

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by the Reverend William H. Fontaine, Chief Chaplain, Illinois Department of Corrections. A very, very old friend of mine, Reverend Fontaine.

REVEREND WILLIAM H. FONTAINE:

(Prayer by Reverend William H. Fontaine)

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.

SECRETARY HARRY:

Reading -- Senate Journal of Tuesday, May 12th, 1998.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Butler moves to approve the Journal just read. There being no objection, so ordered. Senator Butler, again.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Wednesday, May 13th, in the year 1998, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Amendment 2 to House Bill 2589 Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 1259 - the motion to concur with House Amendment 1 Be Approved for consideration, Senate Bill 1756 - motion to concur with House Amendment 1 Be Approved for consideration, Senate Amendment 2 to House Bill 1151 Be Adopted, Senate Amendments 1 and 2 to House Bill 1217 Be Adopted, Senate Amendment 2 to House Bill 1422, Amendment 3 to House Bill 1612, and Amendment 1 to House Bill 3279, all Be Adopted.

Senator Fawell, Chair of the Committee on Transportation, reports Senate Amendment 1 to House Bill 2466 and Amendment 2 to House Bill 3415 Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Senate Amendments 2, 3 and 4 to House Bill 1614 {sic} (1640) and Amendments 3, 4, 5, 6 and 7 to House Bill 2844 both -- all Be Adopted.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Amendment 4 to House Bill 3026 and Amendment 1 to House Bill 3811 Be Adopted.

And Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Amendment 2 to House Bill 3129 and Amendment 2 to House Bill 3257 Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1195, together with House Amendments 1, 2 and 3.

We have like Messages on Senate Bill 1224, with House Amendment 1; Senate Bill 1471, with House Amendment 1; Senate Bill 1500, with Amendments 1, 2 and 3; 1599, with Amendments 1, 2, 3 and 4; 1602, with House Amendments 1, 2 and 3; 1627, with Amendment 1; 1674, with Amendments 1, 2 and 3; 1705, with House Amendment 1; 1707, with House Amendments 1, 4 and 5; 1713, with Amendments 1 and 2, and Senate Bill 1904, with Amendments 5 and 6. All passed the House, as amended, May 13th, 1998.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 207 and Senate Resolution 208, both by Senator Link.

And they're both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Calendar -- Consent Calendar. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in the President's Gallery is the Village President, Karen Bushy - B-U-S-H-Y - of the Village of Oak Brook. And she comes, of course, from our President's county, and we'll ask you to welcome her here today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest in the gallery please rise and be recognized? Welcome to Springfield. Senator O'Malley, what purpose do you rise?

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR O'MALLEY:

Mr. President, for purposes of announcement. There will be a meeting of the Senate Financial Institutions Committee at noontime in Room 400.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Tom Walsh, what purpose do you rise?

SENATOR T. WALSH:

Thank you, Mr. President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR T. WALSH:

Well, first of all, I'd also like to represent President B -- or, welcome President Bushy here. And I would also like to introduce a group that is down here from Westchester, from Divine Infant School. They're here with their exhibits to the State level for the Chicago Metro History Fair and these are all State finalists. We have Christina Tassi, Joe Broucek, John Saraceno, Courtney Barry and Christina Borrelli, and they're here with their families in the President's Gallery and I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. On page 2 of today's Calendar is the Order of House Bills 3rd Reading. Senator Butler, what purpose do you rise?

SENATOR BUTLER:

Purposes of an announcement. The Local Government Committee will meet in A-1 at 1 p.m. A-1, 1 p.m.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The intent of the Chair is to proceed to the Order House Bills 3rd Reading for the purposes of recalls. Sponsors should be ready to recall their bills for the purpose of adopting Floor

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

amendments. Returning to page 2 of today's Calendar, in the Order of House Bills 3rd Reading, sponsors are strongly encouraged to call their bills today. As the deadline is fast-approaching, there's no guarantee, and I stress that there is no guarantee, that this order of business shall be taken up again. Senator Larry Walsh, what purpose do you rise?

SENATOR L. WALSH:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR L. WALSH:

Ladies and Gentlemen of the Senate, it's an honor and a privilege to introduce somebody today that is no stranger to any of you, the Honorable Judge Tom Dunn who was a Member of this Senate, and his lovely wife, Bonnie, who's down visiting us. Welcome again.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Judge Dunn and Bonnie. ...will now go to page 2 of today's Calendar in the Order of House -- House Bills 3rd Reading for the purpose of recalls. Sponsors, please be ready to recall your bills for the purpose of adopting Floor amendments. We will now proceed to House Bills 3rd Reading. On the top of page 3 and in the Order of House Bills 3rd Reading is House Bill 1151. Senator Cullerton. Mr. Secretary, read the... Senator Cullerton, do you seek leave of the Body to return House Bill 1151 to the Order of 2nd Reading for the purpose of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1151. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Cullerton, Dillard and Hawkinson.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This amendment was adopted in the Judiciary Committee yesterday. It's a product of a compromise. The bill deals with the tort -- Local Government {sic} and Governmental Employees Tort Immunity Act, and this bill reaffirms that the definition of willful and wanton conduct, which is in the Act, is intended to apply. We talk about the -- in this amendment, the -- whether or not there's a -- a duty to supervise. We make it clear that if -- if one has undertaken the supervision, that they can be liable if the conduct involves willful and wanton conduct. That's really the purpose of the -- of the bill. And then we also make it clear, however, that if there's -- if there's no duty imposed to supervise, that we're not creating one by this bill. So it involves a compromise. It was adopted unanimously by the Judiciary Committee and would ask that we adopt it on the Floor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1217. Senator Sieben. Senator Sieben. House Bill 1222. Senator Hawkinson. Senator Hawkinson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Hawkinson seeks leave of the Body to return House Bill 1422 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1422. Mr. Secretary, are there any

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 2 is at the suggestion of the Illinois State Bar Association...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Hawkinson. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Amendment No. 2 is at the suggestion of the Illinois State Bar Association. The underlying bill is the protection of the Right of Publicity bill and the amendment goes to the definition of a "reasonable" person and it adds the word "ordinary." I would ask for the adoption of Senate Amendment No. 2 to House Bill 1422.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Yes, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR CLAYBORNE:

Today in -- in -- sitting in my seat, I have Honorary Pages for the Day, Mason McDaniel and Patrick Davis, that are here, and I'd like the Senate to -- to recognize them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Back to the adoption of the amendment. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1640. Senator Cronin. Senator Cronin, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Cronin seeks leave of the Body to return House Bill 1552 to the Order of -- 1640 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1640. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This -- Senate Bill -- Senate Amendment No. 2 deletes everything and now becomes the bill, and it is a trailer bill dealing with House Bill 452, which we passed last year, which is school funding legislation. This just cleans up some of the language that's involved with it. I'd like to go through and mention a few of the more important aspects of the amendment. First of all, we changed the name of the -- from School Construction Fund to the School Infrastructure Fund. That was a suggestion of the Bureau of the Budget. There's language here dealing the the administrative cap. I know a lot of you have heard from school superintendents at the local level, concerns that they've had about administrative cap problem. Obviously what's happening at the local level, some of that was not intended and we clean that up with several pieces of -- of language here. A lot of technical language that deletes some obsolete language that -- no longer necessary. We add once again the calculation



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

rate for high school districts. We take that from a dollar twenty to a dollar. This change was Senate Bill 1247, which unfortunately is still in the House Rules. This has a cost factor of somewhere around fourteen million dollars. We're not sure exactly what that might be, but that is also in here. We do have some provisions in regard to the "double whammy" grant. We make sure that school districts that are under the tax cap will access State dollars through the operating tax rate. There's some clarification language in regard to the probation time for schoolteachers. Other than that, Mr. President, it was all agreed to and flew out of committee, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Would the Member ask -- would the Senator yield for a question, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator Watson, I -- can you explain to me some of the changes that are taking place with respect to the construction bond proceeds into the School Infrastructure Fund? I -- I don't really understand why we're doing that. I'm sure there's...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

The Bureau of the Budget requested that change at the urging of bond counsel, Chapman and Cutler. They -- they're the ones who asked for that consideration, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Also, I understand that there's language in here that says, that proration of hold harmless payments, I assume, ends -- I'm sorry, calls for the proration of hold harmless payments if the appropriation is short. Do you anticipate the appropriation to be short with respect to the hold harmless and how is that going to affect the school districts?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Senator Mahar's bill yesterday had that language in it, Senator, that had the continuing appropriation for high schools. That passed here. It went to the Governor. There's no longer a need for that, and that -- that's the reason for that change.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Can you indicate -- is all the "double whammy" language that affects -- can -- can you tell us what you're doing with respect to that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson...

SENATOR DEMUZIO:

I know we're making a correction. I'm sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Most of the language in there is technical. But there -- one provision is, in regard to the "double whammy," if because of the tax cap a school district would fall below the qualifying tax rate, what happens is that they would not access what State dollars they should, and what we're saying here is that at least if they do -- if that does happen, they will still access the

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

State dollars that they are entitled to.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

And finally, with respect to the administrative spending caps, this provision, I suspect, that's contained in here now, is that -- meet all of changes that were heard in committee, including the changes that were requested by the superintendent from Jacksonville, for example?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Well, we had, as you know, Senator Demuzio, quite a few superintendents who testified, so I'm not sure that we could say that every single issue was -- was addressed in this. We attempted to. Did the best we could. We hope that this cleans it up so that we know what the intent of the language is, and that is an administrative cap and not impacting other problems that have been identified by local school districts.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Could you clarify, what is the language that we are changing here to somehow or other afford the regional superintendents the contract for the operation of alternative schools, and how does that affect the existing school aid formula?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair would ask that the Members take their conferences off the Floor please, and be in their seats. It's getting a little bit too loud in here. Senator Watson.

SENATOR WATSON:

Well, this is a request of the State Board of Education and it

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

just clarifies that regional superintendents can operate an alternative school. It has no impact on the State aid formula.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess what concerned me was, I got the interpretation from reading the analysis here, and not the language of the bill, that would afford the regional superintendents to contract out with some other group to run the alternative schools?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Well, I guess, if I'm -- I understand that some are doing this now. This gives them that clear authority to do so.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Is it illegal for them now to contract out for the alternative school and we're just legitimizing what they're doing?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair will not proceed until it gets quieter in the Chamber. Senator Watson.

SENATOR WATSON:

Yes, this -- this language was in the old school aid formula and now we're just putting it in the new school aid formula, so they're not in violation at this point and we don't want them to be in violation in the future.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Finally, let me just ask you with respect to the changes that we're making that will boost the State aid to the high school

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

districts. I see here it will be about a 14.6 million dollar differential. Now, that differential will be -- is there a computer printout now available for the Governor's level plus these formula changes so that we could see how each of the changes affect our districts within our district?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

We -- we have a printout available in regard to Senate Bill 1247, if -- certainly our staffs will -- will share that with you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Perhaps you could share that with us before we get to the Order of 3rd Reading so that we'd have some -- I see your staff is shaking his head yes? I'm waiting for you to shake your head yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Well, our excellent staff would be glad to share what we have available for your staff. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, let me ask you one final question, with respect to the homestead exemption that's covered in House Bill 452. That contained a provision that required the school districts to limit the annual growth in the administrative spending to the lesser of five percent or the growth in instructional cost and -- then I guess the question is -- is -- is now, is what, in effect, are -- are we saying here by -- as a result of taking the administrative cap off?

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

The idea of the cap originally, of the five-percent cap, was to just limit increases of superintendents and those in the administrative level to a five-percent increase. Unfortunately, when the rules were written and interpretations were made, it went -- it went much further than that. This gets it back to the original intent.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Originally, in 452, there was a provision that struck language that had been in effect for a few years around here that somehow or other the homestead exemption -- exemption for the County of Cook, they were afforded the opportunity to somehow or other use that, even though they gave that exemption to effectuate more dollars being put into the formula, and somehow or other there's an eighteen-million-dollar shift this year?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Senator, that's unrelated to this piece of legislation, totally, and I can't -- I can't respond.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, you're changing other changes to 452 that were passed and so it really isn't unrelated. So, I mean, it just indicates to me that in addition to the 14 million that we're changing for the high school districts with respect to the change that you're making now, that also -- this is an opportunity to effectuate the

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

other change that might save the downstate school districts about eighteen-million-dollars with respect to that EAV question. So perhaps during the interim here, I might be able to talk to your brilliant "crack" staff over there and maybe we might have an opportunity to fix that sometime during the day, too.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 3, offered by Senators Burzynski, Luechtefeld and Mahar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Senate Amendment -- or, Floor Amendment No. 3 deals with an issue relative to certification of K-12 and special certification processes for those individuals who teach fine arts, music, special education, et cetera, reading. This is something that we felt was important to deal with during this Session, in order to avoid problems that smaller school districts might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 4, offered by Senators Philip and Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

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

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Amendment No. 4 adds language to address a financial situation of Crete-Monee Community Unit School District 201-U in Will County. There has been much attention focused on the plight of the south suburban Cook County area school districts. There's some somewhat unique problems that they face and Crete-Monee seems to be the -- the leader in terms of their articulating the problems in that area. They seem to have a unique set of problems and so we are offering a unique solution to them. This amendment allows any district that has been previously certified as being in financial difficulty to request to be recertified as a result of continuing financial problems. Any district that is certified or recertified, as the case may be, as being in financial difficulty must adopt a financial plan and be approved by the State Board of Education. All future financial transactions of the district must comply with the approved financial plan. Crete-Monee has been previously certified, as have fifty-five other districts throughout the State, although Crete-Monee is the only district known that wants to be recertified. It also allows districts that have been certified as being in financial difficulty to request emergency financial assistance grant. Certified districts already have the authority to request emergency loans. Any district that requests emergency grants will then have a three-member financial oversight panel. It provides that the interest rate for the payback of the emergency loans shall be no more than half of the most recent three-month Treasury bill rate. And this is essentially legislation that we have drafted, crafted, in response to a unique set of problems in that south -- south suburban area, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 4, in the Order of House Bills 3rd Reading, is House Bill 2589. Senator Luechtefeld. Senator Luechtefeld, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Luechtefeld seeks leave of the Body to return House Bill 2589 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2589. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senate Bill -- or, Senate Amendment 2 to House Bill 2589 simply deletes the age exemption and lowers the remaining CE exemption, stipulated -- stipulating that it shall be given to those with twenty-five years of service who don't work more than fourteen hours a week. It also grandfathers in current age-exempt individuals and allows the -- the DPR to notify, in writing, licensees of any rule changes in the Act. This particular situation deals with cosmetologists and -- as far as their continuing education is concerned, basically allowing them to no longer have to take continuing education after twenty-five years of experience. I would appreciate the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR BURZYNSKI:

For the purpose of an announcement, please. Thank you, Mr. President. Ladies and Gentlemen of the Senate, we have with us a group of students today from my district, from St. Mary's School, in DeKalb, with their teachers, with parents. We'd like for them to stand and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to the Senate. Senator O'Malley, what purpose do you rise?

SENATOR O'MALLEY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR O'MALLEY:

I'd like to note that we have a couple of young men visiting us here today who were invited back to the reunion of former State Legislators. We have with us Romie Palmer, who served from 1967 to 1976 in the House of Representatives, and he did it with great distinguishment from -- from the Village -- from the Township of Worth and the many communities there. We also have Herb Huskey, who also served in the House from 1973 to 1982. And I might add, they're both here with their brides, so if we could give them a warm welcome and acknowledge...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome, to our former colleagues, to the Senate. Senator Kehoe, what purpose do you rise?

SENATOR KEHOE:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR KEHOE:

I'd like to introduce Ryan Easterling and Jesse Rising, Honorary Pages for the Day. They're second-grade students from Baum School in Decatur and they're here helping me out, making sure my computer's turned on correctly. And their mothers are also here in the gallery today, and I'd like you to give them a welcome here today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. You're wearing some fine looking badges on you. On the bottom of page 4, in the Order of House Bills 3rd Reading, House Bill 3026. Senator Walsh. Thomas Walsh, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Thomas Walsh seeks leave of the Body to return House Bill 3026 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3026. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman. Senator Berman yields to Senator Walsh.

SENATOR T. WALSH:

Amendment No. 2 is a technical amendment that was requested by LRB to add an introductory Section, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SECRETARY HARRY:

Amendment No. 4, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. This amendment addresses Bi-State Metropolitan Development District {sic} (Agency) in the Bi-State area Metroeast. It just allows clarification of a tax-exempt status similar to what we did last year in House Bill 1817 for the RTA, METRA and PACE, and others.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 5, in the Order of House Bills 3rd Reading, is House Bill 3129. Senator Luechtefeld. Senator Luechtefeld, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Luechtefeld seeks leave of the Body to return House Bill 3129 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3129. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Amendment

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

No. 2 to House Bill 3129 deletes the language regarding surface coal mining permit applications and adds, as amended, E85 language and new language regarding the Kyoto Protocol. Basically, with the Kyoto Protocol, we're basically saying that the State of Illinois cannot enter into or pass any new legislation with regard emissions and so on, until the present Kyoto Treaty is -- is approved or disapproved by the Senate of the United States. Would appreciate your vote on that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, did I understand you, is -- is all the language that was subject of some debate in committee regarding the permit process deleted by this amendment?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it has been.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SYVERSON:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SYVERSON:

Up in the President's Gallery we have a current Senator, Senator Brad Burzynski. I would ask that we welcome him to the Chamber. Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski, get back to your seat. House Bills 3rd Reading. House Bill 3257. Senator Butler, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Butler seeks leave of the Body to return House Bill 3257 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3257. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Butler.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, Floor Amendment No. 2 states that the Illinois Department of Transportation will be excluded from maintaining the elaborate documentation whenever there is a generation or transportation or recycling of -- of construction materials. However, this does not -- does not take the requirements away from their subcontractors. They are included.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3279. Senator Karpel. Senator Karpel, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Karpel seeks leave of the Body to return House Bill 3279 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3279. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Karpel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. The underlying bill is to put two more members of a public institution on the Violent Crimes (Advisory) Commission -- Commission, and this amendment simply says it can be either public or private colleges.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the middle of page 6, in the Order of House Bills 3rd Reading, is House Bill 3811. Senator Radogno. Senator Radogno, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Radogno seeks leave of the Body to return House Bill 3811 to the Order of 2nd Reading for the

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3811. Madam -- Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment is a correction so as to specify what documents must be presented by PTAB, Property Tax Appeals Board, in Cook County, to other assessing officials and also guarantees that the free brochures will be available to the taxpayers. I move the adoption of Amendment No...

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. With leave of the Body we will return to House Bill 1217. Senator Sieben. Senator Sieben, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Sieben seeks leave of the Body to return House Bill 1217 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1217. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Members of the Senate. Amendment No. 1 deals with the court volunteers and it extends immunity to them for those services provided, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Amendment No. 2 also does a similar provision by adding Good Samaritan Act immunity to those people utilizing automatic external defibrillators, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reports.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. If the Members will turn to the middle of page 2, in the Order of House Bills 3rd Reading, we will be going through the Calendar in the Order of House Bills 3rd Reading. And all the sponsors of these bills are strongly encouraged to call their bills today. As the deadline is fast-approaching, there is no guarantee, and I stress that there is no guarantee, that this order of business shall be taken up again. So if you are ready, Ladies and Gentlemen, we will now proceed to the Order of House

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Bills 3rd Reading. ...Garcia, what purpose do you rise?

SENATOR GARCIA:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GARCIA:

Mr. President and Members of the Senate, I'm very happy this morning to introduce to you the Eli Whitney School graduating class of 1998. They are here bright and early this morning. Would you stand and give them -- would you -- would you please stand, Eli Whitney, so that you can be warmly received by the Illinois Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR LUECHTEFELD:

I have two young ladies here today from my district who go to Immaculate Conception Grade School. Both of them are eighth graders. They're Pages for the Day. First of all, on my right, Bridgette Swift, would you stand please? And -- and also, on my left, Katie Leonard. Would appreciate if the Senate would recognize them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to our guests in Springfield. House Bills in the Order of 3rd Reading. House Bill 525. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 525.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 525, as amended at this time, is an agreed TIF legislation. At this time, it will go to the House. There are some details to be worked out in a conference committee report. I would defer to the sponsor of the amendment, which became the bill, Senator Radogno, if you have any questions. And I ask for your support on House Bill 525, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Have the necessary changes been made on this type of bill and that are approved by the Illinois Municipal League?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

As far as I know, Senator Geo-Karis, the -- the Municipal League is -- is fine with this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Yes, not discussion; however, my computer seems to be locked up and we don't have an analysis on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Any further discussion? If not, the question is, shall House Bill 525 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 525, having received the required constitutional majority, is declared passed. House Bill 644. Senator Butler. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 644.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, House Bill 644, as amended, authorizes the State Board of Election to conduct a mock test of the -- of all direct recording electronic voting systems, which might be presented to them for the test, and they are then to report the results to the General Assembly. We've asked that the testing include a mock voting procedure and a mock contested election so we have both pre- and post-campaign information. In no case will this move forward unless it is authorized by the General Assembly. I'd be happy to answer all questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 644 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 644, having received the required constitutional

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

majority, is declared passed. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I just wanted to state, as I've stated several times before, that there may be an apparent conflict of interest for me voting for -- House Bill 525, since I'm a former mayor and since I am a village attorney. But I did vote my conscience. I just want to state it for the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will so reflect, Senator Geo-Karis. House Bill 646. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 646 presently has been amended and -- and is truly a vehicle bill. As most of you know, there have been ongoing negotiations for the last year and a half or so with respect to the 9-1-1 system across this State. I have personally been involved in some of the negotiations; I've met with them, they've been meeting on their own. They're getting closer on -- to an agreement, but that agreement has not yet been reached. So it is the intent of the sponsor to move this bill out of here and get it in conference, and I would seek the Body's support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 646 pass. All those in favor will vote Aye. Opposed will

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 646, having received the required constitutional majority, is declared passed. On the top of page 3, in the Order of House Bills 3rd Reading, is House Bill 884. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 884.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. House Bill 884 amends the Property Tax Code in several sections affecting the purchase of delinquent property taxes and amends the Municipal Code to streamline the condemnation process of delinquent or abandoned properties. It allows municipalities to utilize court-appointed special process servers in order to reduce any service backlog for a property that's designated for condemnation. As amended, it clarifies that a property owner does not have to file a protest prior to redeeming property that has been sold at a tax sale. That was the original intent of the law and would correct two different rulings from an appellate court. And finally, 884 makes some rather technical changes in the sale in error system. This occurs when a property's unpaid taxes are purchased, but an unforeseen problem with the lien or the title is discovered after the tax sale. Often two different buyers have purchased the same property at succeeding tax sales. Often if the first buyer gets the sale in error, the second buyer automatically becomes responsible for the taxes previously paid or undiscovered and interest. This is often

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

-- can require substantial additional investment or the loss of the original investment if the second buyer is unable to get a sale in error on the same grounds. 884 has been amended to prohibit interest from being granted to a tax buyer who gets a sale in error in these circumstances, and the bill is clear in stating that the sale in error would not be granted after a tax deed has been issued. I will try to answer any questions. This is a fairly technical issue, but I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton.

SENATOR CULLERTON:

Could you explain again the provision dealing with the reversal of the 1995 appellate court ruling?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Yes. As I understand it, this -- it would clarify that a property owner does not have to file a protest prior to redeeming property that has been sold at a tax sale.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 884 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. And House Bill 884, having received the required constitutional majority, is declared passed. House Bill 1151. Senator Cullerton.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1151.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This bill was explained earlier today when we adopted an amendment that was in committee. It's truly a compromise amendment to the Tort Immunity Act. The best example of that is to indicate that not only is the bar associations and the Trial Lawyers in favor of it, but also the Illinois Civil Justice League. Other entities that are involved that are -- that are in the negotiations include the Illinois Governmental Association of Pools, Park District Risk Management Agency, the Intergovernmental Risk Management Agency, the Northwest Municipal Conference, the South Suburban Mayors and Managers Association, Illinois Association of County Board Members and Commissioners and the Metro Counties. The reason why all of these people were involved is because it's kind of a significant bill. This involves an issue that we debated last year. Actually we passed the bill; the Governor amendatorily vetoed it. We did not accept the amendatory veto and so we came back this year to try to reach a compromise. The -- it's my intent to put legislative intent into the -- into the record by having Senator Cronin ask me some questions that might flesh out the provisions of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, I guess I might have missed it during your explanation, does the amendment pretty well satisfy the Municipal League's objections?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. There's a long list of people I just read who are in support who we had negotiations with, Municipal League, as well as the parks districts and the Association of Pools and those entities as well. But what it -- what it basically does is, it does allow for a cause of action when there's willful and wanton behavior that you can demonstrate when -- when we're talking about supervising activities. And we make it clear that willful and wanton definition is reaffirmed; it's in the law now, we reaffirm it. We also make it clear that it doesn't impose any new duties on these entities, but only if they take upon themselves supervision, then if there's a willful and wanton behavior, then there could be a cause of action that could prevail.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, I'm supposed to find out if you included the Township Officials also? But, in addition to that - I understand you've had negotiations ongoing - but is the Municipal League now on board?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Senator, assuming the -- our analysis in the -- in the computer here is inaccurate, because in that analysis it says that the Municipal League and the City of Chicago, Cook County Board, those people are opponents. So, what has happened? Has there been an amendment to this bill, or -- and they've now dropped the opposition to the bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator, that's a good point. The analysis that we have is in error. We did adopt an amendment yesterday in Judiciary and today on the House Floor, and from what I understand, there is still two potential opponents; one is the Corporation Council's Office in the City of Chicago, and I believe the Park District Association might still be opposed and -- and indicated in witness slips, although they did not testify. But the other entities that I listed here as being opponents are actually proponents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

Thank you...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator, I beg your pardon. Senator.

SENATOR PARKER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Collins, you didn't have your light

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

on. Senator Collins.

SENATOR COLLINS:

I'm sorry, because you have to cut the lights off for each other, but -- but I wasn't through, I'm sorry. Yet I have the amendment here, Senator, the last amendment and it says opposition is City of Chicago, Association of Park Districts. So, now I understand that the analysis is the last analysis on the bill but I have here in my hand the last analysis on your amendment and they still are in opposition, so I just...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes, I indicated there's -- I believe there's two -- of all of the -- the groups that were involved, there are two that are still opposed to the bill that did not testify in committee. I indicated they would be the City of Chicago Corporation Council's Office, and the Park Districts. The other entities that I listed are in favor of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

I -- I believe he answered my question but I want to clarify, 'cause I have on here also that the Illinois Association of Park Districts, Chicago Park Districts and the City of Chicago are still opposed to this amendment. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Your bill includes the fact that if there's wanton or willful misconduct, that certainly those are grounds. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes, that's correct, Senator. This bill, you may recall, came out of the incident that occurred up in Zion, at the swimming pool. We dealt with it last year but never passed the bill, and this is in response to that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And you've provided the other provisions -- the compromise provisions in there. I rise in favor -- to speak in favor of the bill because when there is wanton or wanton -- willful misconduct, I think that's pretty bad misconduct and certainly that should be considered.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of the bill. I rise to direct some questions to the sponsor for purposes of legislative intent. And I rise to disclose that I may have an apparent conflict of interest in this bill, but I am voting my conscience. I take my experiences as an attorney, and consistent with the Constitutional Convention of 1970, and try to be a better legislator because of it. With that, I'd like to direct a couple of questions to Senator Cullerton for purposes of legislative

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

intent. Is it the intent of this bill to impose a duty on public entities to supervise activities on or the use of public property?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

No. The language of the bill was carefully developed to avoid imposing a duty upon public entities to supervise the many activities that take place on its property, or to supervise all of its property, but provides a remedy for a willful and wanton breach of a duty otherwise imposed by common law Statute, ordinance, code, or regulation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

If a public entity has a duty to provide supervision as required by law, administrative code or other regulation, does this bill address the situation when the public entity does not provide such supervision?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. If supervision is required by law or other such legal regulation, liability can be imposed upon a public entity or employee, if either is guilty of willful and wanton conduct which causes injury.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

If the public entity decides to supervise an activity on or the use of its property even when not legally required, can the public entity or employee be held liable for their actions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Senator Cullerton.

SENATOR CULLERTON:

Yes. The the major component of this bill is to impose liability when a public entity undertakes to supervise an activity on or the use of public property and the public entity or employee is guilty of willful and wanton conduct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

What is willful and wanton conduct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Willful and wanton conduct is specifically defined in the Tort Immunity Act and is intended to be a very high standard, which is considerably more than negligence. To be guilty of willful and wanton conduct, a public entity or employee must engage in a course of action which shows an actual or deliberate intention to cause harm or, if not intentional, shows an utter indifference to conscious disregard for the safety of others or their property.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Is it the intent of this bill to ensure that the definition of willful and wanton conduct provided in the Tort Immunity Act be applied in all cases where a willful and wanton exception is incorporated into the Act?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. A sentence has been added to the definition of willful and wanton conduct in the Act clarifying that the Statutory

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

definition be used for cases affected by the Act and that other definitions of willful and wanton conduct that may have or will be provided through the common law shall not be used in such cases.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

And finally, is it the intent of this bill to affect only those injuries that occur after its effective date?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. This bill will only affect injuries that occur after the bill becomes law and does not affect injuries that occurred prior to its passage and shall not be applied retroactively.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 1151 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. And House Bill 1151, having received the required constitutional majority, is declared passed. House Bill 1217. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1217.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation, as amended, deals with the issue, the single subject of immunity as it relates to

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

volunteers. The first area of immunity would be extended to an individual involved in an Alcohol and Drug Addict {sic} Intervenor and Reporter Immunity Law for reports, findings and proceedings and data relating to an intervention. The second immunity would be extended to court volunteers, and the third would be -- would involve the individual who uses automatic external defibrillators, provided that they have received the appropriate training in the use of that defibrillator. And I'd move for its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1217 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 1217, having received the required constitutional majority, is declared passed. House Bill 1422. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1422.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. The right of publicity is the right of an individual in his identity or her name. Applies to people who have gained some fame or notoriety. It is recognized in the common law as a property right. And this proposal comes to us with a Bar Association amendment on it - I think that removes all opposition - which essentially codifies the common law and recognizes a -- a property right in the right of publicity. Be happy to try and answer questions, otherwise ask for your



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1422 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 1422, having received the required constitutional majority, is declared passed. House Bill 1552. Senator Madigan. House Bill 1640. Senator Cronin. House Bill 1685. Senator Cronin. House Bill 2091. Senator Rauschenberger. House Bill 2295. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2295.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 2295 is a bill that affects the -- the City of Kankakee, Illinois. And currently under law, each downstate public transit district is paid an amount from the Downstate Public Transportation Fund equal to forty-nine percent of its equal operating expenses. In -- in FY'99, that percentage increases and it does for the next three years. At no time, under current law, can a community exceed the ten-percent-funding-increase ceiling. And because Kankakee is starting a new -- a new transit authority there, their -- their amount for this year would be greater than the ten percent. This takes no money from other transit authorities around the State. It is -- this is, as I understand, a start-up for the City of

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Kankakee. I know of no opposition and would seek your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2295 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 2295, having received the required constitutional majority, is declared passed. House Bill 2306. Senator Mahar. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2306.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. This amends the Illinois Vehicle Code, Criminal Code and Code of Corrections to punish and deter repeat DUI offenders. It's comparable to the bill which this Chamber had voted on and sent to the House, with the -- with three exceptions: First of all - and this was a concern expressed by a number of Members - it takes out the .20 blood alcohol content provision that was in the Senate bill; it adds a special protection for spouses of DUI offenders for -- forfeiture in hardship cases; and finally, it limits the number of times an offender can receive court supervision for driving while license revoked or suspended, where the original suspension was for statutory summary suspension, DUI, reckless homicide, or leaving the scene of a serious motor -- motor vehicle accident, to one time within a ten-year period. There was no opposition to this -- this amendment in committee. And I'd be happy to answer

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2306 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 2306, having received the required constitutional majority, is declared passed. Senate -- House Bill 2363. Senator Peterson. House Bill 2446. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 2446 was sent to this Chamber by Representative Brady and it has been amended to conform to the provisions in Senate Bill 1503, and it redefines the Home Invasion Statute to close what was considered to be a loophole. Under existing law, a person who is prohibited from entering a residence by order of the court, through an order of protection, divorce decree, dissolution of marriage or other court order, cannot be prosecuted for home invasion if he or she has an ongoing legal interest in that property. The amendment closes this loophole by defining "dwelling place of another" to include a dwelling place in which the offender has a legal interest but has been specifically barred by -- by the court order. I believe this conforms to -- I believe it was Senator Geo-Karis' bill. I could stand corrected. But

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

nonetheless, I would seek the Body's support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will -- he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, is this the bill that Representative Brady spoke with us about yesterday, about stripping the amendment -- the Senate amendment off?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

That -- that is correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

And is the amendment no longer on the bill, then?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

No, the amendment is on the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 2446 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 2446, having received the required constitutional majority, is declared passed. The bottom of page 3, in the Order of House Bills 3rd Reading, is House Bill 2503. Senator Karpel.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2503.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 2503 amends the Freedom of Information Act to include in the definition of "public record" complaints, results of complaints, and Department of Children and Family Services staff findings of licensing violations at day care facilities. It provides that no personal or identifying information may be released. This bill stemmed and came from an editorial in the St. Louis Post Dispatch, which then discussed how DCFS kept day care violations secret from parents. That was the genesis of the bill. DCFS is in favor of the bill. And I ask your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2503 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 2503, having received the required constitutional majority, is declared passed. On top of page 4 of your regular Calendars, in the Order of House Bills 3rd Reading, is House Bill 2560. Senator Fawell. House Bill 2589. Senator Luechtefeld. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2589.

(Secretary reads title of bill)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. We explained the amendment to this bill a little earlier this -- this morning. The amendment is the bill. It simply deletes the age exemption and lowers the remaining continuing education exemption, stipulating it shall be -- shall be given to those who have twenty-five years of service in the business and who do not work more than fourteen hours a week. It also grandfathers current age-exempt individuals. And would appreciate -- answer any questions and appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2589 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. And House Bill 2589, having received the required constitutional majority, is declared passed. House Bill 2630. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2630.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 2630 is identical to Senate Bill 1555, which passed out of this Chamber some weeks ago. It is the results of the work

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

done by the Public Investor Task Force. And Senator Trotter and I both served on that task force, and he serves now as a co-chair -- a cosponsor of this bill. The bill specifies that the level of detail and complexity of policy be appropriate to the amount, nature and purpose of invested funds. The policy is to address the safety of principal, liquidity of funds and return on investment. We've found that as we held these task force meetings around the State, that there really were no guidelines in place, and we're not mandating, exactly, specifically what those guidelines are, but there should be policy by every local entity that's investing funds. And that, Mr. President, is -- what this bill does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2630 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2630, having received the required constitutional majority, is declared passed. House Bill 2643. Senator Sieben. House Bill 2668. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The USEPA has given us a deadline concerning underground storage tanks that we have to comply with by December 22nd, 1998. And

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

what this bill does is it requires the Office of the State Fire Marshal to set up a certification for underground tanks, in compliance with rules which they will promulgate. The bill comes from the Office of the State Fire Marshal and is agreed to by the Illinois Petroleum Marketers' Association. And essentially, it sets up a evidence of compliance or noncompliance situation in a facility in which an underground storage tank is located. It's commonly referred to as a "red tag/green tag" type of law. We are under the gun to do something like this from the USEPA. I don't know of any opposition. I'd be happy to answer any questions, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Dillard, is this going to result in some gas stations being closed on December 23rd if they are not in compliance?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Welch, I think if they are not in compliance, they will not be able to operate. But I will, again, state that the Illinois Petroleum Marketers' Association is in support of this legislation. And I guess, also I want to add that most of these gas station operators have known for a long time that this is coming. So this isn't any - in fact, it's probably almost ten years - this isn't any surprise to anyone that's out there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR WELCH:

Senator, I'm just curious as to who's going to enforce that closure, because the Fire Marshal doesn't have the ability to travel to all the gas stations in the State of Illinois in -- in the middle of December. Were -- will -- who will enforce that? Will these tags be on the outside of the tanks so that -- on the outside of the gas pump so that just we could even see it ourselves, just gasoline consumers? Or -- or how will that work?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Couple of things: First of all, the Fire Marshal - you're right, Senator Welch - has a duty to oversee this. Also the Department of Agriculture, as we know, is involved with -- with pumps and other things. But most importantly, the deliverer, I believe, of the petroleum or the fuel will, I hope, be trained to look for the red tag or green tag type of certification, which will probably be in a window, I believe. And so there'll be about three different checks and balances: the first and foremost is -- and albeit it probably isn't as strong as we'd like it to be, but we do have cost restraints, that's the Fire Marshal; the Department of Agriculture; and then, the deliverer, or the driver, of the petroleum truck.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

As I -- as I understand this, and I don't quarrel with what we're doing, but as I understand it, do we have enough inspectors over there to comply with this Act before the federal Act kicks in?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR DILLARD:

Thank you, Mr. President. Senator Demuzio, I don't know the answer to that question. It's probably more appropriately directed through the appropriations process and those types of channels when the Fire Marshal is present in the Appropriations Committee, in front of Senator Rauschenberger. I have long suspected, as I think Senator Welch just alluded to, that perhaps we don't have enough manpower at this particular agency to enforce the law as it should be. But that's really a question for the Appropriations Committee, not us. And again, we are under some deadline from the federal USEPA, and it's not a surprise, that this has been coming. I believe, it was 1987 when the filling stations first knew that something was going to have to take place.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DILLARD:

Just appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2668 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 2668, having received the required constitutional majority, is declared passed. House Bill 2700. Senator Dillard. Senate {sic} Bill 2729. Senator Weaver. Senate {sic} Bill 2827. Senator Rauschenberger. Senate {sic} Bill 2860. Senator Fitzgerald. Senate {sic} Bill 2869. Senator Kehoe. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2869.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

Thank you, Mr. President. House Bill 2869 requires a public building commission's annual audit to be presented to the governing body or bodies whose resolutions organized the commission. The bill -- the bill authorizes the governing bodies to order an audit at commission expense if one is not presented to them by the commission. Current law requires public building commissions to keep a true and accurate amount of receipts and disbursements and to have an annual audit made of its books, records and accounts. This bill goes a step further by requiring the annual audit to be presented to the city council or county board, as the case may be, and if an audit is not completed as required, the governing body or bodies that created the commission may order one at the commission's expense. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, according to the analysis, it says that we are authorizing the governing bodies to order an audit at commission expense if one is not presented. Why would we want to do that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR KEHOE:

The commission is already required to submit an audit at commission expense every year. So this would be in case -- in some case the commission did not, for some reason, have an audit, the governing body's going to order it. So there is no additional expense, and they're already, under the Statute, required to submit an audit.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, that's fine and dandy, but here we're talking about PBCs, and isn't PBC plastic pipe?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

Well, I think you're correct, Senator Jacobs. PVC is plastic pipe. I believe it's PBC, public building commission, I -- I believe.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are forty-five speakers that have requested to be recognized. Senator Jacobs.

SENATOR JACOBS:

Just one final question. You know, if we are talking about plastic pipe, we're talking about requiring an audit commission, why are we requiring the taxpayers to pay for this audit?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

The -- as I said, there will be no additional cost to taxpayers. That audit is already covered as part of the enabling legislation, and the taxes paid for the public building commission. So there will be no additional cost, certainly.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DUDYCZ)

Now there are fifty-five, have requested to speak. Senator Jacobs.

SENATOR JACOBS:

Just one final statement, I guess, in regards to the bill. This is a very short bill. Appears to be just another merely bill, but it's -- I think it's one that we should pay awful, awful close attention to.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I'm just kind of curious. First of all, how many taxing districts are affected by -- by this PBC? - or PCB?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

There are approximately thirty public building commissions statewide.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

You misunderstand me. In -- in the particular instance that we're talking about, the reason for this bill to be introduced, how many taxing districts are there in the Decatur area that are -- that are impacted by this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR KEHOE:

The -- the public building commission in Macon County was created by the City of Decatur and it consists of five members on that commission - three appointed by City of Decatur, two by Macon County. So in that impact, those two bodies were affected by it. But again, the public building commission is its own entity in this case.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

The public -- does it have any overlapping members from the county board or from the City of Decatur?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

Not at the present time, it does not. No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

And -- and does the public building commission have any control over the City of Decatur or Macon County?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

The -- the public building commission would have no direct control over them other than, for instance, in this particular county, the public building commission renovated the courthouse and it renovated and created a building for the county office building. In that sense, they would have control, because those entities are leasing space from the public building commission. But they don't have any control over -- specifically over 'em, no.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Senator Burzynski.

SENATOR BURZYNSKI:

Well, Senator, I -- I have some real concerns about public building commissions and their authority. Then, does your -- does your bill kind of restrict their authority or, at least, provide additional oversight? And if so, can you tell me how many rest rooms that the public building commission were -- deemed were necessary for the new courthouse in -- in Macon County?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

I'll try to answer that last question first. That was about the number of rest rooms. I believe they sort of looked at an adequacy type thing, depending on the crowds and the high/low season, and then they went from there. Then on the other question, was about the -- definitely it's additional oversight for the bodies that created the public building commission. Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Going back to my question about the rest rooms, what kind of footing or foundation has to be poured for those? And -- and did the public building commission follow -- oh! The foundation level. Excuse me. There was another question here. And what kind of oversight did the architect make relative to that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe indicates he does not wish to yield any further to you, Senator Burzynski. Senator Kehoe.

SENATOR KEHOE:

Thank -- thank you, Mr. President. Those are definitely good questions. Those are tough questions. Those are hard-hitting questions. I'm not sure about the footing issue, but the

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

architect, I'm sure, had a lot to do with that program. Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Just finally, Mr. President. You know, I have real concerns with public building commissions, legitimate concerns, and their overspending and the fact that we need to audit them. I think, from that standpoint, this is probably a fairly good bill, a fairly good piece of legislation. I am concerned, however, about the -- thank you. I am concerned, however, about the sponsor's inability to answer my questions relative to the rest rooms in the public building commission-funded courthouse. So I -- I don't know. I think I'd have to urge my colleagues to vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The sponsor indicates he will reluctantly yield, Senator Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. Senator Kehoe, in the legislation, it's noted that they are expected to -- or, the legislation says they must conduct an audit. If they don't conduct an audit, is there a penalty for that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

There's no penalty under the current law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

If there's no penalty, then why would they -- why would they conduct the audit, other than just to be good people, good guys?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

You know, maybe under the Public Records Act there is some sort of law back to that. I think the situation we had in this case, that an audit should have been prepared every year and it was not, and this would allow the -- the bodies that created 'em to go ahead and order an audit, in case one was not ordered, to avoid the situation that happened in Macon County. I think when they -- they set up the commission - we are talking taxpayers' dollars - I think an audit would be proper in that case.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Aren't you -- aren't you an attorney, Mr. Kehoe?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

Well, yes, I am an attorney, but that's one aspect of law I'm not quite familiar with.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Well, I find it somewhat disappointing if we are trying to -- trying to correct a problem here, that if you don't put a penalty in for failure to -- to do it, then I don't understand where we're going to accomplish anything.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Walsh?

SENATOR L. WALSH:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

...was a -- that was a question, Senator Kehoe.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are you asking Senator Kehoe whether it was a question?

SENATOR L. WALSH:

Yes, I am asking that question, if he can answer it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

Like -- as I said, there might be a penalty in the local records Act, I'm not sure. But I would just consider this another form of good government, that we need to keep an eye on another body to avoid the type of problems we had.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Well, Senator Kehoe, having served on county boards before and working with public building commissions, I agree with you that they need to probably have this audit annually, the -- the millions of dollars that they -- they handle. It would have probably been better if you maybe were a little better prepared for presenting this bill. But, in the long run, I think maybe our colleagues should approve this bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator -- Senator Molaro.

SENATOR MOLARO:

Thank -- thank you. One -- one of the questions was about whether there was a penalty. And, Senator Kehoe, you said that

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

maybe in another section of the Public Records Act. Well, are we supposed to have staff run out now and find out, or do you think it's the responsibility of the sponsor to know the answer to the question when it's asked? That is a question. So I'd like to know if Senator Kehoe realizes that maybe he should have that answer if he's going to sponsor the bill. So, does he have that answer, or are we going -- is he going to stand by the answer "I don't know"?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

I -- I guess I'll have to stand by the answer that I -- I said earlier, and unfortunately. I know they're required to keep records and receipts and have them on display, as needed, but beyond that, in the local records Act, I'm not sure if there's any -- any sanctions in there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Last question would be, if -- if you're going to stand by that answer: You also said that this is a section of the law that you're not familiar with. Think maybe it would be a good idea that you pick up bills that are a section of the law that you are familiar with? Thank you. That's all I have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Thomas Walsh. Any further discussion? Senator -- Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President. First of all, I rise in strong support of this bill. One thing that will happen as a result of this bill is it will teach honesty, kindness, justice, and more importantly, it will teach respect and

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

discipline for others. And that's why we ought to do it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Klemm.

SENATOR KLEMM:

Well, just a question. Senator, this is about Decatur, and yesterday there was a group down here giving us popcorn and hats. And I really have a concern about the gift ban and some problems about ethics. Maybe you could answer that, how this affects us in the General Assembly, and particularly you, in carrying this legislation for the good folks of Decatur, when they were down here with -- bearing gifts. And I'm concerned. Maybe you could answer that for me.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Kehoe.

SENATOR KEHOE:

I -- I appreciate that question. I'm not surprised at the -- the ethics concerns from the gentleman across the aisle. I think there were no public building commissioners here, and probably the people that gave us popcorn weren't directly involved, at least. So I think it would be okay to go ahead and vote on this one.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR KEHOE:

Thank you, Mr. President. I would just ask for your favorable consideration of this bill. It's supported by the Taxpayers' Federation and the Realtors. It received a unanimous vote in committee and I know of no opposition. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2869 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. House Bill 2869, having received the required constitutional majority, with 54 Ayes, no Nays, none voting Present, is declared passed. Senator Hendon, what purpose do you rise? ...Producer at WSIU-TV has requested permission to videotape. Hearing no objection, leave is granted. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Purpose of announcement. Thank you, Mr. President. Just to remind the Members of the Assembly here that today is Legislative Fitness Day, and we have a group of individuals downstairs doing all of this free testing and screening in Room 118. They will be there until 1 o'clock p.m. It's sponsored by the Illinois Association for Health, Physical Education, Recreation and Dance. And you can get all kinds of assessments: blood pressure, body fat, lung capacity, cholesterol.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The middle of page 4 of your regular Calendar, on the Order of House Bills 3rd Reading, is House Bill 2909. Senator Garcia. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill -- House Bill 2909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. This is a bill that comes out of the State Government Committee. We're continuing a demonstration project that we established last year. It requires that grants made by DCCA as part of job training and economic development demonstration grant programs will be made to support partnerships

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

between community-based providers and employers throughout Illinois to operate training programs that will link workforce needs of local industry with job training of disadvantaged persons.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2909 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And House Bill 2909, having received the required constitutional majority, is declared passed. House Bill 2950. Senator Lauzen. Senator Lauzen. House Bill 3025. Senator Berman. Senator Berman? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3025.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill was requested by the Assessor of Cook County. The -- what it provides for is the homestead improvement exemption for residential structure shall -- the complaint shall be provided with a copy of the building permit to rebuild a structure and any additional information the chief county assessment officer may require.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. Would the sponsor -- thank you, Mr. President. Would the sponsor answer a question or two?

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.  
Senator Berman.

SENATOR BERMAN:

I've been advised that we have an amendment to this. I would like to take it out of the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. The bottom of page 4 on the Order of House Bills 3rd Reading is House Bill 3026. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3026.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 3026, as amended, has two main provisions effective January 1st, 1999. Number one, it allows Cook County to use special process servers when the petitioner for a tax deed is a taxing district and, secondly, last year House Bill 1817 enacted a number of provisions, one of which addressed the property tax status of leaseback arrangements between public and private entities. House Bill 1817 amended the Property Tax Code to clarify the tax-exempt status of property owned by the RTA. This adds property owned by the Bi-State Metropolitan Development District, and this is the amendment we put on earlier. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3026 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 3026, having received the required constitutional majority, is declared passed. The top of page 5 on the Order of House Bills 3rd Reading is House Bill 3028. Senator Cronin. House Bill 3030. Senator Karpziel. House Bill 3029 {sic}. Senator Luechtefeld. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. -- or, Mr. President and Members of the Senate. This particular bill basically has two parts to it. First of all, it deals with the Ethanol 85 language and also with language regarding the Kyoto Protocol, which basically says that the State of Illinois will not enter into new types of agreements or legislation until the United States Senate deals with, either approves or disapproves, the treaty that the government has come up with. I would appreciate your support and would answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3129 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, none voting Present. And House Bill 3129, having received the required constitutional majority, is declared passed. House Bill 3249. Senator Maitland. Senator Maitland. House Bill 3256. Senator Mahar. ...of the



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Body, we will return to House Bill 3249. Senator Rauschenberger. The Chair's been informed that the sponsorship has been changed. ...your pardon. That's -- House Bill 3256. Senator Rauschenberger. Out of the record. House Bill 3257. Senator Butler. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3257.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. Ladies and Gentlemen, House Bill 3257 was a response to the City of Chicago and their problem with "fly-dumping" of materials, particularly construction materials in neighborhoods. The Act prohibits a person from conducting an operation that receives, transfers, recycles or other management of construction or demolition debris. They must maintain a -- a load tickets and a -- and a series of tracking manifests so that at all times there will be a record of the origination of all of the debris. We have simplified the whole process. It is certainly simplified, but it is no less stringent. And I would ask for your support. I will answer all questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, I was trying to figure out your amendment. Is this going to expand the ability to recycle concrete and asphalt

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

throughout the State of Illinois, or is it limited to Cook County, or what's it do?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I'm sorry. I should have made that clear. No, this is for the entire State. In support of your question, it does permit the use of milled asphalt or crushed concrete on such things as shoulders of highways. So it will expand its use.

SENATOR WELCH:

It prohibits recycling concrete for use on highways, or asphalt on highways. Is that what you said?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

No, it's the exact opposite. It does permit it in -- for shoulder work, for example.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, currently aren't -- isn't the concrete and asphalt recycling mostly done in Cook County or collar counties? I don't remember it being done downstate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

I'm sorry. I don't know the answer to that, but if they wish to do it, this is -- the standards have now been established.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Is there anybody opposed to this?

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Not that I know of.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR BUTLER:

I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 3257 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 3257, having received the required constitutional majority, is declared passed. House Bill 3279. Senator Karpiel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3279.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3279 amends the Violent Crimes Victims Assistance Act by adding two new members appointed by the Attorney General to the Violent Crimes Advisory Commission. One person shall be an administrator at a public institution of higher education, and the other one is enrolled as a student at a public institution of higher education. The amendment we just put on also included -- made it include private institutions of higher education, as well. So we're adding two members at the request of

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

the Attorney General because this came up in one of his task force -- one of his task force.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3279 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 3279, having received the required constitutional majority, is declared passed. House Bill 3294. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3294.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is identical to a bill we passed a couple of months ago or weeks ago, a Senate bill, and it set up a State government Year 2000 Computer {sic} (Technology) Task Force headed up by the Director of Central Management Services just to make sure that we are coordinated - and I think we are doing quite a good job of getting ready for the Year 2000 computer problems that might exist. But this sets up a task force, has them report back to us around November so that we are prepared, not only for the fiscal costs, but the technology that we need to have the State of Illinois function on January 1st, the year 2000, with our computers. I'd be happy to answer any questions and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Is there any discussion? If not, the question is, shall House Bill 3294 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 3294, having received the required constitutional majority, is declared passed. House Bill 3363. Senator Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3363.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. Currently, the Department of Agriculture can designate farms that have been owned by families in a lineal line for over one hundred years as a Centennial Farm. This legislation would allow the Department of Agriculture to include collateral descendants as well as lineal descendants. I'd be happy to answer any questions on House Bill 3363.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3363 -- pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bills -- House Bill 3363, having received the required constitutional majority, is declared passed. House Bill 3406. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

House Bill 3406.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 3406 does four things. It adds a new Section to the Revenue Anticipation Act allowing municipalities and counties to borrow from the Illinois Rural Bond Bank for eighteen months one hundred percent of the amount of the federal grant or loan when the bank is acting as a fiscal intermediary for the Department of Agriculture's rural water and wastewater program. Secondly, it increases by fifty million dollars the amount of bonds -- bonds that the Authority can have outstanding. Thirdly, it is our intention to no longer require the Governor's approval for bonds issued without the moral obligation of the State of Illinois. Only the Authority is responsible for the repayment and the State has absolutely no obligation for repayment. Fourthly, it includes the small nonhome rule municipalities from suburban Cook County in the program. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Is it the proponents of this bill and the sponsor's intention if the final reading of the language calls into question whether the Governor's -- whether the language is -- is complete in its effort to only remove the Governor's statutory authority to

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

approve for nonmoral obligation bonds, that you will seek a Governor's amendatory veto to make that correction?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 3406 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 10 Nays, 1 voting Present. And House Bill 3406, having received the required constitutional majority, is declared passed. House Bill 3427. Senator Donahue. House Bill 3461. Senator Mahar. On the bottom of page 5 on the Order of House Bills 3rd Reading is House Bill 3464. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3464.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 3464 creates the Service Contract Act. It provides for financial requirements, reimbursement policies, Department of Insurance regulation, cancellation provisions, disclosure provisions, benefits, recordkeeping requirements and examination and enforcement provisions for service contract providers. Provides definitions and it's effective upon becoming law. We put an amendment on the bill. A number of you may have received phone calls from your --

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

some of your plumbers and electrical contractors and so forth. We put an amendment on the bill that I think everyone agrees with. There should no longer be any opposition to this bill. What the amendment does is provides for an exemption for manufacturers, builders, sellers or lessors of products which -- which is the subject of the service contract, except in the case of automobiles. And I'd be happy to answer any -- any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3464 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. And House Bill 3464, having received the required constitutional majority, is declared passed. Top of page 6 of your regular Calendars in the Order of House Bills 3rd Reading is House Bill 3492. Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3492.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. This bill provides that mentally ill individuals who seek to appeal a decision of the circuit court, and who are indigent, they may get a copy of their transcript for free. And it's a -- costs ten thousand dollars, and -- total cost, and I know of no opposition. I ask for your favorable...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think it's very noble that the good Senator on the other side of the aisle has saw fit to -- to take care of some of the indigent people of this State, and would support that action.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 3492 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 3492, having received the required constitutional majority, is declared passed. House Bill 3515. Senator Maitland. House Bill 3516. Senator Madigan. House Bill 3778. Senator Cullerton. Senator Cullerton. House Bill 3811. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3811.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you. This bill has two separate components. It amends the Property Tax Code to require that the Property Tax Appeal Board provide the chief county assessment officials in each county with one copy of its publications. And secondly, it amends the Illinois Income Tax Act to allow that amounts transferred from a regular IRA into a Roth IRA are not subject to State income tax.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would just remind the Body again that we in Illinois have a flat income tax and we have worked hard, I would think, over the years to keep it a flat income tax by avoiding deductions and exemptions to the -- to the largest extent possible. Right now, when the debate is withering and -- and virulent out there about changing the IRS and getting out of the business of writing deductions and exemptions, I just am not sure that, although this bill's a wonderful idea, it's a good thing to do. The magnitude of -- of granting a deduction when we have a three-percent rate is almost inconsequential and perhaps does not rise to the value to begin the process of -- of encouraging groups who have interests to come down and argue for deductions, a good spending of money. I just would ask the Body to think real hard about whether we should go on this road. Nobody wants to vote against another exemption or deduction, but, I mean, I think we're onto it when we take a look at the standard exemption, which the Bodies - both Chambers - are considering for part of the final package, rather than going piecemeal through the process.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Peterson.

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Peterson.

SENATOR PETERSON:

The amendment that Senator Berman put on regarding the Property Tax Appeal Board, for legislative intent, I believe that to meet that mandate, instead of sending out a brand new book every year, that the PTAB board would be able to send out those pages that were updated - they're in a three-ring notebook - instead of sending out the whole new book. Is that your

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

understanding of this amendment?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Yeah. I would defer to the sponsor of the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

That's correct, Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Would the sponsor like to close? Sponsor...

SENATOR RADOGNO:

Thank you. I'd just like to address Senator Rauschenberger's concerns. I'm glad that he's always looking out for going down the road of various exemptions. But this is -- Roth IRAs are brand new, so we have not been getting any income from those. So if we ever were to do this, it really is a revenue-neutral proposition at this point. Even the Department of Revenue is okay with it. The other thought is it just treats a rollover the same as a distribution, which just seems to be an -- an equitable approach. So I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 3811 pass. She was closing, Senator. The question is, shall House Bill 3811 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, 2 voting No, 1 voting Present. House Bill 3811, having received the required constitutional majority, is declared passed. House Bill 3813. Senator Madigan? Out of the record. House Bill 3814. Senator Philip. Senator Pate Philip? Out of the record. Mr.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Secretary, Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - Motion to Concur with House Amendments 1, 2, 3 and 4 to Senate Bill 1599; to the Committee on Environment and Energy - Senate Amendment 1 to House Bill 3256; to the Committee on Executive - Senate Joint Resolution 69, Senate Amendments 3 and 4 to House Bill 3028, and Amendments 2 and 3 to House Bill 3461; to the Committee on Insurance and Pensions - Senate Amendments 2 and 3 to House Bill 1552; to the Committee on Judiciary - Motion to Concur with House Amendment 1 to Senate Bill 1471; to the Committee on Licensed Activities - Motion to Concur with House Amendment 1 to Senate Bill 497; to the Committee on Local Government and Elections - Senate Amendments 2, 3, 4 and 5 to House Bill 2827, the Motion to Concur with House Amendment 1 to Senate Bill 1306; to the Committee on Revenue - Senate Amendments 1, 2 and 3 to House Bill 2950; and Be Approved for Consideration - House Bill 974, Senate Amendment 4 to House Bill 1552, Senate Amendment 1 to House Bill 3515, and Senate Amendment 1 to House Bill 3516.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, for what purpose to you rise?

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. I would like the record to -- to show that had I pushed my switch on House Bill 2630, I would have been voting Aye.

PRESIDING OFFICER: (SENATOR WATSON)

The record will so reflect, Senator Maitland. Senator Fitzgerald, for what purpose do you rise?

SENATOR FITZGERALD:

Purposes of an announcement, please.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR WATSON)

Please proceed.

SENATOR FITZGERALD:

The State Government Operations Committee will have a meeting immediately upon our adjournment or recess here in the Stratton Building in Room A-1. We will be very brief. We only have one Floor amendment. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Well, thank you, Mr. President. The meetings that were just announced, I think, will have to be delayed, because there is a Republican Caucus immediately in Senator Pate Philip's Office. It'll be approximately one hour.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Given that last announcement, then I -- I'd rise for purpose of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

Proceed.

SENATOR HAWKINSON:

The Senate Judiciary Committee has one matter to consider. We'll be meeting Room 400. I would say at 2 o'clock.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm, for what purpose to you rise?

SENATOR KLEMM:

Well, to announce the Executive Committee meeting and apparently we'll have to meet an hour after the Republican Caucus. I'm assuming that. Well, I prefer it to be one hour from now.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR KLEMM:

One hour from now the Executive Committee will meet in Room 212. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

...don't we just -- why don't we just make them all 2 o'clock? And that way you've got the hour posting, you've got an opportunity to get a sandwich. You know, what's the difference? Twenty minutes. Let's make them all 2 o'clock if it's...

PRESIDING OFFICER: (SENATOR WATSON)

That's a great idea. Senator O'Malley, for what purpose do you rise?

SENATOR O'MALLEY:

Well, I -- I'd certainly accept Senator Demuzio's suggestion. We were -- we were scheduled, the Financial Institutions Committee, to meet at noon prior -- in Room 400 prior to the Judiciary Committee meeting. So we only have one matter that I'm aware of, so I would say we'll work it out with Judiciary as to how we do it. But we'll look for 2 o'clock. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan, for what purpose do you rise, sir?

SENATOR MADIGAN:

Thank you, Mr. President. Following Senator Demuzio's suggestion, then the Insurance and Pensions Committee will be at 2 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson, for what purpose do you rise, sir?

SENATOR SYVERSON:

Following Senator Madigan and Senator O'Malley and Senator Demuzio, the Public Health also concurs with that and we will meet at 2 o'clock in Room 400.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

I don't know where we stand. We were supposed to follow at 1 p.m. We will gather in Room A-1 as soon as Financial Institutions is over, I guess. And -- and Senator Klemm's, Senator Demuzio, everybody, we'll be the last one on the -- on the train.

PRESIDING OFFICER: (SENATOR WATSON)

Any more good ideas, Senator Demuzio?

SENATOR DEMUZIO:

Yes. I have a lot. I'll give them to you so you can discuss them in caucus and then -- you have any idea what time we might be reconvening this afternoon?

PRESIDING OFFICER: (SENATOR WATSON)

Sometime after lunch. Senator Demuzio.

SENATOR DEMUZIO:

I have a suggestion. Why don't you make it before dinner?

PRESIDING OFFICER: (SENATOR WATSON)

There is a lot of confusion and what we're going to do is post the times and notices of the committee hearings on the bulletin board at the door of the Senate Chambers. So I would advise all of us to take a look out there to see what time the actual committee hearing is. There is a lot of confusion and we're trying to clear that up. Remind everybody that it is Physical Fitness Day. So, see you downstairs on the first floor. The call of the Chair, we will reconvene.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR WEAVER)

Committee Reports.

SECRETARY HARRY:

Senator O'Malley, Chair of the Committee of Financial Institutions, reports Senate Amendment 1 to House Bill 3321 Be Adopted.

Senator Fitzgerald, Chair of the Committee on State Government Operations, reports Senate Amendment 1 to House Bill 2643 Be Adopted.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bill 1473, the Motion to Concur with House Amendment No. 1 Be Adopted.

Senator Butler, Chair of the Committee on Local Government and Elections, reports Senate Bill 1306, the Motion to Concur with House Amendment 1 Be Adopted; Senate Amendments 2, 3 and 5 to House Bill 2827 Be Adopted; and Senate Amendment 4 to House Bill 2827 be tabled by sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 209, offered by Senator Jones.  
It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1942, offered by Senator Parker.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 445, together with House Amendments 1 and 2.

We have like Messages on Senate Bill 499 with House Amendment 1, 1272 with Amendment 1, 1280 with House Amendments 1, 2 and 3, 1286 with House Amendment 2, 1424 with House Amendments 1 and 2, 1505 with House Amendment 1, and 1567 with House Amendments 1, 2 and 3.

All passed the House, as amended, May 14th, 1998.

PRESIDING OFFICER: (SENATOR WEAVER)

Committee Reports.

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports Senate Amendments 1, 2 and 3 to House Bill 2950 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Amendments 2 and 3 to House Bill 1552 Be Adopted.

Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 2 to House Bill 2700 Be Adopted; Amendment 1 to House Bill 3254 be tabled by sponsor; Amendment 2 to House Bill 3254, Amendment 3 to House Bill 3461, Amendment 2 to House Bill 3030, Amendment 3 to House Bill 3249, Amendment 4 to House Bill 3028 all Be Adopted; and Senate Amendment 3 to House Bill 3028 tabled by the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

Very shortly we're going to the Order of 3rd Readings. So if the Senators will come to the Chamber, we'll go through the Order of 3rd Readings once more.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Thank you, Madam President. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR DUDYCZ:

Madam President, Members of the Senate, standing beside me is a true Illinois hero. Earlier this afternoon he received an award at the Fifth Annual Firefighting Medal of Honor Awards Ceremony. The gentleman I am introducing this afternoon received the Illinois Medal of Honor. Just to explain briefly what -- what a Medal of Honor -- what a Medal of Honor recipient is or what that award is, the Medal of Honor for a firefighter in Illinois is the highest award given by the State of Illinois to a firefighter for an act of outstanding bravery or heroism by which the firefighter has demonstrated in great degree the characteristics of selflessness, personal courage above and beyond the call of duty under adverse conditions with the possibility of extreme personal risk. Ladies and Gentlemen, I'm extremely proud to have here with us in the Senate, and to introduce to you, Chicago Firefighter Gary Coney, who is the 1998 recipient of the Medal of Honor from the Illinois Firefighter Memorial groundbreaking ceremony that was held earlier. And with -- by the way, Firefighter Gary Coney received his award for an act of heroism. He was involved in an incident where he was able to save the life of a two-year-old in a fire and it was a successful rescue, that the firefighter put himself under extreme duress and was able to save another life. And we are very proud of him here in Illinois. With him are his -- his beautiful wife, Daphne, their -- their future firefighter son, Reece, who is nine years old; and his brother, Todd Nemth, who is also a firefighter - so I guess it's in the family - and his extremely proud mother, Carol Coney Ristow. And I'd like for the Senate to recognize our hero and his family.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome to Springfield. If you're in earshot of my voice, we are going to go to 3rd Readings. Senator Madigan, Senator Cronin will be the first up. If you're within earshot of my voice, please come to the Floor. Senator Madigan, do you wish to return House Bill 1552 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1552. Mr. Secretary, read the bill. Are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke, on Amendment No. 2.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 1552 provides that any policy of accident and health insurance renewed, newly issued, et cetera, after the effective date shall contain coverage for certain outpatient diabetes self-management training and education, and certain equipment and supplies for individuals suffering from type 1, 2 and gestational diabetes. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

Amendment No. 3, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, on Amendment No. 3.

SENATOR MADIGAN:

Thank you, Madam President, Members of the Senate. Senate

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Floor Amendment No. 3 to House Bill 1552 creates coverage for existing and new accident and health policies to provide for colorectal screening for early detection of cancer. The details of that would be that for everyone over the age of fifty, that that test would be provided every three years. For those who have a history in their family of colon cancer, this coverage would kick in at the age of thirty for those people, as far as the colorectal screening and the resultant coverage for that test. I'd be glad to answer any question, and otherwise would ask approval for Floor Amendment No. 3 to House Bill 1552.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

Amendment No. 4, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, on Amendment No. 4.

SENATOR MADIGAN:

Thank you, Madam President and Members of the Senate. Floor Amendment No. 4 to House Bill 1552 allows for those policies that provide for total and permanent disability payments in advance of death on a life insurance policy, that instead of the face amount being able to be exhausted up to twenty-five percent, it would increase the -- that limit up to seventy-five percent. I know of no opponents to this bill -- or, amendment, and would ask for approval.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1552. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1552.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

I'm going to ask if you -- to keep your voices down. I'm hearing conversations. I can almost hear exactly what you're saying out there. I know it sounds a little strange, but it's true. Please keep your voices down and your conferences and take them off the Floor. Senator Madigan, on House Bill 1552.

SENATOR MADIGAN:

Thank you, Madam President, Members of the Senate. House Bill 1552, as amended, creates additional coverage under accident and health policies for those persons suffering from diabetes. It also provides for colorectal screening for early detection of cancer with accident and health policies, and increases the face value of life insurance policies in the event of early disbursement as a result of disability from twenty-five percent of the face value to seventy-five percent of the face value of that life insurance policy in those companies that afford that endorsement. I would be glad to answer any questions on House Bill 1552, as amended.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1552 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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 1552, having received the required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. I have two young men with me today from Immaculate Conception Grade School in Columbia, Illinois that I'd like to introduce to the Senate, Byron Walsh and Matthew Soraghan. If they'd please stand and the Senate would welcome them, I'd appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you stand and be welcomed by the Senate? Welcome to Springfield. Senator Cronin. Senator Cronin, on House Bill 1640. Out of the record. Senator Cronin, on House Bill 1685. Out of the record. Senator Rauschenberger, on House Bill 2091. Read -- out of the record. Senator Peterson, on House Bill 2363. Out of the record. Senator Fawell, on House Bill 2560. Senator Fawell. Out of the record. Senator Sieben, on -- do you wish to recall... Senator Sieben seeks leave of the Body to return House Bill 2643 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2643. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben, on House Amendment -- or, Senate Amendment No. 1.

SENATOR SIEBEN:

Yes. Thank you, Madam President. This is amendment comes from the -- at a request of the Department of Veterans Affairs.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

It adds four additional provisions relative to commemorative days and veterans' fees. It also looks at the -- asking the Department to take a look at the long-term needs of -- for veterans' beds in the State. There's no opposition to this bill, and I would move for the adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2643. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2643.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Madam Chairman. The underlying bill here would increase the amount of reimbursement for the cost of transporting and erecting a memorial marker for -- by the United States from fifty to a hundred dollars. It's been many years since we raised this fee, and then the bill now includes the four different provisions for veterans that I spoke about just a moment ago. I know of no opposition to this, and I would move for the passage of 2643. I would encourage the Members that I -- I will accept cosponsors on this bill. If you're looking for a good veterans' bill, it's probably the only piece of legislation we

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

have this Session for the veterans. You want to get on a good one, you need this in your campaign, it's -- it's a good vote for the veterans. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2643 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 2643, having received the required constitutional majority, is declared passed. Senator Dillard, do you -- seeks leave of the Body to return House Bill 2700 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 2700. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 2.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 2 becomes the bill and this is what is known as the "cyberbooze" bill, and it deals with the purchase of liquor through the Internet system. We have a new proliferation of ways to buy liquor in Illinois and kids are buying -- minor children under the age are buying liquor through the Internet. And this is a bill that -- as we can discuss on 3rd Reading, but the amendment becomes the bill and it regulates the way that liquor purchases are controlled over the Internet. I don't think there is any controversy. There was questions concerning the funding of this, but the Governor has agreed to fund this from the



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

General Revenue Funds so there's no funding mechanism in the bill.  
I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in -- sorry. Senator Rea.

SENATOR REA:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Rea.

SENATOR REA:

Senator, it's my understanding that this does not include the Illinois wineries that will be shipping out-of-state. Is this true and is this your intent of the legislation as being a part of it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Senator Rea, this does not apply to the Illinois Winery Reciprocal Act. Wineries have their own mechanism, different than beer and distilled spirits. And there are these reciprocity agreements among other states. But you and I can talk privately, but I do not think that this will negatively impact the wine industry.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

2700. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. As I just described, this bill sets up a mechanism for Illinois, through the Liquor Control Commission, to get a handle on purchases of primarily beer and distilled spirits through the Internet system. And it requires licensure by the Liquor Control Commission for any person or company who accept orders for alcohol delivery or imports alcohol into Illinois. And the requirements, Senator Rea, as we just mentioned, does not apply to wine orders authorized by the interstate reciprocal wine shipment Section of the Liquor Control Act. We've worked long and hard with United Parcel Service and people who deliver liquor to our doors if it was ordered through the Internet. I think most of the -- if not all of the bugs are out of this thing. And I'm happy to answer any questions and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 2700 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 2700, having received the required constitutional majority, is declared passed. Senator Rauschenberger, do you seek leave to return House Bill... Senator Weaver. Out of the record. Senator Rauschenberger seeks leave of

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

the Body to return House Bill 2827 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2827. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Rauschenberger and Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. The -- I appreciate the leave of the Body. The amendments to this bill do two things. I'll explain them both at the same time. Amendment 2 and Amendment 4 {sic} (5) remove the requirement in the Statutes that we publish the name and addresses of election judges for each election cycle. It's a older part of the Statute that relates back to when people had to prove residency to be judges. And there's been a great deal of concern that election judges who are thirteen hours away for their -- from their homes did not appreciate the State publishing a newspaper notice of where they were going to be. So with the exception of perhaps the -- the newspaper association which will lose a little lineage, there's no opposition. The second part to the amendments that are being offered changes the way we fill the office of circuit clerk. And it says -- essentially requires that the vacancy in the office of circuit clerk shall be filled within sixty days by appointment of the county board chairman with the advise and consent of his county board. Repeals the current Section which provides that vacancies in that office shall be filled by the circuit judges. I'd appreciate their favorable adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Let me ask the gentleman a question, if I might.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Rauschenberger, we -- what -- by virtue of Amendment No. 3 now, we are changing the methodology by which a vacancy in the office of circuit clerk is filled. Currently -- or, it used to be that the -- the manner that you are changing it back to. Is that correct? In other words, it seemed to me, at some point, that the reason that we put the jurisdiction of the -- of the circuit clerk under the judiciary was because of some pay raise -- at some point, as I recall correctly. And it was always the appointing process, similar to that of the county clerk or the treasurer or whatever. Isn't that correct? Are we just going back to the old process?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Demuzio, to the best of my understanding, that's correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Then what's the effective date of this bill, because as a result of this -- this new process with the appointment of a vacancy, then -- I guess what I'm trying to get to is we just passed a bunch of stipends the other day for a number of offices. By -- by virtue of -- of affording the appointment process now to revert back to the county board, I suppose that they're locked into the same election cycle, I guess, as everybody else with

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

respect to the intervals at which they would be eligible to receive their increases in their pay. Does that sound correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

You've now completely lost me, but I would point out that the circuit clerks were not in the -- the Watson omnibus stipend bill this year. They were actually last year. So I -- I think they're probably not affected, but...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, then one final comment I would -- I would make then. Since you are the head of the appropriations process in the Senate on -- in the Majority, we did grant the circuit clerks last year a stipend. The fact of the matter is that we failed to put the money in the budget, and as a result, they have not gotten their stipend. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I wasn't aware of that, but I'm reliably informed that that is correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

What's the prospect of the circuit clerk stipend in the appropriations process being added this year, and if it's added this year, is it retroactive to last year when they were supposed to have received it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR RAUSCHENBERGER:

You know, I don't know, but I will get you answers for that. I guess it's just, again, you know, when -- sometimes when these appropriation bills come out of substantive committees, they forget to notify us in Approp.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Have the substantive committees notified you that we just increased the stipends for the sheriffs and the other county officials this year and that bill's going to be down on the Governor's desk before too long? And are you prepared, at that point, to put the requisite amount of money in the appropriations process so that they can begin to get their stipends, as well?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As the ministerial Appropriation Chairman, I'm always prepared to do what the will of the Body demands. And we make a great deal of effort in the appropriation process to accommodate the needs and the desires of this Membership. I appreciate being made aware of that, and hopefully we'll have some indication from the Governor's Office fairly quickly what his intentions are regarding the stipends.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm just -- I'm just delighted that the gentleman has the feel of the Body these days. Apparently he didn't have it last year. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Carroll. Senator

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Carroll.

SENATOR CARROLL:

Thank you. I thought Senator Demuzio was still speaking. Thank you, Madam President and Members of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Carroll.

SENATOR CARROLL:

In the County of Cook, you happen to have the Clerk of the Circuit Court, the Circuit Clerk, running for the Office of President of the County Board. Should this bill pass, be sent to the Governor and become law, and she happens to win for President of the County Board, she would then become the appointing authority to fill her vacancy and -- and -- it's both questions, because her -- the vacancy in the Clerk's Office would not come about till she was sworn in if she won as President. So she would then become the appointing authority. She's running in the County of Cook as a Republican. However, she had run in the County of Cook as a Democrat when she was elected Clerk of the Court. When she goes to fill her vacancy, is she filling it with a Democrat or a Republican under the terms of the law?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I don't know, but I'm going to get my resume ready. To the best -- with -- with -- with the wisdom of the Cook County Board, I'm sure -- if that -- that -- I'm sure you would agree that very unlikely case were to take place, that I'm sure they could muddle their way through. And if not, they could always appeal to the circuit there and get advice from the judiciary that I'm sure would be evenhanded.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Senator Carroll.

SENATOR CARROLL:

Two things. According to certain publications, I could put in my resume under either party label, but aside from that - whoa. Technically though -- seriously, under this bill, it would not be up to the court. The bill does say of the party and where a person has changed parties since their election, which would be the party that you would have to choose from? Is it the party from which you were elected or the party that -- that you became after you were elected?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, you know, being a recliner salesman, I'm not sure my opinion in this matter matters a great deal, because the court seems to -- to generally feel that they have jurisdiction over these confusing issues. I would -- I guess my guess would be, or my argument would be that she'd be responsible for appointing a Democrat to fill the Circuit Clerk's seat. But...

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on Amendment No. 3

SENATOR RAUSCHENBERGER:

This is the amendment that we've just so strenuously and illuminatingly debated. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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

SECRETARY HARRY:

Amendment No. 5, offered by Senator -- Senators Rauschenberger and Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on Amendment No. 5.

SENATOR RAUSCHENBERGER:

Amendment No. 5 does the same thing that the first amendment did, which is delete the names and addresses of the judges in another part of the Statute. It's technical and I'd appreciate its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2827. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2827.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. I appreciate the -- the attention of the Body.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

This is now the Rauschenberger election omnibus bill. It does the -- the things you've just heard, which is remove the name and addresses of the judges and changes the appointing authority for circuit clerks, as well as explicitly states that when an Election Code deadline falls on a Saturday or Sunday or a holiday, that the effective date of the deadline is the next business day following. And the last provision of the bill is it lifts the cap, that statutory cap, on the amount we can pay election judges statewide and raises the State participation in election judge pay to twenty-five dollars. I'd appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, the judiciary is of the opinion that the circuit court clerk is a judicial office, not a -- an executive office. Do you know if there was a court decision that made us change this so that it -- the circuit clerk is appointed by judges?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To the best of my knowledge, there is no court decision. It's the will of the sovereign General Assembly, the foremost of the three branches, and it's our decision, I think.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

They've been trying to make the circuit clerk's office an

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

appointive one where the judges appoint. That's why I was wondering if there was a court decision that we're overturning here. That's all I wanted to know.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger. Senator Demuzio.

SENATOR DEMUZIO:

I believe that at some interval we in the General Assembly, changed the -- and put the circuit clerks under the judicial Article because somehow or other we didn't pass a pay raise for them or a stipend for them in time for them to receive it. So we came back in here and we changed it. And so they were -- I think if you'll find -- and I just asked the staff person, I believe that they are under the judicial Article now of some sort. But they will remain there for the pay purposes, but we're just making the appointed purposes to bringing it back to the county board as I understand it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 2827 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 2827, having received the required constitutional majority, is declared passed. Senator Fitzgerald, on House Bill 2860. Out of the record. Senator Lauzen, do you wish -- Senator Lauzen seeks leave of the Body to return House Bill 2950 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

And on the Order of 2nd Reading is House Bill 2950. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, on Amendment No. 1.

SENATOR LAUZEN:

Thank you, Madam President. Amendment No. 1 to House Bill 2950 extends the research and development credit for five years. And I -- I'd appreciate support of the Chamber.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, on Amendment No. 2.

SENATOR LAUZEN:

Thank you, Madam President. Amendment No. 2 applies the credit to all structures of Illinois business, whether it's sole proprietorship, regular corporation, Sub S, or partnership, or any other structure within the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

Amendment No. 3, offered by Senator Sieben.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben, on Amendment No. 3.

SENATOR SIEBEN:

Thank you, Madam President. Amendment No. 3 adds definitional language that we worked out with the Department of Revenue adding definitions for the sales tax exclusions on various precision agriculture equipment used today for production agriculture. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any -- Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. I cannot believe that in this election year, with Senator Fitzgerald and Senator Lauzen running statewide, that we can have an amendment like this be snuck through at this late hour that would be another giveaway of our tax dollars, and I really think we should take a look at this, because this appears to me to exempt computers from the sales tax by calling it farm machinery. And I don't know how much money we're going to lose, but I sure wouldn't want to realize later on after this think flew out of here, especially if I was campaigning downstate or upstate or anywhere, if I was running statewide, that I'd passed some bill that exempts computers from the sales tax. So think we ought to have a roll call on this and I think we ought to be very careful before we vote on it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Sieben, to close.

SENATOR SIEBEN:

Well, thank you, Madam Chairman -- Madam President. This -- this exclusion deals with computers, sensors, software and related equipment used primarily - primarily - in the computer-assisted

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

operation of production agriculture facilities. So we're talking about a very specific use of computers. Agriculture today uses computers in production agriculture and they fit right into the type of equipment that's used. And I would -- I would move -- it fits with -- consistently what we've done for production agriculture. And I would again move for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? A roll call has been requested. So all 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 40 Ayes, 13 Nays, none voting Present. Amendment No. 3 to House Bill 2950, having received the required votes, is approved. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On the Order of 3rd Reading is House Bill 2950. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2950.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Madam President. The -- I would just ask for an Aye vote. I think that the great majority, the overwhelming majority, of the people in this Chamber are in favor of research and development. I believe that we all understand that for more jobs paying higher wages, we need to continue the --

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

the thrust of technology. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator Lauzen, you just adopted an amendment on your bill that says farm machinery and equipment also includes computers used primarily in the computer-assisted operation of production and it goes on. If a farmer walks into a computer store and he says, "I want to buy a computer," and the -- what does the salesperson say? "Are you using this primarily in the production of agricultural-assisted products?" And do they have to sign some kind of a form that says that's what they're doing, or do they just kind of wink at 'em? They say -- kind of wink and say, "I'm using this computer to help me with my..." So I want you to explain to me how a fiscal conservative can give away this taxpayer dollars to a farmer who's going to use this for his kid's homework. I want you to explain. How does this work? 'Cause maybe this is a good thing to do. Maybe it's not. Maybe it's good when you're running down in southern Illinois, to tell them you passed this. But I'd like to know, from a fiscal conservative point of view, why is this a good thing to do?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

First of all, I -- I believe that this is merely a clarification of the existing rule. As the -- as the twenty-first century has come in the agricultural field, where the tools are being used -- I mean, I was impressed by the language of this bill

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

where it very narrowly defines it to farm machinery and agricultural chemicals, fertilizers and spreaders, and then it talks about -- even equipment that -- something about satellite -- let's see. It's software used primarily in computer-assisted operation of production agriculture facilities equipment. But I was impressed by how narrowly it is defined, including -- okay, where it says -- yeah -- but not limited to tractors, harvesters, sprayers, planters, seeders and spreaders. Precision farming equipment includes, but not limited to, soil testing sensors, computers, monitors, software, global positioning - global positioning - and mapping systems and other such equipment. So I would say that it's being very narrowly defined.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

But the key words are "but not limited to". That's all thrown in there to make it sound like that's what they're going to use 'em for. What does the computer salesperson do? Do they have a copy of the Statute in the -- in the drawer and they say, "Well, now, I know this is limited to using it for global positioning and mapping systems," but they're buying a computer and they're trying to get... And by the way, you know, I'm not against them using the computers for all this. Why don't they pay sales tax like you and I do when we have to go buy a computer for our -- our daughter or our son so they can do their homework? And you said this is a -- this is something which is clarifying. I mean, how many -- maybe we should look at the exemptions that we're giving to farmers right now. Maybe there's a big, wide hole there in this -- in this law that we ought to be tightening up, making sure that we're not losing those taxpayer dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR LAUZEN:

First of all, I'm sure that -- Senator Cullerton, I know that there are not a lot of farm communities in -- in Chicago, in your district, but I know that there -- but I -- I believe that, first of all, the purchaser has to verify and give a written documentation that it is going to be used in the production -- the agriculture production process. Again, in the Statute, it does not bring -- the Statute was written a long time ago doesn't include equipment enumerated with the modern technology, and I have seen that these are very sophisticated pieces of equipment now that go out and take care of our fields. And I know that you recognize, as I do, the major role that agriculture plays in the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

So, the way we enforce this is there's an affidavit that they sign, these farmers? They sign an affidavit saying that under criminal -- under penalty of law, I'm going to use this equipment, this computer, for farm-related activities, and the Department of Revenue audits that and makes sure that those farmers don't use that for any personal use? Is that how it works?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

What's in this -- is consistent with the documentation that's necessary when a tractor is purchased or other agricultural equipment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Senator Cullerton, I don't think you watch the same ads that I

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

do. There are computers now, apparently, in these tractors. If you watch the ADM ads, which come out of the City of -- of Decatur, you will see that there are little satellites that come down and hit those computers that are built into the tractors that tell the farmer, in effect, how much seed he's supposed to drop or how many chemicals he's supposed to drop. You know, you and I are city people, but watch your television. They tell you all about it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio. Sorry, Senator. Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. This reminds me of the North against the South. You know, I'm -- I'm delighted. I see the Department of Revenue is unopposed to this amendment and it believes that this language will clarify the exemption. And it seems to me that in production agriculture, this is the proper thing for us to do because we don't want the Illinois Department of Revenue to be confused. This will clarify it. And I would rise in support of this measure.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just real quick. I think some of the questions that were asked were very good, and I just wondered if this is Senator Lauzen's first bill. I will say one thing, that I think Senator Cullerton made a very good point because coming from the farm implement capital of the world, this is a very, very good bill, as long as we're talking about on-tractor, on -- on-vehicle computers, et cetera, and not talking about personal computers in their home, which separate -- would separate them from the rest of

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

us. So I think it's a very good bill, Senator, and I stand in strong support of your legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President, Members of the Senate. I think I need to take our city-slicker friends down on the farm, show 'em how this modern equipment operates. You know, anymore -- we're not talking about a laptop computer you take out of -- the equipment is built into that part of the equipment, to change the speed, the cylinder, everything. Even the grain carts that they haul their grain in, they've got a computer that can -- that can even take the weight of this -- this product they're hauling. But this is just part of -- of the -- of the equipment. And the Department of Revenue has been just running implement dealers wild trying to disallow this. This really is a part of -- part of the piece of equipment. So anytime any of you city dudes could come down on the farm, we'd be happy to show you what's going on down there then they are -- it is part of the equipment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Madam President. I appreciate all the discussion on this legislation and the recognition that agriculture today is moving into the twenty-first century with a lot of new technology. But one of the things that's been a tradition in agriculture and agribusiness for a long time is for -- one of things that's been a tradition in agriculture and in agribusiness for a long time is for seed corn companies to give their friends free hats. So I'd like to present Senator Cullerton with a free seed corn cap so he can come out and visit corn country some day.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR LAUZEN:

I would just appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 2950 pass. All 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, none voting Present. House Bill 2950, having received the required constitutional majority, is declared passed. Senator Berman, on House Bill 3025. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3025.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. This is the language that the Governor had recommended regarding catastrophic damage regarding homestead improvements. We -- there is no opposition that I'm aware of to this bill. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3025 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 3025, having received the required constitutional majority, is declared passed. Senator

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Cronin seeks leave of the Body to return House Bill 3028 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3028. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Cronin.

SENATOR CRONIN:

Senator Cronin, on Amendment No. 4.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 3028, and Senate Floor Amendment No. 4 to it, deals with the issue of condemnation by way of quick-take. There's a number of different communities included in this. We had some thorough testimony in committee. We have made and I have made a serious effort to ensure that the municipalities, local governments that are included in this bill are granted this authority for a narrow purpose, for a specific piece of property and for purposes of public development, for a public purpose. There are -- the communities included: the Village of Franklin Park, City of Rochelle, Village of Bolingbrook, City of Peru, Round Lake Park, South Barrington, Northlake, Carbondale, Melrose Park, Rosemont and Evanston. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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

SENATOR CARROLL:

Parliamentary inquiry, if I can, Madam President. We're just trying to decide, under the -- under the disclosure laws as they currently exist and as they're being proposed, Senator Cullerton received a hat on an issue on a piece of legislation, might have been considered lobbying, except it came from another Member. Now, that Member may have gotten it from a lobbyist. Does Senator Cullerton have any obligation to disclose it as a gift when it came from another Member, or would that be covered under the new Act and not under the existing Act, Madam President?

PRESIDING OFFICER: (SENATOR DONAHUE)

Well, the only response the Chair would have is that it's a cap, Senator Carroll. House Bill 3028 is on the Order of 3rd Reading. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3028.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill, again, is a bill that is presented on behalf of mayors and village presidents from various communities, all of which who have assured me, as the sponsor, that they are seeking this authority for -- for limited reasons and for public purposes and no other purpose. And I've asked for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Peterson.

SENATOR PETERSON:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Peterson.

SENATOR PETERSON:

There's so many municipalities and other governmental units in here. Maybe you could tell us who's not getting quick-take. But, a question: Is the Village of Round Lake Park included in this document with quick-take?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes, it is. They are seeking authorization to use quick-take for a period of three years for construction, easements, easements for off-site water and sewer service for a business park.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Is the City of Highland Park included in this document?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President. Because I have a conflict of interest in connection with this legislation, I will be voting Present.

PRESIDING OFFICER: (SENATOR DONAHUE)

Record will so reflect. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. I don't usually rise in

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

opposition to one of my colleague's bills, but this bill -- I -- I really believe is -- is a travesty, a travesty on the whole concept of quick-take provisions. There are -- there are some very legitimate quick-take provisions in this bill, but there are some that are so egregious that if you take the Village of Rosemont, for example, the quick-take provision in this bill, I wanted to let you know, is for the entire village - the entire village. For, I think it is, three years, they have quick-take provisions for the entire village. Now, to me, that is an -- an absolute -- what -- it's a travesty on the whole -- the whole concept of quick-take and what quick-take is supposed to be about. We're talking about people's property. We're talking about totalitarian governments taking people's property without -- you know. And I just want to let you know that there are some things in this bill that, believe me, if it were anyplace else in the State, you wouldn't vote for.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dudycz.

SENATOR DUDYCHZ:

Thank you, Madam President. I wasn't going to speak on -- on this bill, but since one previous speaker spoke up and criticized a community that is in my district, I felt compelled to stand up and explain a little bit of what we're doing here. You want to talk about Rosemont? Well, let's talk about Bolingbrook. My analysis says we're -- some of the public purposes in Bolingbrook is for drainage, open space, recreation, related appurtenances, wetland mitigations and banking. That's what we're doing for Bolingbrook. If you're going to be criticizing Rosemont, what are we doing for Peru? Well, we're doing something for a hospital, Illinois Valley Community Hospital, where we're -- we're doing something for them. We've got Franklin Park, we've got Barrington, we've got Round Lake. Melrose Park - we're -- we're



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

acquiring any property located between North Avenue and Des Plaines River for the purpose of redeveloping blighted areas. What is that, Ladies and Gentlemen? So all I would caution the Members, if you're going to be criticizing, let's remember what we did last week. We -- we -- last week we gave quick-take to a development in south -- southern Illinois to allow them to purchase -- or, to get land so they can put a parking lot for a racetrack. So if we're going to be consistent, let's be consistent, but let's not pick one community and criticize it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam Chairman. I just wanted to make -- a question or two of the sponsor, if -- very briefly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Is -- Senator Cronin, is this the list of quick-takes that came over from the House?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Some of them, but we have reduced the list that was originally brought to my attention, after careful examination and after communicating with the leaders of those local governments and getting assurances from those leaders that it was for a public purpose and we weren't displacing any individual private homeowners. And issues like that were addressed, then we -- we kind of preened the -- cleaned the list up and we came forward with this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

SENATOR RAUSCHENBERGER:

Well, I have the utmost respect for the sponsor and know the hard work he does, but it's just -- it's just very difficult for some of the rest of us who have said no to communities, that we think you ought to go through the regular condemnation process, that people have property rights and that we won't do special bills, when late in Session, due to House action - I certainly don't blame the Senate sponsor - but when we overrespond to the House's issues, we put a lot of Senators who've said what I think is very reasonable to their locals, "No," you know, "Go about it the right way," and it just -- I just would make you and the rest of the Body aware that passage of these kind of bills put a lot of us in kind of an uncomfortable spot when we've tried to do the reasonable thing. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- further discussion? Senator Klemm.

SENATOR KLEMM:

To let me just maybe make a couple points. When this first came to the Executive Committee, there were a number of bills that I and many of the Members had concerns about because it was taking private property for private development, and we didn't think that was right at all. So we asked the sponsor to take the bill and gut it out and take all the provisions out of there and go back and try to find out those programs and projects that were for public purposes, that the government agency or the entity would have the control and title to that property. The sponsor of the bill did that. He worked days and weeks of trying to take out the onerous parts of that provision, and I have to thank him for doing that part. Now, I'm not too thrilled about quick-take. I don't think quick-take should go for five years 'cause that, to me, is slow-take, not quick-take. But the Gentleman has, I think, convinced most of us that at least these projects have public

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

appeal, public need, and will be within the domain of that public entity and not for private development. So in this particular case, 'cause I think we'll be changing some rules that will come to my committee next time, that I think we're appropriate to vote for this. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR CRONIN:

Thank you, Madam President. There's been a pretty thorough discussion. I'd just like to point out to the Members: I know there's a lot of squeamishness about quick-take, and -- they're for good reason, but we should recognize, in fairness, that under Illinois law, we do provide local governments with condemnation powers. They have 'em. And under Illinois law, we also provide this avenue called quick-take, which is a more expedited way of condemning property. And when a local government comes and says they'd like to use a tool that's available in Illinois law, most of us try to respond. So quick-take is -- is an awful name for something that has been in law for a long time, whether you like it or not. I'm not thrilled about it, but it is for public purposes, and the law has stated such. So I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 3028 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? Last chance. Take the record. On that question, there are 23 Ayes, 22 Nays, and 4 voting Present. House Bill 3028, having not received the required constitutional majority, is declared failed. Senator Karpriel, do you wish to return House Bill 3030 to the Order of 2nd Reading for

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3030. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Karpziel. Senator Karpziel, on Amendment No. 2.

SENATOR KARPIEL:

Thank you, Madam President. Amendment No. 2 provides that beer subdistributors may only sell their products to retail licensees whose premises are located within the geographic area under the master distributor's jurisdiction. That's what it does.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order... Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Well, Madam President, while we were debating -- or, while I was looking at the roll call on House Bill 3028, I -- I had forgotten to vote, so I would like the record to show that had I voted, I would have voted Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Record will so reflect. On the Order of 3rd Reading is House Bill 3030. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3030.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 3030 now does two thing -- two things. One, it requires a special event retail liquor license applicant to furnish to the Liquor Control Commission a resale or a tax exempt number as issued by DOR or make a statement that they have no -- no such number. This information will subsequently be furnished to the beer distributor so that they know when to charge a tax for a special event licensee. The second part of it was the amendment we just put on which provides that beer subdistributors may only sell their products under the master distributor's jurisdiction -- in areas under the master distributor's jurisdiction.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3030 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 3030, having received the required constitutional majority, is declared passed. Senator Maitland seeks leave of the Body to return House Bill 3249 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 3249. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Senator Maitland, on Amendment No. 3.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. This amendments adds an additional eight parcels to this land transfer and conveyance bill, and I would move for the adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On the Order of 2nd Reading -- or, on the Order of 3rd Reading is the -- is House Bill 3249. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3249.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President. House Bill 3249 is one of two land transfer bills that are moving from Chamber to Chamber. There are two of them. And this particular bill has thirty parcels that will be conveyed. I would seek the Body's support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3249 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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 3249, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 3256? Out of the record. Senator Mahar seeks leave of the Body to return House Bill 3461 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3461. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Viverito.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito, on Amendment No. 2.

SENATOR VIVERITO:

Thank you, Madam Chairman. This amendment only exempts the areas that I live in: Burbank, Bedford Park. And really that's -- we just didn't think it was in our best interest to be a part of it. I'd appreciate your consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito, Senator -- or, Senator Mahar, we need to take it out of the record, and we will return. Senator Maitland seeks leave of the Body to return House Bill 3515 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3515. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, on Amendment No. 1.

SENATOR MADIGAN:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

...you -- thank you, Madam President, Members of the Senate. Floor Amendment No. 1 to House Bill 3515 is technical, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3515. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3515.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President. House Bill 3515, as amended, is -- is clearly a pension vehicle bill that may be used later in the Session. I would seek the adoption of the Body.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3515 pass. Those in favor will vote Aye. Those opposed vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 35 -- there are 55 Yeas, no Nays, 2 voting Present. House Bill 3515, having received the required constitutional majority, is declared passed. Senator Madigan seeks leave of the Body to return House Bill 3516



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3516. Mr. Secretary, are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, on Amendment No. 1.

SENATOR MADIGAN:

Thank you, Madam President, Members of the Senate. Floor Amendment No. 1 to House Bill 3516 is technical, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3516. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3516.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President, Members of the Senate. House Bill 3516, Ladies and Gentlemen, as amended, is a pension vehicle, and I would ask for its approval, to keep it moving along in the

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

process.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3516 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 53 Ayes, no Nays, 4 voting Present. House Bill 3516, having received the required constitutional majority, is declared passed. Senator Cullerton, on House Bill 3778. Out of the record. Senator Madigan, on House Bill 3813. Out of the record. Senator Philip, on House Bill 3814. Out of the record. ...had leave of the Body to return to House Bill 3461. The bottom of page 5. Senator Mahar seeks leave of the Body to return House Bill 3461 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 3461. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar, on Amendment No. 3.

SENATOR MAHAR:

Thank you, Madam President. This House Bill 3461 creates the Chicago Southland Civil Center Authority, and there is an amendment before the Executive Committee which takes out certain communities and clarifies some language. And being that this -- this area encompasses probably four -- probably five Senate districts, we've heard a lot of conflicting stories, I think -- the legislators who live in that -- in -- in this Authority's boundaries, that what I would suggest that we do -- and I've heard from the House sponsor, Representative Harold Murphy, who has also

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

suggested to Senator Jones, who is in this -- in this Authority boundary, that we amend this, put the bill in conference and deal with the issue in the fall when everybody back home has got their act together. So with that, Madam President, I don't see Senator Jones on the Floor, so I would suggest we adopt this amendment and then hold it on 3rd until tomorrow.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. We're going to go to the Order of 2nd Readings. We're going to run through the Calendar one more time. Page 6, middle of the page. Senator Shaw, on House... Senator -- or... Okay. On House Bill 1268, cosponsor Senator Trotter. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1268.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank -- thank you very much, Madam President, Members of the Senate. I'm carrying this bill for Senator Shaw, who, as we all know, has been not here this week, and this...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter, I don't -- we're just moving to -- 2nd to

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

3rd, so you don't have to explain it. You can do that on 3rd. Have there any -- been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on House Bill 1612. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1612.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senators Parker and Bowles.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you. The amendment adds language which permits a divorce court to enter into a Qualified Illinois Domestic Relations Order in situations where a divorcing spouse is a member of a public pension system.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on House Bill 2844. Okay. Excuse me, Senator Walsh. I didn't mean to skip you. I was -- I'm already ahead. Senator Walsh, on House Bill 2466. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2466.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh, on Amendment No. 1.

SENATOR T. WALSH:

Thank you, Madam President. What Amendment No. 1 does is it brings the fine in line with what the fine would be with -- for a -- the same type of penalty with a police officer, and it also takes the description of "uniformed adult" -- it removes the qualifiers "uniformed" and "adult".

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now Senator Parker, on House Bill 2844. Read the bill, Madam Secretary.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

ACTING SECRETARY HAWKER:

House Bill 2844.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendment approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 3.

SENATOR PARKER:

Thank you, Madam President. The amendment deals with refining the definition of weapons in schools and on the authority of the superintendent to be able to work with the students, along with the school board.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

Amendment No. 4, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 4.

SENATOR PARKER:

Thank you, Madam President. This creates the Right to Read Fund with the State treasury in order to receive gifts, donations and charitable contributions from private sources to improve the reading skills of children in the public schools.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

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

ACTING SECRETARY HAWKER:

Amendment No. 5, offered by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm, on Amendment No. 5.

SENATOR KLEMM:

Thank you, Madam President. Amendment No. 5 allows the voters to determine if they wish by a front-door referendum to increase the tax rate on special education only. Right now it's capped at .125, and this would allow them to go in a dual district to .4, and to .8 on a unit district. And it's for voter approval totally. And I do ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Madam President, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, is this necessary to do this because we're not fully funding special ed on the State level? Is that why this is necessary?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well the current legislation is only .02 for special education. They can go as high as .125 by voter referendum. And as you know, most all special education programs are either State

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

or federally mandated. So this allows the voters to decide if they wish to at least tax themselves to support the special -- special education programs that we've mandated. Right now the school districts cannot do that, and this would at least not cost anything to the State or to the school district, unless the voters wish to pay for it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Jacobs.

SENATOR JACOBS:

Just real quick. I -- I agree with that, and I just -- it's too bad we have to do this on the local level because we should be funding it properly on the State level.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

Amendment No. 6, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 5 {sic}.

SENATOR PARKER:

Thank you, Madam President. Amendment No. 6 -- this amendments deals with small school districts that have less than a thousand inhabitants. In such districts sometimes, if they've never consolidated, they have three-member school boards. This allows them to go by a referendum to increase the number to seven.

PRESIDING OFFICER: (SENATOR DONAHUE)

That was Amendment No. 6. Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?



STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

ACTING SECRETARY HAWKER:

Amendment No. 7, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 7.

SENATOR PARKER:

Thank you, Madam President. This amendment -- let's see. This bill actually was -- this was a bill, it passed the Senate, and the amendment is from the Chicago School Board. It pushes back the date for the reinstatement of the powers of the Chicago School Finance Authority from July 1, 1999, to July 1, the year 2004.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. And the Ayes have it. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Thomas Walsh, on House Bill 3180. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3180.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Thomas Walsh.

SENATOR T. WALSH:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Thank you, Madam President. Floor Amendment No. 2 just clarifies what type of investigations the Secretary of State's Office would be doing with regard to the Act. I'd ask for its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Thomas Walsh, on House Bill 3254. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3254.

(Secretary reads title of bill)

2nd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh. 3rd Reading -- no. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. Amendment No. 2 makes another exemption for a restaurant which specializes in baked goods to meet the following standards - this is an exemption for a liquor license: newly constructed on a lot over ten thousand square feet, costs at least a million dollars to construct, the licensee is the title holder and resides on the premises, and the construction

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

will be completed within eighteen months of the effective date.  
Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Thomas Walsh, on House Bill 3321. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3321.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any further -- are there Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh, on Amendment No. 1.

SENATOR T. WALSH:

Thank you, Madam President. Amendment No. 1 becomes the bill. It amends the Consumer Fraud and Deceptive Business Practices Act. Adds a seventh exclusion for transactions which are exempt from the three-day right to cancel: contracts between consumers and licensed mortgage brokers when the transaction involves obtaining a real estate mortgage, and the first contact respecting the transaction is initiated by the consumer or by someone at the consumer's request.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Excuse me. Amendment No. 1. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Now 3rd Reading. Senator Thomas Walsh, on House Bill 3415. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3415.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh, on Amendment No. 2.

SENATOR T. WALSH:

Thank you, Madam President. Amendment No. 2 provides that the Secretary of State shall refuse a vehicle registration or title to any applicant who is ninety days or more delinquent in court-ordered child support payments, and it provides that a person who fails to pay child support may be required to perform community services.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Thomas Walsh, on House Bill 3415 {sic} (3514). Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3415 {sic} (3514).

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. We have been on the "Order of Walsh." Mr. {sic} Secretary, have there been any motions filed?

ACTING SECRETARY HAWKER:

I have a motion with respect to House Bill 3028.

Filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Madam Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Resolutions.

ACTING SECRETARY HAWKER:

Senate Joint Resolution No. 70, offered by Senator Madigan. It is substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages from the Governor.

ACTING SECRETARY HAWKER:

Message for the Governor by Deno Perdiou, Director of Legislative Affairs, May 14, 1998.

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Mr. President - The Governor directs me to lay before the Senate the following message:

To the Honorable Members of the Senate, 90th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your honorable Body.

Filed by Governor Jim Edgar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

An announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state it.

SENATOR LAUZEN:

Fifteen minutes after adjournment, there will be a meeting of the Commerce and Industry Committee in Room A-1 of the Stratton Building. It's going to be the Kyoto protocol.

PRESIDING OFFICER: (SENATOR DONAHUE)

Supplemental Calendar No. 1 is being distributed, and on that Calendar is a motion... On that Calendar, Supplemental Calendar No. 1, is a motion filed by Senator O'Malley. Madam Secretary, read the motion. Supplemental Calendar No. 1 is being distributed, and on that Calendar is a motion by Senator O'Malley. Mr. Secretary, read the motion.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 3028 failed.

The motion filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

Madam President, having voted on the prevailing side, I move to reconsider the -- the vote by which House Bill 3028 failed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Having voted on the prevailing side, Senator O'Malley moves to reconsider the vote by which House Bill 3028 failed. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Roll call has been requested. All 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? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 16 Nays, none voting Present. The motion carries. Now on the Order of... On the Order of 2nd Reading is House Bill 3028 -- did I say 2nd? Excuse me. On the Order of 3rd Reading is House Bill 3028. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3028.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President. Thank you, Senator O'Malley, for the opportunity to reconsider this piece of legislation. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3028 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 35 Ayes, 19 Nays, none voting Present. House Bill 3028, having received the required constitutional majority,

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 14, 1998

is declared passed. Is there any further business to come before the Senate? Any further business? If you will be on time and ready to go in the morning at 9 a.m., we'll be able to get out. We only have a few things to do. So 9 o'clock, Friday, May 15th, and the Senate stands adjourned.



MAY 14, 1998

HB-0525	THIRD READING	PAGE	26
HB-0525	OTHER	PAGE	29
HB-0644	THIRD READING	PAGE	28
HB-0646	THIRD READING	PAGE	29
HB-0884	THIRD READING	PAGE	30
HB-1151	RECALLED	PAGE	5
HB-1151	THIRD READING	PAGE	31
HB-1217	RECALLED	PAGE	24
HB-1217	THIRD READING	PAGE	39
HB-1268	SECOND READING	PAGE	123
HB-1422	RECALLED	PAGE	6
HB-1422	THIRD READING	PAGE	40
HB-1552	RECALLED	PAGE	83
HB-1552	THIRD READING	PAGE	85
HB-1612	SECOND READING	PAGE	124
HB-1640	RECALLED	PAGE	8
HB-2295	THIRD READING	PAGE	41
HB-2306	THIRD READING	PAGE	42
HB-2446	THIRD READING	PAGE	43
HB-2466	SECOND READING	PAGE	125
HB-2503	THIRD READING	PAGE	44
HB-2589	RECALLED	PAGE	17
HB-2589	THIRD READING	PAGE	45
HB-2630	THIRD READING	PAGE	46
HB-2630	OTHER	PAGE	76
HB-2643	RECALLED	PAGE	86
HB-2643	THIRD READING	PAGE	87
HB-2668	THIRD READING	PAGE	47
HB-2700	RECALLED	PAGE	88
HB-2700	THIRD READING	PAGE	90
HB-2827	RECALLED	PAGE	91
HB-2827	THIRD READING	PAGE	97
HB-2844	SECOND READING	PAGE	125
HB-2869	THIRD READING	PAGE	50
HB-2909	THIRD READING	PAGE	61
HB-2950	RECALLED	PAGE	99
HB-2950	THIRD READING	PAGE	102
HB-3025	THIRD READING	PAGE	62
HB-3025	THIRD READING	PAGE	108
HB-3025	OUT OF RECORD	PAGE	63
HB-3026	RECALLED	PAGE	19
HB-3026	THIRD READING	PAGE	63
HB-3028	RECALLED	PAGE	109
HB-3028	THIRD READING	PAGE	110
HB-3028	THIRD READING	PAGE	135
HB-3028	MOTION	PAGE	134
HB-3028	MOTION FILED	PAGE	133
HB-3028	OTHER	PAGE	116
HB-3030	RECALLED	PAGE	115
HB-3030	THIRD READING	PAGE	116
HB-3129	RECALLED	PAGE	20
HB-3129	THIRD READING	PAGE	64
HB-3180	SECOND READING	PAGE	129
HB-3249	RECALLED	PAGE	117
HB-3249	THIRD READING	PAGE	118
HB-3254	SECOND READING	PAGE	130
HB-3257	RECALLED	PAGE	22
HB-3257	THIRD READING	PAGE	65
HB-3279	RECALLED	PAGE	23
HB-3279	THIRD READING	PAGE	67
HB-3294	THIRD READING	PAGE	68
HB-3321	SECOND READING	PAGE	131
HB-3363	THIRD READING	PAGE	69
HB-3406	THIRD READING	PAGE	69

MAY 14, 1998

HB-3415 SECOND READING	PAGE	132
HB-3461 RECALLED	PAGE	119
HB-3461 RECALLED	PAGE	122
HB-3461 OUT OF RECORD	PAGE	119
HB-3464 THIRD READING	PAGE	71
HB-3492 THIRD READING	PAGE	72
HB-3514 SECOND READING	PAGE	133
HB-3515 RECALLED	PAGE	119
HB-3515 THIRD READING	PAGE	120
HB-3516 RECALLED	PAGE	120
HB-3516 THIRD READING	PAGE	121
HB-3811 RECALLED	PAGE	23
HB-3811 THIRD READING	PAGE	73
SB-1942 FIRST READING	PAGE	80
SR-0207 RESOLUTION OFFERED	PAGE	3
SR-0208 RESOLUTION OFFERED	PAGE	3
SR-0209 RESOLUTION OFFERED	PAGE	80
SJR-0070 RESOLUTION OFFERED	PAGE	133

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-REVEREND WILLIAM H. FONTAINE	PAGE	1
PLEDGE OF ALLEGIANCE-LED BY SENATOR SIEBEN	PAGE	1
JOURNAL-APPROVED	PAGE	1
JOURNAL-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	2
MESSAGES FROM THE HOUSE	PAGE	2
COMMITTEE REPORTS	PAGE	76
SENATE STANDS IN RECESS	PAGE	79
SENATE RECONVENES	PAGE	79
COMMITTEE REPORTS	PAGE	80
MESSAGES FROM THE HOUSE	PAGE	80
COMMITTEE REPORTS	PAGE	81
MESSAGE FOR THE GOVERNOR	PAGE	133
ADJOURNMENT	PAGE	136