the Cook County tax cap laws and then used the prior year equalized assessed valuation in Cook County. Now, this applies to two -- only two districts - two school districts: Prospect Heights and the City of Niles. What it does is it -- it -- for the real estate tax year of 1995, two TIF districts were approved by the Village of Niles and the City of Prospect Heights and they were coming back on the tax rolls. Unfortunately, under the tax caps, this recovered EAV, which we consider -- which we would consider the same as adding new construction to the tax rolls, under the tax caps, the recovered EAV would simply be added to the tax base and become accessible by the school districts. However, when we used prior -- prior year equalized assessed valuation, the extension could not be included in the recovered -- recovered TIF EAV. So this bill simply allows them to recapture that -- the -- the property which came about because of the -- the property increase which came about because of the expiration of the TIF. As I said, we've done this to correct an inequity in Oak Lawn and this is similar to that situation. And I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2837 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 41 Ayes, 14

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Nays, 1 Member having voted Present. House Bill 2837, having received the required constitutional majority, is declared passed. House Bill 2860. Senator Fitzgerald. House Bill 2864. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2864.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. House Bill 2864 is a bill which permits local governments to use electronic digitalized retention in place of retaining public records. Many of the public records, the ones that the local governments are mandated to keep for three and five years, represent a significant volume problem for local governments now that the Secretary of State no longer is doing archival services. Historically we've only permitted that -- those records to be retained on microfilm instead of -- if they were going to dispose of the original. This bill permits digitalized records in a computer database to be used for record retention. It has the support of the municipal leagues and local government. I'd appreciate favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 2864 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. House Bill -- no, House Bill 2864, having received the required constitutional majority, is declared passed.



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Senator Karpiel, on House Bill 2887. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2887.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 2887 revises a small portion of the Educational Reform Act relating to the reading grant program. The way this law is currently written, a school district's continuation of the reading block grant is tied to the performance of all the district's third-grade students on the IGAP test and not to the performance of the students who are actually served by the reading block grant. And this is a problem, because funding for a small number of students, a majority of whom are in the first or second grade, is based upon IGAP results of third graders who are not even impacted by the funds. This bill provides that districts must develop locally determined assessment methods, rather than IGAP scores, to measure student reading skills. It must report those results annually and it -- and it will be ineligible for funding in the third and subsequent years if they fail to demonstrate performance progress using those assessment methods. And I ask your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any questions? Is there any discussion? Seeing none, the question is, shall House Bill 2887 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, 1 voting Present. House Bill 2887, having received the

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required constitutional majority, is declared passed. Senator Cullerton, for what purpose do you seek recognition?

SENATOR CULLERTON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR CULLERTON:

Ladies and Gentlemen, we have with us today -- joining us a Justice of the Illinois Appellate Court and also the President of the Illinois Judges' Association, Justice Mary Jane Theis, who's here today. Judge, would you please stand up?

PRESIDING OFFICER: (SENATOR DONAHUE)

Would you please rise and be recognized? Welcome to the Illinois Senate. Senator Dillard, on House Bill 2899. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2899.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is the top agenda item for Mothers Against Drunk Driving for this spring Session of the Legislature. And the bill adds reckless homicide where drugs or alcohol were involved to the list of offenses automatically covered by the State's truth-in-sentencing provisions in the Code of Corrections. I know of no opposition, and I'd be happy to answer any questions and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the

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question is, shall House Bill 2899 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2899, having received the required constitutional majority, is declared passed. Senator Shadid, on House Bill 2910. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2910.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. House Bill 2910 is -- extends the -- the opportunity for Peoria County to share in the sales tax with Peoria City, and this has been in effect now since 1991. The -- and has been extended in 1993, and this -- this Statute authorizing the sharing of sales tax will expire in September of this year. So what I'm recommending is that we extend it and there will be no -- no expiration date on it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 2910 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2910, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 3026. Out of the record. Senator Karpel, on House Bill 3030. Out of the record. Senator Hawkinson, on House Bill 3063. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 3063.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This bill, which is initiative of the Cook County State's Attorney's Office and is supported by the Illinois State's Attorneys Association and the Attorney General, amends the speedy trial Act. An individual is entitled to a constitutional right to a speedy trial. In Illinois, that's determined to be a hundred and twenty days if they're in custody, unless delay is occasioned by the defendant. Because of some court decisions where there's been a real question on the record as to whether the defense counsel agreed to a continuance or not, this amendment reads that: "Delay shall be considered to be agreed to by the defendant unless he or she objects to the delay by making a written demand for trial or an oral demand for trial on the record." The object is to avoid any more cases like the Healey case, where someone who's convicted of a brutal murder was allowed to walk away on a finding that a speedy trial had not taken place within a hundred and twenty days. The record in that case is replete to conferences between counsel before the court in which it certainly appears to the average reasonable person that the defense counsel was agreeing to a continuance. But -- but because it was not specifically stated, the court held that the speedy trial rule was violated and the person convicted of murder was allowed to be released. I would urge your support for House Bill 3063.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there questions of the sponsor? Senator Cullerton.

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SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. I agree that we need legislation in this area. There was this case that Senator Hawkinson referred to where it was indicated by the defense attorney -- it was -- where the court was led to believe that the -- he was agreeing to the continuance and the Appellate Court said that that was not good enough, that it really was, in effect, a -- a Motion State, and a person who was charged with a very serious offense was let free. So I agree that there needs to be a change. However, I think that there could be a better way of doing it, because in this bill, we have a situation where there's an assumption - a presumption - that the defendant is asking for a continuance in every case unless they object to the delay by making a written demand or a verbal -- verbal demand on the record. So there could be a case where the State's Attorney gets up and says, "Judge, we need a continuance. We don't have our lab report." And so it's Motion State. And the Judge says, "Motion State", and the court -- clerk writes down Motion State, and the defense lawyer, on behalf of his client, forgets to say anything. They just don't say anything. They are just silent, because they know it's going to be a Motion State. The way this law is drafted that would be deemed a Motion Defendant. And so there could be a -- in a way, a defense lawyer could be tricked by their failure to speak up. And after all, it is the defendant's right to the speedy trial. So I know that it's difficult to draft a proper bill. We did try to do so when the bill was in committee, and I know that very few people would be willing to vote No on this bill because of the issue I'm raising, but I do think that it's something for the record I'd like to put out there because it can operate, I think, to the -- really work against the constitutional right of a speedy trial. I can even envision a case where a defense lawyer - and this happens every once in a while - a

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defense lawyer is caught in traffic and is going to be late for court, he phones the State's Attorney and says, "Can we get a continuance in this case?" And they say, "Fine, we were going to ask for a continuance anyway. We're not ready to go. We'll make it Motion State. You don't even have to worry about coming in." And once again, because he's not there physically to file written demand or to verbally make a demand for record, it would be deemed a Motion Defendant. So, for that reason, I would indicate my opposition to the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Hawkinson, do any other states have a provision similar to this one?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Yeah. States have all sorts of different speedy trial provisions. In ours, it happens to be a hundred and twenty days. I'm not familiar with those provisions in other states.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

I know there's speedy trial provisions, but is -- does anybody have a provision that there is a -- a defendant's right to a speedy trial is deemed, you know, waived by -- by forcing -- by saying that he is responsible for the continuance? Does any state have a provision like that?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I think you're misconstruing this provision. I read it verbatim to you. This applies when defense counsel is present. It doesn't have to be written. It can be stated by defense counsel before the court. But this avoids the tricking of the State, as was done in Healey, into assuming that you have an agreed motion. This doesn't make it a defense motion. It simply states it will be presumed agreed unless the defense counsel, who is there, makes a statement otherwise. So I don't know the answer to your question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I think this bill is very clear. And when I hear that the defense counsel may not know, let me tell you: If anyone takes the opportunity to defend someone of some great crime, they better know their law. And I think this is a step in the right direction, because we don't want see anymore Healey cases loose.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR HAWKINSON:

Thank you, Madam President. Again, I read the language of the entire bill to the Body. This in no way makes a motion that of a defendant. They are represented in all counties of the State by defense counsel, and all they have to do is object on the record and make a continued demand, and the speedy trial, hundred-and-twenty-day rule, will continue to run. I would ask for a favorable vote on House Bill 3063.

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PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 3063 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, 1 voting Present. House Bill 3063, having received the required constitutional majority, is declared passed. Senator Syverson, on House Bill 3081. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3081.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This legislation is involving the Municipal Housing Finance Law as it puts the home rule on the same footing as nonhome rule. And I want to stress that this does not change any authority to levy taxes and that it passed unanimously out of committee. Be happy to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3081 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 11 Nays, 3 voting Present. House Bill 3081, having received the required constitutional majority, is declared passed. Senator Luechtefeld, on House Bill 3129. Out of the record. Senator Dudycz, on House Bill 3139. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:



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House Bill 3139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate -- House Bill 3139 is an exact duplicate of Senate Bill 1225, which passed out of this Body at a vote of -- of 45 to 2. It amends the Election Code and Municipal Code in regard to determining when an elective office becomes vacant. It provides that a conviction for an offense that disqualifies an office holder from holding office shall occur on the date of the return of the guilty verdict or the entry of a finding of guilt. You may recall, this is the piece of legislation that was requested by the City of Chicago dealing with the recent conviction last year of a -- of an alderman who refused to vacate his seat upon conviction. And technically, the alderman could not be thrown out of office until his sentencing had occurred. We discussed this as Senate Bill 1225, and the City requested us to pass House Bill 3139 because we don't know what's going to happen in the House with the other bills that are being considered. And God bless you, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

Yes. Thank you, Madam President. Just -- we debated this at length last time. I'm not going to do it again, but just to -- to realize the opposition. We all recall what this was about. There was some alderman in the City of -- City of Chicago who went to a jury verdict and he was found guilty. The jury came back with a guilty. So the way the law is now -- and -- and if you understand this, the verdict comes back by the jury, but there are all kinds

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of motions that could be filed. There's some motions, of course. The judge looks at it. There's also a motion that's called a verdict -- or, a judgment notwithstanding the verdict, where the judge could overrule the jury's verdict. He may take ten, fifteen days to do this. There's also, within thirty days, and every lawyer knows this, you can file a motion for a new trial and a few other things. Well, the way the law is, the judge, and usually it's done speedily, puts in what they call a judgement on the verdict, or a finding on the verdict, and that becomes final, and once that's done and he's sentenced, then the alderman has to go. Usually that takes anywhere from fifteen to forty-five days, maybe sometimes two months. Well, in this particular case, the defendant was claiming that the jury was improperly tampered with or they saw evidence they shouldn't have seen. So instead of taking this usual time, it took two months or a month and a half extra, and within that period of time, this defendant wound up getting about three or four paychecks. He eventually is in prison. Now, I don't think -- and that was a -- that was kind of a knee-jerk reaction, in my opinion, that says, "Oh, my God, this guy's getting two or three checks he shouldn't have got." So the knee-jerk reaction is to say, "Hey, wait a second. As soon as the jury comes back and says guilty, he loses his job." Now, the problem with that is, he loses his job, we appoint a new alderman. Now, thirty or forty days later, the judge gives a new trial. The judge vacates that guilty finding, the guilty verdict. Now this guy says, "Well, I'm innocent until proven guilty," - there is no verdict against him - "Why shouldn't I get my job back? I didn't do anything wrong." They might have a new trial and find him not guilty and we wind up with two aldermen. I don't see why we have to do this because we don't want to wait that month and change the law that's been in place for the last seven years because of some knee-jerk reaction on some alderman getting an extra couple of

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days' pay. And I just don't think that it's -- it's the right thing to do in this particular instance. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield? Senator, I would -- just to follow up on what Senator Molaro said. When we discussed this last time, I'm still confused. Taking the scenario that Senator Molaro just indicated and the person is vindicated at a later date, is that person then eligible to go back to his seat under this law, or is -- or -- he or she not eligible?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

He would not -- he or she would not be eligible to go back even though they were found innocent at a later date?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Well, it's my understanding, Senator, he would be -- have the same ability to file a lawsuit for reinstatement or -- or a civil lawsuit as he would had he decided -- or, had his conviction and sentencing been overturned at some date in the future. What we're -- what this -- what this legislation is doing is -- is simply saying that -- that the office is declared vacant at the date of the return of a guilty verdict, or in case the -- the defendant decides to plead guilty. He either pleads guilty or there's a

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finding of guilty, and that's when the -- the office is declared vacant.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

That's where I -- I have my problem, because it appears that if, in fact, the gentleman or the lady does, in fact, get vindicated and is eligible then, under the law, to return to that position, there is no vacancy. And even if the court then would rule that that person had a right to go back to that position that is now filled by someone else, that person also was legally placed into that position as alderman, and now we've got a big court case going on - two cases, which may have two -- two councilmen at the same time, or maybe, in some cases, no councilman representing those people. And I think that's part of the problem, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. The following is for clarification of legislative intent. This is the same question and I expect the same answer that we had for the Senate bill that we'd previously passed. And if the sponsor will yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Senator Dudycz, in the event a guilty verdict is voided or vacated by the trial judge, does the second paragraph of Section 1 of the Officials Convicted of Infamous Crimes Act apply in the event that this House Bill 3139 is enacted into law? The paragraph that I'm referring to reads as follows, quote: "If, subsequently, a final order reverses the conviction, eligibility to hold the office, to the extent of the original term then

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remaining, is restored, and the officer shall be reinstated, for the duration of the terms {sic} (term) of office remaining." Is that correct, Senator Dudycz?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

I -- I think Senator Berman just clarified it in that statement, but -- but the Senator answered negatively to other Senators asking that same question. So I hope, by reading the paragraph, that it is correct, that if the person is vindicated, that they can go on and serve out the term of their office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Senator Dudycz, to close? Question is, shall House Bill 3139 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 2 Nays, 2 voting Present. House Bill 3139, having received the required constitutional majority, is declared passed. Senator Watson, on House Bill 3202. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

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Yes. Thank you, Madam President, Members of the Senate. This is the legislation that we debated earlier. It was Senate Bill 1878.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Watson. There are a lot of people on the Floor that are unauthorized. Just keep your conversations down and take your staff meetings off the Floor. Senator Watson.

SENATOR WATSON:

Thank you, Madam Chairman. This is identical to Senate Bill 1878 that passed this Chamber several weeks ago. Deals with quick-take provisions for our Southwestern Illinois Development Authority. The bill that passed out of the Senate went over to the House, got loaded up with a considerable number of additional quick-take provisions and we're not sure what the future of that bill might be. This bill has just one provision in it, contrary, unfortunately, to what's being circulated by someone saying the reasons to vote against this is because it contains all this quick-take language, and that's simply not true. There's only one provision in here and that deals with Southwestern Illinois Development Authority and their ability for quick-take. So, anyway, this bill, if it passes, goes right to the Governor. What this bill does is grants, once more, and we've done this five -- on five previous occasions we've given the Southwestern Illinois Development Authority the ability for quick-take - on five different occasions. And we sunsetted it each time, and for good reason. And we sunset this -- this particular provision. But the quick-take provision that now exists expires May 24th, '1998. So that's the reason for this bill and the need for additional two years. In the time that Southwestern Illinois Development Authority has been -- existed, and I believe it's about ten years, they've only used this provision for quick-take ten different times. So it's not like they're out there abusing it and grabbing

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and taking everything that they think is necessary. The -- this area of the State, southwestern Illinois, obviously is one of the more economically deprived areas. In fact, that's where this racetrack is. If you would have seen where the Gateway International Raceway, which is located now and that's the provision that's creating most of the controversy -- if you'd seen where it's located, you would -- you would agree that major, major improvements have been made. A lot of jobs have been created. A lot of good has come from the provisions that we've given the Southwestern Illinois Development Authority. They have not abused their authority, at least in this Senator's eyes, and I, at this point, would be glad to answer any questions. Otherwise, I appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Bowles. Let's go with Senator Bowles, her area.

SENATOR BOWLES:

Thank you, Madam President. I rise in support of this bill. House Bill 3202 is identical to Senate Bill 1878, which is now in the House. This bill applies to our area, southwestern Illinois. It does not affect any other area of the State. And the intent of this quick-take power and the expansion of SWIDA's opportunity for quick-take is for the development of this area. All of this area, which we were discussing, is -- is deteriorated. It's poverty-stricken, and it absolutely would bring this area back up to standard, where we would have jobs, we would have employment, we would have people realistically approving - and they are approving - the quick-take process that is available. Everybody down there supports this. It's not as though there was not local support for this. Additionally, SWIDA does not have absolute power. SWIDA, in the case of quick-take, must get corporate authority, municipal authority approval before they can proceed.

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One of the significant projects in this particular bill is a hundred and fifty million dollars - I repeat - a hundred-and-fifty-million-dollar, privately funded, housing project for the City of East St. Louis. When is the last time that anybody went into East St. Louis and -- and produced that kind of economy, economic project, for the City of St. Louis? Not within my memory. It is absolutely pertinent and significant that this bill pass to give SWIDA the authority to pursue these projects, one of which happens to be in my district: the Gateway Center. But the impoverished areas are down in Senator Clayborne's area and in Senator Watson's district. I -- I urge you to give an affirmative vote to House Bill 3202. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I stand in support of this legislation. I have no personal stake in this, but having watched SWIDA throughout the years - we have given them the quick-take in the -- in the past - I think whenever we did it at that time, it was correct. As Senator Watson has indicated, they have not abused that authority. And I remember the debate on the last bill a little bit, talking about whether we're going to take property and someone's not going to be reimbursed properly. Whether it's a quick-take or whether it's strictly a -- a normal demolition, the courts will still decide those -- those costs and those prices if, in fact, there is any dispute. And I think that the project that is ongoing down there that SWIDA is involved with is a tremendous project. It's -- normally we don't like to give quick-take. I think even the Senators would agree with that, and I don't like to give it. But I think there's always special circumstances, and I feel this is one of those special circumstances that will allow that community



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and that area to -- to rejuvenate itself by bringing itself up from its bootstraps, 'cause they do need the help. And I know that the Motor Speedway has been an important aspect of that and is going to continue even to get larger. And I think that Illinois should be proud to know that they have a racetrack in the State of Illinois as an example that I think one day, with the proper parking and the proper amenities, will, in fact, host the Winston Cup races. And I think for any of you who don't know what that means to the State of Illinois, let me just give you what, in 1986, the ten days at Daytona were worth to the State of Florida. The ten -- one race, NASCAR. The ten days at Daytona was worth 1.3 billion dollars to the State of Florida, and I think that we cannot turn our back on that kind of revenues.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. We've heard discussion in connection with this concept that we are dealing here with just simply an extension of SWIDA's quick-take authority. Actually, the proper spin in connection with this legislation goes in a different direction, because what we are doing is once again laying a precedent that I think was never envisioned by our founding fathers in -- in the use of -- the power of eminent domain. Just to refresh people's recollection, what the Authority attempts to do here is to -- condemn an individual property owner's property and then simply turn around and sell that property to a private corporation. If you wish, you can call this a private corporation's ability to rent the power of eminent domain. In the name of economic development, we are going to simply continue to trample upon individuals' rights, in my opinion, that are -- that should be protected by this Legislature, that were given, basically, when the Charter was given to the

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federal government by the states in the Fifth Amendment to take property only for a public purpose. The public purpose in this legislation is, ostensibly, economic development, but it is a quick shuffle of taking power, using the government, and by the use of power, taking property and conveying it to a private enterprise. The concept is wrong, it is flawed, and it is time that this Body and other similar-situated bodies throughout this country simply say "Enough." Vote No.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR WATSON:

Well, I won't belabor the point, and I appreciate those who spoke in behalf of the legislation. One thing that I want to make perfectly clear: If the legislative delegation from the area, if any of us were opposed to it, I would have -- you would see more opposition, obviously, from -- from us and from -- and more concern, but we're not. We support this unanimously in our -- both here in the Senate, our caucus here -- or, our Body here and also in the House. So that, to me, is an indication that this is a -- a benefit to the local area and local good. I think people are protected and the court system, the judicial process, the -- just the process of quick-take in general. The courts have agreed with SWIDA to this point. It's been appealed, but basically this legislation -- or, this opportunity for quick-take at the racetrack is going to go forward. I'd appreciate the support of the Body so we can continue this quick-take provision for another two years.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 3202 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there

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are 34 voting Aye, 18 voting Nay, none voting Present. And House Bill 3202, having received the required constitutional majority, is declared passed. House Bill 3249. Senator Maitland. Senator Maitland, on House Bill 3209. Out of the record. Senator Maitland, on 3256. Out of the record. I'm sorry. Senator Mahar, on House Bill 3256. Out of the record. House Bill 3257. Senator Butler. Out of the record. We'll skip -- with the leave of the Body, we'll go back to 3279. House Bill 3280. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3280.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill amends the Crime Victims Compensation Act. It does a couple of things. First of all, it increases the cap on the burial expenses from three to five thousand dollars. As a consequence then, the increase on the cap for the total compensation goes from twenty-five to twenty-seven thousand dollars. Secondly, it allows minor siblings of a victim to receive an award for costs that are incurred for treatment of mental or emotional conditions which were caused or aggravated by a criminal act. Currently the law only allows the child to receive compensation if they've actually witnessed the crime against a relative. I'd be happy to try to answer any questions, and ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Any discussion? If not, the question is, shall House Bill 3280 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? On that question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 3280, having received the required constitutional majority, is declared passed. House Bill 3286. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3286.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. House Bill 3286 is responding to a federal requirement that all nursing homes -- or, all veterans' homes in Illinois or in the states be licensed by the department that license nursing homes. So what this bill does is it puts all the Illinois veterans' homes under the State Licensure Act with the Department of Public Health. We have amended this bill and put a -- a July 1st, 1998, effective -- no -- effective date. And I would simply ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3286 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 55 voting Aye, none voting Nay, none voting Present. And House Bill 3286, having received the required constitutional majority, is declared passed. House Bill 3341. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3341.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. House Bill 3341 amends the Civil Administrative Code by requiring Department of Natural Resources, subject to appropriation, to make a fifty-percent matching grant to the Chicago Park District upon the effective date for the dredging and reclamation of lagoons and ponds at the locations deemed necessary by our park district. A companion appropriation bill, which was held in the House Appropriations Committee, would make the appropriations to the Department of Natural Resources to provide the fifty-percent matching grant. A variety of factors over the last hundred and forty years have contributed to the current condition of the lagoons, which currently require a major capital investment. The age of the infrastructure, erosion and sedimentations were natural forces at work; however, the lagoons' popularity and the lack of a comprehensive previous management plan also contributed. Now, the park district has already invested over five million dollars for partial lagoon restorations at various parks within the city, but additional money is required to correct and provide for pool water quality, auxiliary water discharge, adequate water outlet control and much other needed improvements. Now, Ladies and Gentlemen, our lakefront is very important to our recreation, commerce and convention industry, but our -- our lagoons in our inner-city parks are just as important to our communities and deserve our support, and I would ask everybody's favorites -- favorable support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3341 pass. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, none voting Present. And House Bill 3341, having received the required constitutional majority, is declared passed. House Bill 3406. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3406.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill 3406 amends the Rural Bond Bank Act to expand the Bank's jurisdiction into nonhome rule municipalities in suburban Cook County. It increases the bond cap by fifty million dollars and eliminate the requirement that the -- that the Bank receive the approval of the Governor to issue bonds. The Revenue Anticipation Act is also changed to provide -- to change provisions in relation to federal waste waterways monies. And I would just ask for a favorable vote. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Can I ask the sponsor why the Rural Bond Bank felt compelled to eliminate themselves from the Governor's approval? Since these are moral obligation bonds of the State of Illinois and since again and again, over the last couple years, we've been -- had the opportunity to step in and make sure those moral obligation payments have been made for people, can -- can you give us a logical reason why the Bond Bank wouldn't want to cooperate

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with the General Assembly and the Governor by getting gubernatorial approval for...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Well, as you pointed out, Senator, these are moral obligation bonds and the other thing is, is the Rural Bond Bank is under the jurisdiction of the Lieutenant Governor's Office and we're hoping that the Lieutenant Governor's Office is talking to the Governor's Office and that the Governor has signed off on this.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I think that's good that you're encouraging executive branch internal communication, but formal approval by the Governor makes the executive branch, in part, responsible for these decisions. If we set this precedent here, I just think you're going to see the next -- all the rest of these bond authorization agencies that we've created will all be back here claiming that we ought to assume moral obligation for their decisions, that we ought to raise their caps, and that we shouldn't have oversight over them. We're not permitted -- we don't do appropriations for them. We don't review their expenses. The only real hold we have on the moral obligations is gubernatorial approval. I would urge the -- the sponsor to maybe reconsider or the Body to ask them -- vote this down and ask them to bring back a bill without deletion of the Governor's authority.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

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number one, it's nice to know you're a downstate legislator. That's always good, to have another one on board. To follow up a little bit on what Senator Rauschenberger said: Are these moral obligation bonds that we're talking about that the bond -- that the banks rely upon? Are they moral obligation bonds?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

Well, I -- I find it interesting that the Governor is only neutral on this bill, because I know in many other cases, through CREDA and sometimes through SWIDA and some of the other organization, the Governor has taken a very, very dim view on any moral obligation bonds unless they are approved by his office. And I think that I would have to agree with Senator Rauschenberger that this may be an embarkment down the -- the wrong path, to take it out of the hands of the Governor, because we one day may have to vote in this Body to approve on those -- those monies if, in fact, they are defaulted, which is what is our moral obligation to do. And I think it's another one of those arguments that we can make that just shows that we are giving away authority that we probably should not be giving away.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, first of all, on a point of personal privilege, Madam Secretary {sic}. I...

PRESIDING OFFICER: (SENATOR KARPIEL)

State -- state your point.



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SENATOR DEMUZIO:

...think I recognize former Senator Aldo DeAngelis on the Republican side of the aisle in the gallery toward the back. So we all want to welcome him back.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome, Senator DeAngelis.

SENATOR DEMUZIO:

He -- he doesn't appear to be too happy, but you know... To the bill -- I'm -- I'm sorry. They're all walking out now that they know who he is. I'm sorry. Well, if I might, to the bill then...

PRESIDING OFFICER: (SENATOR KARPIEL)

Yes, Senator Demuzio.

SENATOR DEMUZIO:

...Madam President: This redefines "rural county" to -- to mean any county, including the County of Cook. Now, I knew that the Rural Bond Bank was pretty successful and was going to be doing all right, and so we expanded that to the suburbs last year. And I guess everybody knew that at some point we would be facing this new decision that's before us, including the County of Cook. Senator, I mentioned in committee, perhaps we ought to change the name of the Rural Bond Bank now. Have you thought of any particular name that may -- we might ought to call it now that it's statewide? That's a question.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

I just heard a suggestion. Possibly the People's Bond Bank. We'd be open to any suggestions you have though, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

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Why don't we do a -- maybe a statewide contest for the children at school and ask them if they'd participate in naming this newfound wonderful program? Secondly, do you have any plans to expand this next year to Indiana or any other place? The answer is no. Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further -- further discussion? If not, the question is -- oh, Senator Walsh, to close.

SENATOR T. WALSH:

You know, I think that Senator Demuzio brings up a real good point. I think to move this bill without having the name change in place would probably be irresponsible. So I think we'll wait for the -- we'll wait and get the -- some -- some possibilities for a name change. We'll take it out of the record for right now.

PRESIDING OFFICER: (SENATOR KARPIEL)

...on the top of page 7 is House Bill 3427. Senator Donahue. Senator Donahue? House Bill 3427. Out of the record. House Bill 3431. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam President. Ladies and Gentlemen of the Senate, back in the days when we passed MediPlan Plus, we had set up some networks -- local networks -- health care provider networks to provide care for Department of Public Aid recipients or Medicaid recipients. And when MediPlan Plus didn't go through, we still have these MCCNs that are set up, and what this bill does is it puts them under the voluntary program. That's basically

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what the bill does. It just reinstates -- since we didn't have MediPlan Plus, it just simply reinstates what these -- Managed Care Community Networks are for Medicaid patients. It's got quality control in it. It's cost-effective. And I would just simply ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3431 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill 3431, having received the required constitutional majority, is declared passed. House Bill 3435. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

We're getting a little loud again. Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. That's before I even spoke. Ladies and Gentlemen of the Senate, I rise in asking your support for House Bill 3435, the purpose of which is to allow hospitals to train newborn parents in cardiopulmonary resuscitation, CPR, so that we can try and save lives in cases of newborns who have had some type of breathing stoppage. This has -- it would be under the American Heart Association guidelines, with the approval of Department of Public Health. Both of those associations, along with the Hospital Association, the Medical Society, are in support. I know of no opposition, would be willing to answer questions and ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3435 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, and none voting Present. And House Bill 3435, having received the required constitutional majority, is declared passed. Senator Donahue.

SENATOR DONAHUE:

Thank you. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DONAHUE:

Thank you very much, Madam President. Ladies and Gentlemen of the Senate, in the President's Gallery, I have some very dear friends from Hancock County in the Republican Women's Organization up there, and I'd just like to have them rise and be recognized by the Illinois Senate. Welcome.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Illinois Senate. All right. House Bill 3461. Senator Mahar. Out of the record. House Bill 3494. Senator Molaro. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President and Members of the Senate. This is the long-awaited House version of the Dance Studio Act.

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Basically, maybe about twenty-five years ago, we put in a lot of guidelines so the consumer would be protected. All the guidelines that we put in for the protection of consumers stay. The only guideline is that you couldn't enter a -- couldn't enter into a contract that was for more than twenty-five hundred dollars. For those of you who don't know, in the year 2000, ballroom dancing will become an Olympic medal sport. So -- that's right. So since that happened, of course, lot of people are going in and they want to rent the ballroom and rent certain things for a lot of period of time to do this type of teaching, and it goes over the twenty-five hundred dollars. So this removes the cap of the amount that was put in. You still can cancel the contract. All the other guidelines stay. We're just removing the twenty-five-hundred-dollar cap. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR HENDON:

Senator Molaro, is this your reelection bill, or...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Carroll.

SENATOR CARROLL:

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

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question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR CARROLL:

Just want to know how many lessons you took.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro? Any further discussion? Further discussion? If not, the question is, shall House Bill 3494 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting -- 57 voting Aye, none voting Nay, 1 voting Present. And House Bill 3494, having received the required constitutional majority, is declared passed. House Bill 3515. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3515.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. House Bill 3612 would allow the Secretary of State...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator -- Senator Maitland, we're on House Bill 3515. Out of the record? Out of the record. House Bill 3556. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3556.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House Bill 3556 creates the Contractor Unified License and Permit Bond Act which permits contractors to obtain a unified license and permit bond to -- to fulfill compliance with contractor ordinances and regulations within a county or the municipality to which the contractor seeks to or is doing work. The said unified bonds shall be filed with the respective county clerk who may charge a reasonable administrative fee. The bond also must be -- be filed with the municipal clerk where the contractor seeks or is doing the work, and the clerk may also charge a reasonable administrative fee. House Bill 3556 applies to all counties, municipalities, home rule units in Illinois, except the City of Chicago. It passed out on a vote of -- of the House by a vote of 110 to nothing {sic} (107-9-0). And I would be more than happy to see this thing pass.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

SENATOR BURZYNSKI:

Senator, if this is such a good bill for the rest of the State, why is the City of Chicago exempted?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

They have special permit license bonding requirements, Senator. And that is why. You're welcome.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Further discussion? If not, Senator Dudycz, to close? The question is, shall House Bill 3556 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 3556, having received the required constitutional majority, is declared passed. House Bill 3575. Senator Obama. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As many of you know, we've had some significant problems with respect to public housing in the Chicago area. Fortunately, over the last several years, there's been a movement to reform public housing and to break up some of the large public housing developments that exist and to create more mixed-income affordable housing...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator. Just a minute. Could we have some order. It is so loud in here. Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. Essentially what this bill does is it helps to enhance the potential for privatization of public housing by providing a tax abatement for the construction of multifamily units that will house not only public housing residents, but also market-rate units. Essentially what we have



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currently is the Chicago Housing Authority would like to contract out with private developers to build mixed-income housing. That land currently is not on the tax rolls at all in Chicago, and what this bill would do would say that if, in fact, this -- this land is leased to a private developer, then those units that are being set aside for affordable housing will receive a tax abatement, but the -- the portion of the property that is going to market-rate housing will, in fact, go on the tax rolls. As a consequence, there will be no loss of tax revenue. In fact, there will be a gain of tax revenue for those parcels that are developed for market rate housing, and this will facilitate increased market -- affordable housing in mixed-income communities for those public housing residents. This passed out of Revenue Committee 8 to 0. I know of no opposition to the bill. It's supported by all the municipalities in Chicago that are affected by the property tax. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall House Bill 3575 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 3575, having received the required constitutional majority, is declared passed. House Bill 3579. Senator del Valle. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3579.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Madam President. This bill was amended in committee. There were three provisions in the bill when it came over. The amendment leaves only one provision, the one regarding the waiver of emergency eviction actions. The proposed change is needed to avoid the dismissal of emergency eviction actions for drug activity, weapons violations and violent crimes when a public housing authority accepts rent during the pendency of the action. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not -- Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR HAWKINSON:

Senator, my question goes to the provision that says that it's not a defense that the lessor accepts rent after the eviction proceedings are initiated. Does that rent have to be returned then if the eviction goes forward?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator del Valle.

SENATOR DEL VALLE:

Yes, the rent has to be returned.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, Senator del Valle -- the question is, shall House Bill 3579 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill 3579, having received the required constitutional majority, is declared passed.

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Now, Senator Maitland, on House Bill 3612. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Before you proceed, Senator Maitland. Senator del Valle, for what reason do you rise?

SENATOR DEL VALLE:

I was busy. I didn't vote on my own bill. Please record me as Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record shall so reflect -- so reflect that. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President. I do apologize for attempting to present this bill earlier. Now, Senate {sic} Bill 3612 would allow the Secretary of State to issue vanity plates on the Violence Prevention plate, or a personalized plate. The plates contain both letters and numbers. For vanity plates, in addition to the regular forty-eight-dollar fee, an applicant is charged seventy-five for the original issuance of each set of vanity plates. The fee, therefore, for this plate would be seventy-five dollars for the vanity fee, forty dollars for the Violence Prevention Fund and forty-eight dollars for the regular fee -- of a hundred and sixty-three dollars. For the renewal, the cost would be ten dollars for the vanity plate, twenty-seven into the Violence Prevention Fund, and forty-eight dollars for the renewal fee. I believe I am correct when I say that this is already done for the Conservation plate, and I would seek the support of the Body, Madam President.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3612 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 53 voting Aye, 4 voting Nay, and none voting Present. And House Bill 3612, having received the required constitutional majority, is declared passed. House Bill 3626. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3626.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. This is the legislation dealing with what we call stipends for our county officials. It impacts treasurers, county clerks, recorders and sheriffs. Stipends is a concept that was developed by the Illinois General Assembly when it was decided that local officials were have to -- carrying out a lot of the mandates and direction from the General Assembly, that we ought to compensate them for -- for their work and their effort. This is a continuation of that thought and that philosophy. The stipend increase for treasurers in 1999 would be five hundred dollars, county clerks would be a thousand dollars. Recorders do not receive a stipend until 2001. And sheriffs, theirs would be increased to sixty-five hundred dollars. The 1999 fiscal impact is around four hundred -- or, excuse me, it's five hundred and seventy-five thousand dollars. In the year 2000, it's an increase of two hundred and four thousand dollars, and in the year 2001, it's an increase of two hundred and forty-three

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thousand dollars, for a total of a little over one million dollars. Be glad to answer any questions, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Yes. Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just a couple questions for the sponsor of the bill. We had a similar bill to this in Local Government Committee, and -- and I, like many Members here, you know, enthusiastically support and enjoy the -- the friendship and collegial nature of -- of county officials. But it was clear in discussions we had regarding the circuit clerks that the stipend is not paid to the county to defray expenses or costs that -- that are incurred in the -- in the clerk's office, for example, based on -- on State action. It's actually paid as a salary stipend to the individual officeholder. Is that true in the stipends that you're proposing as well?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes, it is.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- you know, in -- it was raised in committee at that time that we might be doing the wrong thing by ratcheting one county official up over others and that very soon we would see stipend bills for other officeholders, that somehow it's a good idea for us to take State GRF and -- and use that to supplement the salaries and -- and, in point of fact, the retirement of -- of county elected officials. I just wonder in a year when we're -- we're facing, you know, the -- the challenges we have on -- on

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school funding and other things -- I think the county people are all hard workers. I don't object to them getting paid. I think that's wonderful. I think they ought to go to their county boards though. And I just think before we enter into this omnibus stipend bill, that maybe we should think twice about it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Shadid.

SENATOR SHADID:

Will the -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR SHADID:

Senator Watson, this stipend for the sheriffs, for example, does this include sheriffs who do not operate a county jail?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

This includes all one hundred and two sheriffs.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shadid.

SENATOR SHADID:

I remember when this stipend was put in, I was a sheriff, and it was put in strictly for sheriffs with added responsibilities that we put on them because they ran a county jail. This did not cover sheriffs who did not run a county jail, 'cause their counties opted -- I think there's two or three in the State, that their counties have one jail on the border of another county, so the -- they do not run a county jail.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson. Is that a question, Senator Shadid?

SENATOR WATSON:

I -- I assumed that it was a question. And I guess I can

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respond. The -- the current stipend for sheriffs is based on beds. This takes that out and it's a flat rate now, and it would take effect December 1, 1998.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shadid.

SENATOR SHADID:

When I -- when I got here on the Senate about three or four years ago, I was asked by a couple of sheriffs who did not run a county jail if I would include them in a bill, and I would not do that. I think we're going against what the intent of this stipend was: to give sheriffs additional money because they have the responsibility of running a county jail. Now you're including sheriffs who don't have a jail. And I think that's wrong.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shadid. Channel 3 has requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Were you finished, Senator Shadid? Oh. Senator Molaro.

SENATOR MOLARO:

Thank you -- thank you, Madam President. This would be a -- and Members. I guess this would be a question, if he would yield, the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR MOLARO:

Well, therefore, if -- if this stipend, just as Senator Rauschenberger says, is going straight to the officeholder, and it's probably a good idea, does this have -- would this be affected if there are raises given by the local county board to these people? I was just reading in the paper today, actually, as timely as this would be, that Sangamon County Board okayed pay raises. So is there some ceiling in the bill that says if a

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sheriff or anybody else of a certain county gets a fifteen-percent raise, that we're not going to -- that the State of Illinois is relieved of the responsibility to give 'em more money? Is there anything in the bill that would counteract pay raises, such as the one given by Sangamon County today?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

No, it is not. This is irrespective of any action that might be taken at the county level.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR DONAHUE:

Does this stipend have an impact -- I heard Senator Rauschenberger mention something, and does this have an impact on their pension? Does this apply towards their pension?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Your -- your salary at the local level is what determines your pension. This being a State appropriation, or State stipend, as we would call it, it should not. I mean, that's our understanding.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Collins. Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Senator. When this bill came before the Executive Committee, some of the same issues were raised on -- on



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the Floor, and I did express to you at that particular time, in addition to these issues some of the Senators have raised here, about the size -- different sizes of the workload. And I am not opposed to giving the sheriffs the stipend, but I do have some concerns in terms of that it has no relationship to the size of the workload. And now I'm hearing from my colleague here that it doesn't -- you don't even have to -- to have a sheriff's office, you know, to -- to get the same amount of stipend that someone who have to handle two hundred cases a day, hypothetically, versus someone handling no cases a day or no increase in the workload. And that's what is wrong about this particular bill, Senator. It should be based on the same -- the same way that -- that we provide other kind of stipends and it's based on workload or number of cases. This is just a flat grant -- I mean, a stipend, no matter where you are, no matter what the size of your caseload, and I do have some real problems with that part.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. First of all, I certainly understand what the sponsor is trying to accomplish. Our county officials should be adequately compensated. I joined you, for several years, as a cosponsor on legislation that would stop this flow of mandates from Springfield that have to be borne by folks back home. My only question today would be: Why are these not structured to relieve the burden on the local taxpayer, so then that money could be placed -- you know, the local folks could figure out how much they should pay their official. Why does the money go to the individual, rather than to the county that has the burden? It's not the individual who has the burden to take care of those jobs, although it might ultimately. Why doesn't the money, the stipend, go to the county to offset the taxpayers'

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burden, as opposed to the individual?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes, thank you. That's a good question. First of all, it's not a State mandate. This is not a State mandate. This is a stipend that we are making available to four different county officials. The decision, as far as whether the -- the salary will be raised by -- at the local level, is decided by the local county board. I mean, they -- if they so wish to raise someone's salary at the local level, they have the -- obviously, the authority to do so. I mean, they're aware, generally, of these stipends, I'm -- at least the counties in my area certainly are aware of stipends, and I would imagine that they would -- that -- that philosophy of the stipend would impact their philosophy as to how much raises they give at the local level. But it is a local decision and it is not a mandate. We're not creating a mandate on -- to any unit of local government with this proposal.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR GEO-KARIS:

My understanding is, then, that we are going -- the State's going to give that amount, those stipends, to the clerks, to the recorders - is that right? - to the chief clerks of election and to the election commissioners and -- and to sheriffs. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

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SENATOR WATSON:

The four county officials that are impacted by this legislation are the treasurers, county clerks, recorders - of which there's only twenty-two in the State - and the sheriffs.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

My question is that this -- this is State money that will be given to them, is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson. Senator Geo-Karis, he didn't hear your question.

SENATOR GEO-KARIS:

My understanding -- do I understand you correctly that it will be State money given to these four groups?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

We have to appropriate it, and I understand we haven't got a good track record with that, with the circuit -- circuit clerks at the local level. I don't believe their stipend was appropriated during this particular point in time, but it has to be appropriated by the General Assembly, obviously, before it would go to the local officials. It would be my hope that that would be the case. We make an obligation to ourself here. I would hope we'd live up to it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I'm going to support this bill, because just last week the aldermen...

PRESIDING OFFICER: (SENATOR KARPIEL)

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Excuse me, Senator. We're getting a little loud again. Could we please have some order?

SENATOR GEO-KARIS:

Just last week the aldermen of Chicago are thinking of raising their pay from seventy-five thousand dollars a year to about ninety. And I think, when I stop and think what we do here and how much territory we carry, and then we worry about raising these stipends when these clerks, I know in my county, are overworked, and the treasurer, and -- and I might tell you, the recorder is not from my party, but I think she deserves a raise, too. So I'm speaking in favor of this bill, because we have to consider everything in its proper context. And certainly when the Chicago aldermen think they're over -- they're underpaid for what they do, and there's only fifty of them and there's fifty-nine of us covering the whole State, I think that we should consider ourselves less fortunate but at least help the others who are less fortunate than we are, and those are the four categories that Senator Watson talked about. And I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Shadid, for a second time.

SENATOR SHADID:

Madam Chairman, you're in charge, aren't you? I think. You don't mind if I talk a second time, do you? Okay.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Shadid.

SENATOR SHADID:

I'd like to ask -- I'd like to ask -- ask the sponsor if he'd be willing to consider an amendment to take off the sheriffs who don't have a jail off of the stipend. They never have been on it. The intent, when it was first put in, was never intended for -- it was intended for sheriffs who ran jails because of the added responsibility -- responsibility. The other officers that you've

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got mentioned here, the clerks and them, all do the same responsibility throughout the State of Illinois. Now you're going to give a person a stipend who doesn't have the same responsibility as the other sheriffs, and I don't think that's right. That was not the intent of the original bill years ago. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is that a question, Senator Shadid?

SENATOR SHADID:

If he would -- if he would accept an amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Well, at this point in time, I -- I would not. I would rather not, so I would like to proceed on with 3rd Reading and final vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR SYVERSON:

This legislation or these pay raises which are supposed to be used to cover for mandates that we put on to these local individuals, can -- can we get a list of those mandates that we put on to them individually that warrants the pay raises that were given?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

I don't know if that list is available, but I know that the

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Department of Commerce and Community Affairs, I think, has got a pretty good list availability for you that you could get from them. When we talked about the unfunded State mandates constitutional amendment, we had a lot of information from them as to what we were dictating policy to the units of local government and how they had to respond. I would assume that would be a good source, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

It's getting -- it's getting rather loud again. Senator Syverson.

SENATOR SYVERSON:

Senator Watson, you said these were -- that the DCCA could put together a list of these mandates we put on local governments. These are pay raises to individuals, not money going to the local governments. What mandates did we put on the local individuals, the sheriff, to give them these pay raises to warrant this?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

We -- we up here vote daily, practically, when we're in Session, in regard to policy that we require local officials to comply with. I can't give you a list of -- necessarily, of what they might be, but there -- there are certainly many. And I would assume that any county -- former county official that may be serving in -- in the -- in the Senate now could answer that, maybe better than I. But the list that the Department of Commerce and Community Affairs would have would also indicate or include those responsibilities of the -- of county officials.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Syverson.

SENATOR SYVERSON:

Would it make sense that we just give the stipend then to the

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local governmental unit to cover those costs of those mandates and not a pay raise to the individuals?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Well, that's not been the philosophy of the stipend in the past. The stipend has gone directly to the county official. If we want to depart from that, that's certainly your -- you can certainly introduce legislation to do so, but at this point in time, I would think that the local official is deserving.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President. I rise in support of this legislation. I don't think our local -- those local officials get paid too much and totally disagree with my colleague here about the sheriffs that don't have a -- a jail. You know, the ones in my area that don't have a jail, they have to transport those -- those prisoners to another county where they have a jail, then those counties have to pay to house those prisoners. So, you know, in a lot of these small counties, those sheriffs, they don't -- they don't -- they aren't paid very well. So, I think that the sheriff that doesn't have a jail is just as entitled to the one who does. Usually the larger counties that have them, the sheriffs receive more -- more pay anyway.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR WATSON:

Well, this has been thoroughly debated and I appreciate that. I come from a rural area. Our counties are having a -- a major financial problem in dealing with the local pressures they have, just as we have at the State level. This is an effort to try to

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relieve them of some additional burden and cost that they might have to incur when it comes to a salary increase at the local level. I personally feel that local officials do a great deal to comply with the -- the laws of the State of Illinois, and many of which we -- we sit here right on this Floor and vote on, and are very deserving of this consideration. So I'd appreciate your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 3626 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 36 voting Aye, 13 voting Nay, 1 voting Present. And House Bill 3626, having received the required constitutional majority, is declared passed. Senator Link, for what purpose do you rise?

SENATOR LINK:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR LINK:

Inadvertently I pushed the No button on Senate Bill -- or, House Bill 3612. My intent was to vote Aye on that.

PRESIDING OFFICER: (SENATOR KARPIEL)

The record will reflect that. Senator Berman, for what reason do you rise?

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BERMAN:

We are joined today by students and two teachers from the Lake



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Shore School on the north side of the City of Chicago. They're in the balcony on the Republican side. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR KARPIEL)

House Bill 3710. Senator DeLeo. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3710.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator DeLeo.

SENATOR DeLEO:

Thank you, Madam President and Members. House Bill 3710 is -- really contains just three main topics. The first one is continuing education as a requirement for the renewal of a journeyman's plumber's license and voluntary training certification of plumbing inspectors. It gives the Department of Public Health the authority and power to investigate any and all unlicensed activities and provides penalties for such activities. Those are the three key points. The bill will address continuing education requirements. There was only one concern in regard to this bill and that was with the Laborers International Union of North America, and we just wanted to make sure this is not interrupting or changing any lines of jurisdiction between the plumbers and the laborers. It passed out of the House earlier at a 118 to nothing and out of Committee 7 to nothing. I ask for an affirmative roll call on this matter.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3710 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary.

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On this question, there are 54 voting Aye, 2 voting Nay, none voting present. And House Bill 3710, having received the required constitutional majority, is declared passed. House Bill 3749. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3749.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Madam President. I believe there's no opposition to this bill. I believe it's noncontroversial, so we'll proceed with an explanation of it. The amendment becomes the bill, and it deletes the operative language of the legislation and replaces it with language that authorizes the Illinois Student Assistance Commission, beginning in fiscal year 2000, to award Monetary Award Program -- or, grants for summer school, subject to a separate appropriation. The summer school grants could not exceed lesser than fifty percent of the maximum annual grant or the annual cost of the summer school tuition and fees. The Illinois Student Assistance Commission had a concern about this when the bill was introduced in behalf of the community colleges. That matter has been taken care of. This is to attempt to try to open up the MAP program and scholarship program, for those in -- in need, to summer school programs.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3749 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, 1 voting Nay, none

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voting present. And House Bill 3749, having received the required constitutional majority, is declared passed. House Bill 3793. Senator Fitzgerald. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3793.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Madam President. House Bill 3793 amends the portion of the School Code which currently provides that teachers must teach, quote, "honesty, kindness, justice and moral courage for the purpose of lessening crime and raising the standard of good citizenship." This bill simply states that in addition to these subjects, teachers must now also address discipline and respect in the classroom. The bill has no opposition that I am aware of.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President, Ladies and Gentlemen. I don't rise in opposition, but I just rise to point out that this is another one of those unfunded mandates now that we are requiring teachers and school districts to do. It's one of those feel-good things. There's no money attached. We're just mandating 'em to do it, so let's have at it. Thanks.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further -- further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I'm delighted to see it's -- that it's a bipartisan bill, sponsored by

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the Speaker of the House, Senator Demuzio.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the -- would the Senator yield for a question, please?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR JACOBS:

First of all, just as a sideline, that's probably a little bit of what has us scared on this side of the aisle, is to see a -- a Speaker bill being carried by Senator Fitzgerald. That scares us a little bit over on this side of the aisle. My question, though, is, having six children, raising six children, I now have fifteen grandchildren, and we all try to teach discipline and respect for others, but how do we do that? How do we -- we -- how do we judge that? How do we know -- how does the teacher teach what we're attempting to do here? I -- I know we all want to seek that, but, I mean, what are the criteria?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

Yes, Senator Jacobs, I imagine most good teachers in the State of Illinois are now trying to instill discipline and respect for others. I don't see this as a -- as a course but more a way of living that you would want the teacher to impart. And I think the Speaker felt that this was a glaring omission from our Code, because while we mention that students should be instilled with honesty and kindness and justice, that he also felt, as I do, that discipline and respect for others should be something we'd want our public schools to be imparting to children. This bill has no

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fiscal impact. According to the State Board of Education, information regarding citizenship is addressed in the social science areas, and therefore there's no fiscal impact. And this does not require teachers to teach additional subjects. I think that more this is in the mode of something that is symbolic, in that we want our School Code to stress that we would hope our public schools in this State instill discipline in students, discipline for themselves and respect for others.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

Well, first of all, though, we are requiring. I think this is something that would have been better served by a resolution to let the teachers know and to let everyone else know that we hope that they continue to teach discipline and respect for others. But whenever we -- we require them to do so, if a kid goes bad and a kid doesn't learn discipline and doesn't learn respect for others, is the school board or the school then liable?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald.

SENATOR FITZGERALD:

Well, there is no objective criteria to demonstrate or disprove whether a school has taught discipline or respect for others, or honesty, kindness, justice or moral courage that are in the School Code. I think that this is more in the nature of the symbolic bill, something we -- more hortatory, that we -- we would urge our schools to try and impart these types of qualities to their students. No school board member is going to be held liable for not teaching that. I don't think there's any way to prove whether a teacher has taught or not taught, effectively, discipline or respect for others. This isn't something that can be tested with a standardized IGAP test or something like that.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

That, then, brings it back to -- to the original question, I guess. In all due respect to you, Senator, and all due respect to Speaker Madigan, it's my understanding that this was supposed to be a year to where we'd do the appropriations, do the budget, and -- and perform emergency legislation. I see no emergency here. And, in fact, I still believe that this is something that could just as easily have been done by a resolution than to bring it into -- enacting it into law with a requirement. And that's the part that really bothers me, to indicate that you have -- you are requiring a teacher to do something when you have no way in which to judge whether that teacher is fulfilling that requirement or not. And, you know, there are children out there that no matter how much you teach them - and I think that sometime this Body acts that way - no matter how much you teach them, you really can't bring about the discipline that you're really looking for.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank -- thank you very much, Madam President, Members of the Senate. I don't know how many people are really paying attention to this bill, but I am really personally troubled by -- by this bill. I -- if -- if I was a teacher, I think, in the public school system in Illinois and I knew a bill like this had been introduced and was making its way through the General Assembly, I would really be offended. If I was the dean of the college of -- of education in our universities who train our teachers to become teachers, I think I would be offended by legislation like this. But I think, truly, what it sounds to me like we're attempting -- and I don't think really anybody cares. It's obvious nobody cares,

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Madam President, but -- but if I was -- if I was one of these teachers -- if I was one of our thousands of public elementary and secondary teachers across this State and I knew the General Assembly was spending its time on an issue like this, I would -- I would really be disappointed in those of us who are passing the laws to make this State a better State. I can't imagine any teacher who's gone through the educational process, through the certification process, who's being evaluated by parents and teachers in the school district that they teach in, does not already, as a good moral character, do all of these things. And for the General Assembly to spend time on this, I am -- I am deeply, deeply disappointed.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Madam President. This is a very serious piece of legislation. Senator Maitland, to some extent, I can -- can understand your reservation and your concern. And to the sponsor, I think this bill would probably -- we would be better served if this was a part of a mandatory -- a part of the educational curriculum. That's where it should start. But to say that there is something wrong with the teaching of -- of -- of our teachers adhering in a classroom to a set of principles and action that demonstrates respect for equity and diversity - that's basically what we're talking about - and that focus on identity, discipline and responsibility, that's what I get out of -- and I'm sure that's probably what the Speaker was concerned about, what is so needed in our society. And if we are going to further the cause of humanity to man, that's what we've got to go back to. I'm not sure that this Body is where we should start, but we ought to start someplace. It should be with our educators. It should be through some kind of -- I can really see a cause for a committee

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or a task force that would sit down and look at the curriculum so that the teachers can be better prepared to teach and to work with our children and to deal with instilling in our children a set of values and principles that gives respect first and foremost to diversity and equity in this society. And that is the only way that we're going to ever have a true democratic society and a democracy and the fulfillment of the dreams of democracy in this country and around the world. It must happen at some point in time, Senator, but I don't know if you can legislate and cause the teachers to do something that many of them may not be able, or understand how, to do it themselves. So you need to take a look at this maybe, amend it in a way that there's no liabilities there, can be brought against any teacher. In the absence of having this to become a part of a curriculum, you may be setting yourself -- the teachers up for some kind of problem. But the concept is good and it should be done. Therefore, I'm going to support it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

...President, I move the previous question.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

I -- I just wanted to quickly rise and offer a response. I think we're getting a little far afield on this. We may be losing sight of the forest for the trees. I think what Senator Fitzgerald is doing here is trying to add a little bit of language to a general philosophical statement that's in our School Code, a little preamble about who we are and what we believe in. It has virtually no specific impact in terms of a mandate on any school district. It just talks about what we believe in and the direction



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that we want to go. Senator Collins alluded to it. I -- I think this is a good bill. It's good philosophical content. It's what we should be doing. It's a statement. It's worth our vote, and I wholeheartedly and enthusiastically support the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Madam President, Members of the Senate. As a former schoolteacher, I have to agree with Senator Maitland. I would be totally incensed to think that the Legislature and the Senate of the State of Illinois had to mandate and require that a teacher teach discipline and respect. Every teacher worth their salt is doing this as a part of the daily routine within a classroom. And to require that a teacher teach respect and discipline, I think is transferring responsibility from the parents to the teacher. The home, parental guidance, is where respect and discipline should be initiated and then continued, certainly, in the student's association in school and with the teacher. I -- I understand, with great respect, Senator Fitzgerald's initiative, but I -- I cannot, in good conscience, vote for a bill that requires - requires - that a teacher teach discipline and respect within the classroom. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald, to close.

SENATOR FITZGERALD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I -- I agree with Senator Cronin that this discussion, I think, has really gone very far afield. We are simply talking about having a general philosophical guideline in the Code, and that general philosophical guideline already talks about the schools teaching pupils honesty, kindness, justice. And we simply add the words "discipline" and "respect for others". This is not

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a mandate. This is -- these qualities, these values are not something we're going to judge our teachers on. There's no way to judge that. It's just but -- by omitting from the School Code discipline and respect for others from the list of things that we hope our schools will impart, it's almost as if we're implying that we don't care about those -- those things. Obviously, I believe every good schoolteacher in the State of Illinois is already doing this. This is simply to clean up, in my judgement, what is a slight omission in our general philosophical statement in the School Code and I think it is fitting for us, in the Legislature, to reaffirm our support for our schools helping to teach the kind of values we all believe in, that we as -- as husbands and wives and parents try to instill in our kids. And I think that that's all this bill does. And I think that's why the Speaker was supporting it. I'd certainly appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 3793 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 44 voting Aye, none voting -- 10 voting Nay, 1 voting Present. And House Bill 3793, having received the required constitutional majority, is declared passed. On the top of page 8, we have House Bill 3811. Senator Radogno. Out of the record. I'm sorry. Senator Luechtefeld, for what reason do you rise?

SENATOR LUECHTEFELD:

Yes. For a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR LUECHTEFELD:

In the balcony, I have some young people from my -- from my

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district, who are here today as finalists in a -- in a history contest, with their teachers. Would like to introduce them, if they would please stand. First of all, Robert Baker and Mrs. Jackson are the teachers in the group. And the three students: Lindsay Robinson, Colleen Staff and Sarah Jackson. If the Senate would welcome them, I would certainly appreciate it.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator Bomke, for what reason do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BOMKE:

Thank you. I just wanted to remind everyone, tomorrow morning is the Governor's Prayer Breakfast at the Crowne Plaza, from 7 to 9. If anyone is interested, I have tickets in my office, Room 111. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

House Bill 3844. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3844.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you -- thank you, Madam President. House Bill 3844 is an initiative from the State Treasurer. It provides that certain positions in the Treasurer's Office which were previously exempt from criminal background checks now fall under the same criminal

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background provisions as all employees. According to the Department of State Police, the costs are expected to be very minimal and can be covered within the present budget. Those -- those positions include the -- the Deputy State Treasurer; Assistant to the State Treasurer; the Executive Assistant to the State Treasurer; the Chief Fiscal Officer; personal secretaries and administrative assistants to the Treasurer; and persons exercising substantial executive or administrative functions who have, as their primary responsibility, the operation of an organizational entity in the Office of Treasurer; and licensed attorneys in positions as legal or technical advisors, except in those positions paid from federal funds if such exemption is inconsistent with federal law. I know of no objection. I would seek your affirmative support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 3844 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And House Bill 3844, having received the required constitutional majority, is declared passed. On page 8 of today's Calendar is the Order of House Bills 2nd Reading. Members wishing to move their bills from 2nd to 3rd are encouraged to do so today. As you know, Friday is our deadline for getting substantive bills out of the Senate. On page 8, House Bills 2nd Reading, is House Bill 525. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 525.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted one amendment.

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PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 644. Senator Butler. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 644.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted two amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 884. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 884.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

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3rd Reading. House Bill 1268. Senator Shaw. Out of the record. House Bill 1612. Senator Parker. Out of the record. House Bill 2091. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2091.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2466. Senator Walsh. Out of the record. House Bill 2560. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2560.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2589. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2589.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved

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for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2643. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2643.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2668. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2668.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2700. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2700.

(Secretary reads title of bill)

2nd Reading of the bill. ...committee or Floor amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2827. Senator Rauschenberger. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 2827.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2844. Senator Parker. Out of the record. House Bill 2869. Senator Kehoe. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2869.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2909. Senator Garcia. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2909.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)



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3rd Reading. House Bill 2950. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2950.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3025. Senator Berman. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3025.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3028. Senator Cronin. Senator Cronin? Out of the record. House Bill 3180. Senator Walsh. Out of the record. House Bill 3254. Senator Walsh. Out of the record. House Bill 3294. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3294.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3321. Senator Walsh. Out of the record. House Bill 3363. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3363.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3383. Senator Burzynski. Out of the record. House Bill 3415. Senator Walsh. Out of the record. House Bill 3464. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3464.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3492. Senator Cronin. Out of the record. House Bill 3514. Senator Walsh. Out of the record. House Bill 3516. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3516.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3778. Senator Cronin. Out of the record. House Bill 3813. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3813.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3814. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3814.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. We have some committee announcements. The Judiciary and Licensed Activities meeting that was to be held at 1 o'clock is now meeting at 3 o'clock. Education and Transportation, which was scheduled for 2, is now meeting at 4 o'clock. And Energy and Environment and Revenue, which was scheduled for 3, is now meeting at 5 o'clock. Senator Viverito.

SENATOR VIVERITO:

Yes. A point of special privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR VIVERITO:

I have some guests in the Democratic side here: the Commissioners of the Burbank Park District. Would you please welcome them?

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Senator DeLeo.

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SENATOR DeLEO:

Thank you, Madam President. Madam President, we respectfully request a Democratic Caucus immediately in Senator Emil Jones' Office. We need approximately twenty or thirty minutes. So we request a Democratic Caucus immediately.

PRESIDING OFFICER: (SENATOR KARPIEL)

That's fine. Committees will proceed and start meeting at 3 o'clock. Before you leave and before your caucus, Senator Cronin has asked leave to go back to some of his bills. With leave of the Body, leave is granted, and we will go back to 2nd -- the Order of 2nd Reading. Senator Cronin, is the first one 3028? All right. Okay. House Bill -- on the Order of 2nd Reading, House Bill 3028. Senator Cronin.

SECRETARY HARRY:

House Bill 3028.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3492. Senator Cronin? Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3492.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Then, House Bill 3778. Senator Cronin? Senator Cronin, 3778? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3778.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 69, offered by Senator Parker. It's substantive, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further business to come before the Senate? If not -- oops! Senator Maitland, for what reason do you rise?

SENATOR MAITLAND:

Thank you, Madam President. On a point of personal privilege, if I might.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR MAITLAND:

Seated with me at my desk is Ms. Emily Ranney, who's a

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seventh-grade student from my -- district. I'd like her to stand and be recognized. And her mother and father, Mr. and Mrs. Clark Ranney, are in the -- in the gallery, too. I'd like them to stand and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Senate. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCH:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DUDYCH:

Seated -- beside me is a woman who was involved in the Easter Seals fundraiser that was here in Springfield. And she won a Day with the Legislature, so she is spending a half a day with the House and a half a day with the Senate. And I'd like for the Senate to welcome Suzanne Meyer from St. Louis, Missouri.

PRESIDING OFFICER: (SENATOR KARPIEL)

How fortunate you are. Welcome. Is there any further business to come before the house? If not, Senator Butler moves that the Senate stand adjourned until the hour of 10 a.m., Thursday, May 14th. The Senate stands adjourned.

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