

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 20, 1997

PRESIDENT PHILIP:

The regular Session of the 90 General -- 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend Kenneth D. Smith, Church of Christ, Havana, Illinois. Reverend Smith.

THE REVEREND KENNETH D. SMITH:

(Prayer by the Reverend Kenneth D. Smith)

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:

Senator Journal of Monday, May 12th, 1997.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

Mr. President, I move that -- 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.

SENATOR BUTLER:

...President, I move that reading and approval of the Journal's of Tuesday, May 13th; Wednesday, May 14th; Thursday, May 15th; Friday, May 16th; and Monday, May 19th, in the year 1997, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Bill 248, the Motion to Concur with House Amendment 1, Be Adopted; Senate Bill 331, the Motion to Concur with House Amendment 1; Senate Bill 587 {sic} (857), Motion to Concur with House Amendments 1 and 2; Senate Bill 1073, Motion to Concur with House Amendment 1; and Senate Bill 1084, Motion to Concur with House Amendment No. 1, all Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 13, the Motion to Concur with House Amendment 1; Senate Bill 14, the Motion to Concur with House Amendment 1; Senate Bill 171, Motion to Concur with House Amendments 1 and 2; Senate Bill 429, the Motion to Concur with House Amendment 1; Senate Bill 599, the Motion to Concur with House Amendment 1; Senate Bill 827, the Motion to Concur with House Amendment 1; Senate Bill 918, the Motion to Concur with House Amendment 1; and Senate Bill 952, the Motion to Concur with House Amendments 1 and 2, all Be Approved for Consideration.

PRESIDENT PHILIP:

Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

For the purposes of an announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR FAWELL:

Transportation Committee will meet at 11:00, in Room 400, for looking at concurrences.

PRESIDENT PHILIP:

Thank you, Senator Fawell. Messages from the House.

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SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

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

House Bill 223, with Senate Amendments 1 and 2.

Nonconcurring in by the House, May 19th, 1997.

We have like Messages on House Bill 1142, with Senate Amendment 1, and House Bill 2161, with Senate Amendments 1 and 2. Nonconcurring in by the House, May 19th, 1997.

Another Message from the House by Mr. Rossi, Clerk.

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

House Bill 297, with Senate Amendment No. 1.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of Amendment No. 3.

Action taken by the House, May 19th, 1997.

PRESIDING OFFICER: (SENATOR DONAHUE)

...could have the attention of the Body, we will be going to page 8, Secretary's Desk, Concurrence. We will be going through the Calendar, and the first time we go through the Calendar, we would appreciate it if you would only call the nonconcurrences. They're printed on the Calendar, so you'll know exactly where we're going. Then we will go back to the beginning, Secretary's Desk, Concurrence, and we will take the Motions to Concur, which is final passage. Senate Bill 3. Senator Bomke. Motion to Nonconcur. Senator Bomke, on the Order of Non-concurrence is Senate Bill 3. Mr. Secretary, read the bill.

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SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 3.

Filed by Senator Bomke.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. The amendment adds an immediate effective date, and I would move for the adoption of nonconcurrence.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, -- or, Senator Bomke moves to nonconcur in House Amendment No. 1 to Senate Bill 3. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. Senator Madigan, on Senate Bill 101. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 101.

Filed by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President and Members of the Senate. First of all, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR MADIGAN:

Visiting with us today are a group of ladies from the Mason County Farm Bureau and I'd like the Chair to recognize the ladies.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Will you please rise and be recognized by the Illinois Senate?
Welcome to Springfield. Senator Madigan, on your motion.

SENATOR MADIGAN:

Thank you, Madam President. I would move to nonconcur to
House Amendment No. 1 to Senate Bill 101.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, Senator Madigan moves to
nonconcur in House Amendment No. 1 to Senate Bill 101. All those
in favor, say Aye. Opposed, Nay. The Ayes have it, and the
amendment -- motion carries. The Secretary shall so inform the
House. We will skip the next, Senator Butler, because it's a
split motion. We will go to Senator... Oh! Senator
Rauschenberger, on Senate Bill 299. Mr. -- Mr. Secretary, read
the bill. Senate Bill 299.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their
Amendment No. 1 to Senate Bill 299.

Filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger. Senator Rauschenberger moves to
nonconcur in House Amendment No. 1 to Senate Bill 299. All those
in favor, say Aye. Opposed, Nay. The Ayes have it, and the
motion carries. The Secretary shall so inform the House. Senator
Fitzgerald, on Senate Bill 423. Mr. Secretary. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their
Amendment No. 2 to Senate Bill 423.

Filed by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

SENATOR FITZGERALD:

Yes. I'd like to nonconcur in House Amendment No. 2 to force a

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conference committee to iron out a few final details to this legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Fitzgerald moves to nonconcur in House Amendment No. 2 to Senate Bill 423. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Cullerton, on Senate Bill 465. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 465.

Signed -- filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. I need to nonconcur with this House amendment. It doesn't quite accomplish our goals. We need to put it into a conference committee. I believe we have some agreed language that we're working on with the Bar Associations.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Cullerton moves to nonconcur in House Amendment No. 1 to Senate Bill 465. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Secretary shall so inform the House. Senator Weaver, on Senate Bill 493. Read the bill, Mr. -- or, read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 493.

Filed by Senator Weaver.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. I would move to nonconcur with House Amendment No. 1 on Senate Bill 493.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver has moved to nonconcur in House Amendment No. 1 to Senate Bill 493. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Dillard, on Senate Bill 547. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 547.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I would move that we nonconcur in House Amendment No. 1 to Senate Bill 547.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, Senator Dillard moves to nonconcur in House Amendment No. 1 to Senate Bill 547. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Syverson, on Senate Bill 596. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 596.

Filed by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson moves to nonconcur in House Amendments 1, 2, and 3 to Senate Bill 596. All those in favor, say Aye. Opposed,

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Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. Senator Madigan, on 659. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 659.

Filed by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan moves to nonconcur in House Amendment No. 1 to Senate Bill 659. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Philip, on Senate Bill 1016. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1016.

Filed by Senator Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip moves -- Senator Philip.

SENATOR PHILIP:

Thank you, Madam President. I move that we nonconcur in House amendment to Senate Bill 1016.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, Senator Philip moves to nonconcur in House Amendment No. 1 to Senate Bill 1016. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Klemm, on Senate Bill 1109. Oh, excuse me. Senator Rauschenberger, on Senate Bill 1101. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1101.

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Filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger moves to nonconcur in House Amendment No. 1 to Senate Bill 1101. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. ...could have your attention. As I indicated earlier, we will be going back through the Calendar now, starting with Secretary's Desk, Concurrence. We will do -- do Motions to Concur, which is final passage. We will stand at ease for just a moment while the Rules Committee is meeting. ...Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Madam President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR CLAYBORNE:

Yes. Behind me in the -- on -- behind me, in the Democratic side of the gallery, is a school from my district, Hollywood Heights School, from Caseyville, Illinois. I'd like for them to be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

...will come to order. On the middle of page 8, we will, as I

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indicated, go through the Calendar on Motions to Concur. This is final passage. First up will be Senator Radogno, then Senator Syverson, and then Senator Hawkinson. Senator Radogno. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 7.

Filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno, on Senate Bill 7.

SENATOR RADOGNO:

Yes. I move that we concur with House Amendment 1 to Senate Bill 7. Oh, and it's purely a technical amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Berman.

SENATOR BERMAN:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Berman.

SENATOR BERMAN:

Am I correct, that this bill mandates a life imprisonment for sexual assault?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

No. That was originally the idea, but in committee it was changed to offer longer sentences than are currently available. So it still does allow some judicial discretion, but the option is for longer sentences.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

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Is this a bill that permits the judge to sentence for less than life imprisonment, or must...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

No. It does allow the judge to sentence for less than life. It -- it offers the option of thirty to sixty years for a second offense. And currently, I believe, it's -- it's like seven years. So it's a significant increase, but it does allow for discretion. It doesn't mandate life in prison.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Radogno, to close.

SENATOR RADOGNO:

I would ask for your concurrence on this.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 7. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 7, and the bill, having received the required constitutional majority, is declared passed. 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 Commerce and Industry - Motions to Concur with House Amendment 2 to Senate Bill 476, and Amendment 1 to Senate Bill 1039; referred to the Committee on Education - Senate Amendment 2 to Senate Joint Resolution 27, Motion to Concur with House

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Amendments 1 and 2 to Senate Bill 1020; to the Committee on Financial Institutions - Motion to Concur with House Amendments 1 and 2 to Senate Bill 1076; to the Committee on Insurance and Pensions - Motions to Concur with House Amendment 1 to Senate Bill 124, Amendment 1 to Senate Bill 457, Amendments 1 and 2 to Senate Bill 655, and Amendment 1 to Senate Bill 801; to the Committee on Judiciary - Motions to Concur with House Amendments 1 and 2 to Senate Bill 6, Amendments 1 and 2 to Senate Bill 71, Amendment 1 to Senate Bill 303, Amendment 2 {sic} (1) to Senate Bill 366, Amendment 1 to Senate Bill 368, Amendments 1 and 2 to Senate Bill 381, Amendment 1 to Senate Bill 408, Amendment 1 to Senate Bill 521, Amendment 1 to Senate Bill 574, Amendments 1 and 2 to Senate Bill 710, Amendment 1 to Senate Bill 780, and Amendment 1 to Senate Bill 942; to the Committee on Licensed Activities - Motion to Concur with House Amendment 1 to Senate Bill 315; to the Committee on Local Government and Elections - Motion to Concur with House Amendments 1 and 3 to Senate Bill 106, Amendments 1 and 3 to Senate Bill 307, Amendment 1 to Senate Bill 691, and Amendment 1 to Senate Bill 999; to the Committee on Public Health and Welfare - the Motion to Concur with House Amendment 1 to Senate Bill 317; to the Committee on Revenue - Motions to Concur with House Amendment 1 to Senate Bill 83, Amendment 1 to Senate Bill 549, Amendment 1 to Senate Bill 677, and Amendment 1 to Senate Bill 715; to the Committee on State Government Operations - Motion to Concur with House Amendments 1 and 2 to Senate Bill 777; to the Committee on Transportation - the Motion to Concur with House Amendments 1 and 2 to Senate Bill 954; and Be Approved for Consideration - the Motions to Concur with House Amendment 1 to Senate Bill 703, Amendment 3 to Senate Bill 789, and Amendment 1 to Senate Bill 909.

PRESIDING OFFICER: (SENATOR DONAHUE)

...Weaver, what purpose do you rise?

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SENATOR WEAVER:

For the purpose of clarification. On the Rules Committee Report we accidentally assigned House Amendments No. 1 and 2 to Senate Bill 1020 to Education. There'll be a correction report sent out very shortly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Weaver. Could we have your attention please. Just, we're getting a little noisy with our conversations. Let's keep it down. We're in a kind of fast moving time to some extent here, and we need to pay attention to what's before us. Senator Syverson, on Senate Bill 1112 {sic} (112). Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 112.

Filed by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. The amendment clarifies that those dollars that are taken from electronic monitoring have to be used for either electronic monitoring or for drug treatments or drug testing. And that's -- again, be happy to answer any questions, otherwise just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1112 {sic}. 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? ...all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting

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Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1112 {sic}. And -- and the bill, having received the required constitutional majority, is declared passed. Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

Well, thank you, Madam President. I would just like to rise and suggest that had someone voted my switch on the previous bill, I would have had them vote Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. Senator Hawkinson, on Senate Bill 1113 {sic} (113). Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 113.

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. And -- and again, this is a bill that passed the Senate about a month ago. It permits the admission of certified driving abstracts from the Secretary of State in lieu of a certified copy of conviction. The House put on an amendment which clarifies that the driving abstract can be transmitted electronically by the Secretary of State and elaborates on the uses for the abstract. I make this explanation perhaps for some of the newer Members, because although the Chair has made it clear that this is final action, there are some bills that perhaps Members opposed earlier and they should be reminded that they're voting on the same bill now. Now this isn't one of 'em. This passed unanimously. But if the sponsors would please indicate what the bill does, as well as what the amendment does, I think it would benefit the whole Body. Be happy to try and answer

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any questions, otherwise I would move to concur on House Amendment No. 1 to Senate Bill 113.

PRESIDING OFFICER: (SENATOR DONAHUE)

I've asked you once, and I'm going to ask you again, to keep your conversations down. Please. We can't hear ourselves think, let alone be able to vote properly. The question -- or, is there any discussion regarding House Amendment No. 1 to Senate Bill 113. Is there any discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1113 {sic} (113). Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 113, and the bill, having received the required constitutional majority, is declared passed. Senator Parker, on Senate Bill 327. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 327.

Filed by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 327 allows Northwestern University to be designated as an Alzheimer's Disease Assistance Center. And what this amendment does is change the threshold from two million dollars to 2.4 million dollars, which would be appropriated to the ADA Centers in any fiscal year, and that shall be distributed equally between Rush-Presbyterian and SIU School of Medicine. And that amount would have to be appropriated first before

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Northwestern were to come into any of these monies. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Rea.

SENATOR REA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Rea.

SENATOR REA:

As it relates to the other centers -- I know we've had some discussions on this before. And as it relates to Southern Illinois University, in any way would this take any money away from the SIU Center or, in the future, would it be on a competitive basis that might eliminate some of the additional monies that they might receive?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

No. This would not put them on a disadvantage or eliminate any future opportunities. What this does is guarantee that up to the amount of 2.4 million that that will be divided equally by SIU and Rush-Presbyterian and beyond that they will be divided equally among the three - Northwestern, SIU and Rush-Presbyterian - any additional monies over 2.4 million dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Senator Parker, to close.

SENATOR PARKER:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 327. Those in

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favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 327, and the bill, having received the required constitutional majority, is declared passed. Senator Hawkinson, on Senate Bill 431. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 431.

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This is the bill that we passed last month which amends the Low-Level Radioactive Waste Management Act to delay the siting. We -- we passed it unanimously here. The idea is to take a second look at the siting process over at least a two-year period, and -- and the Department has testified that this will have the practical effect of delaying any siting in Illinois by at least eight years. The idea was to also give some local control and to provide that any site that would be offered at the end of this period would be offered not only by a property owner, but also by the affected municipality or county. So it accomplishes some local control, as well as a delay in the process. The House amendment further amended the Act and provides that an identical vote by five members of the task force shall constitute a majority vote. The task force group has nine members. Requires that the Scientific Surveys complete their statewide screening and evaluation by September 30th of '97. That's of land that has been volunteered before the effective date. Provides for the replacement of the Director of the

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Department on the task force upon completion of the screening and volunteer site evaluation process, and the replacement member will be appointed by the Governor. The original bill is -- is still there. I'd be happy to try and answer questions, otherwise ask for your affirmative vote in concurring in House Amendment No. 1 to Senate Bill 431.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 431. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate Bill -- Senate does concur in House Amendment No. 1 to Senate Bill 431, and the bill, having received the required constitutional majority, is declared passed. Senator Hawkinson, on Senate Bill 587? Mr. Secretary, read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 587.

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This was the -- the bill which amended the Good Samaritan Act to provide that an optometrist who provides emergency care without a fee shall have the same immunities as other medical professions. Apparently the House had similar questions that Senator Berman had at the time, however, to the free clinic portion of this bill, and they have deleted that portion of the bill. The proponents would like us to concur in

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the amendment, and although I would've preferred the bill without the amendment, I would move to concur in House Amendment No. 1 to Senate Bill 587. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Fawell.

SENATOR FAWELL:

Senator Hawkinson, I -- I know that we have given this immunity to doctors if they go to a -- a medical clinic and perform their services pro bono. We've also done the same with dentists. Why in the world is the -- the Bar Association objecting to the same type of service given to our poor and our -- our slightly above poor at these free medical clinics?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

You're asking the wrong person, Senator. I support that provision. I sponsored that bill. I think we'll have to revisit that next year. I think if they go without a free -- without a fee to the clinic that they ought to have the same protections. But the House stripped that out, and the optometrists and the proponents of this bill want to at least provide the coverage for the Good Samaritan part of this bill and that's why I'm moving to concur.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

If we all voted No, then the House would have to pull back on their objection to this portion of the bill?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

No. If -- if -- if we do not concur, they will refuse to recede, it'll go to conference, and in my opinion, nothing will happen on this subject this year, which is why I've made the judgment, along with the optometrists, to move to concur.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yeah. Question of the sponsor. And I'm...

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll...

SENATOR COLLINS:

I'm sorry. I was interrupted.

PRESIDING OFFICER: (SENATOR DONAHUE)

...yield, Senator Collins.

SENATOR COLLINS:

Senator, did -- did -- what rationale were given in the House as to why they excluded the optometrists?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, they didn't exclude the optometrists; they deleted that portion of the bill which would provide the immunities for their services at a free clinic. And they opposed that also in the Senate. Senator Berman and Senator Molaro raised questions in debate about that subject, and I think we did fully debate that at the time we passed it over. But basically, they -- they don't want to expand the immunities to the clinic situation. I disagree with them. That's why I sponsored the bill. But again, the optometrists would prefer that we at least enact this part of the law, rather

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than letting the whole thing die.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Hawkinson, to close. This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 587. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 587, and the bill, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 794. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 794.

Filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Members of the Senate. Amendment No. 1 to Senate Bill 794 permits the assignee or agent of a creditor to collect...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley, just a second. I'm about ready to remove the people that are on the Floor that should not be on the Floor. I'm sorry, but that's the way it is. All right. Continue, Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Madam President and Ladies and Gentlemen of the Senate. Let me go back. Senate Bill 794, as it passed the Senate, provided that where a loan contract does not provide otherwise, a collection agency may, after thirty days' written

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notice to the borrower, charge and collect a fee. What House Amendment 1 does is provide that it -- that this fee would not just be limited to collection agencies; that it would be available to any agent for -- for a creditor. And I have considered this, taken it to committee, and -- and I'm recommending that we -- that we concur with House Amendment 1 to Senate Bill 794.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Lauzen.

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

The five percent is an annual charge, not a monthly?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

That's -- that's my understanding, Senator. It's not a -- it's not -- certainly not monthly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, this is final action. And the question is -- and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 794. 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, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 794, and the bill, having received the required constitutional majority, is declared passed. Senator Weaver, on Senate Bill 804.
Mr. Secretary.

SECRETARY HARRY:

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I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 804.

Filed by Senator Weaver.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. House Bill -- or, Senate Bill 804 is the ability of utility companies to pay by electronic fund transfers. House Amendment No. 1 is a technical amendment. House Amendment No. 2 is similar -- the same as Amendment No. 3 to House Bill 709, which Senator Myers added. This is giving utility tax exemption in enterprise zones where they create jobs. That's basically what it does. If anyone has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 804. 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 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 804. And the bill, receiving the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 805. Read the bill -- or, read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 805.

Filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 805, as it passed the Senate, amended the State Finance Act, the Currency Exchange and Financial Planning and Management (Service) Acts. It also repealed the Consumer Credit Counseling Corporation Act. Merged the Consumer Credit Counseling Act into the Financial Planning and Management (Service) Act. As this legislation moved through the process, while it was in the House, some suggestions came forward from individuals who deal with -- from counseling services who work very closely with -- with individuals who need credit advice and -- and assistance. And -- and they came forward with some responsible recommendations, and I'll summarize them to the best of my ability today. I am moving that we -- we concur with both Amendment 1 and Amendment 2 from the House to Senate Bill 805. Amendment No. 1 reduces the initial fee a debt counseling service may charge a client from fifty dollars to thirty dollars; requires a quarterly, rather than monthly, accounting to the debtor; provides that a majority of the members of the Advisory Board be active in a debt management or consumer (credit) counseling service. Current law requires each member of the Board to be familiar with and associated in the field of financial planning and management. The second amendment increases the average monthly fee for debt counseling that a service may charge from twenty dollars to thirty dollars. By the way, that doesn't require that it be thirty dollars, but gives them the latitude to it. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 805. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all

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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. The Senate does concur in House Amendments No. 1 and 2 to House Bill -- Senate Bill 805, and having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on Senate Bill 956. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to House {sic} Bill 956.

Filed by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. I move to concur on House Amendment No. 1 to Senate Bill 956. This is a bill that passed out of the Senate unanimously. Senate Bill 956 eliminates the requirement that the Department assist families in the funding of private residential services for minors with mental health problems. House Amendment No. 1 deletes that provision from the bill and current law remains intact. And that was the only controversial part of the bill, and I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is -- this is final action. And the question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 956. 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 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 956, and the bill, having received the required constitutional

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majority, is declared passed. Senator Bomke, on Senate Bill 1030? Read the bill, Mr. Secretary. Read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1030.

Filed by Senator Bomke.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. The amendment is a technical amendment, and I would move to the Motion to Concur with House Amendment No. 1 to Senate Bill 1030. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1030. 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 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1030, and the bill, having received the required constitutional majority, is declared passed. Senator Severns, on Senate Bill 1118. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1118.

Filed by Senator Severns.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. House Amendment 1 simply adds that if a village with a population of

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less than five thousand determines that they cannot appoint a sitting village board member to fill the vacancy of village president, they can go outside of the village to find that appointment. I know of no opposition. This is a compromise worked out in conjunction with the Municipal League, and I would urge the favorable adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

A question of the sponsor, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I think you misspoke. They can go outside the village board, but I think, you said they can go outside the village. Can they -- it's outside the village board, but still within the village, I assume.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Severns.

SENATOR SEVERNS:

If I said outside the village, I certainly misspoke. Outside the village board, within the village to appoint. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Severns, to close. This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1118. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1118, and the bill, having received the required constitutional majority, is declared passed. We are going to go to page 20,

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Secretary's Desk, Non-concurrence of House Bills, for one motion.
Senator O'Daniel, on House Bill 994? Mr. Secretary.

SECRETARY HARRY:

I move to recede -- or, refuse to recede from Senate Amendment No. 1 to House Bill 994 and request that a conference be appointed.

Filed by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes. I -- I refuse to recede from Senate Amendment No. 1 to House Bill 994 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator O'Daniel moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 994 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the -- the motion carries, and the Secretary shall so inform the House. Senator Karpiel. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Madam President. There will be a Republican Caucus at 12 noon, in Senator Philip's office - 12 noon.

PRESIDING OFFICER: (SENATOR DONAHUE)

There's a Senate Republican Caucus. Senator Berman, for what purpose do you seek recognition?

SENATOR BERMAN:

Thank -- thank you, Madam President. To request a Democratic Caucus at 12 noon, in Senator Jones' office.

PRESIDING OFFICER: (SENATOR DONAHUE)

A Democratic Caucus at 12 noon? All right. ...could have your attention for just a minute. We're getting ready to kind of

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recess for a minute. Okay. Correction: We are going to go to a Supplemental Calendar, and then we'll go to our respective caucuses. But if I could have your attention to make a few announcements from the Chair. At 11 -- or, at 1 o'clock, there will be three committees meeting - Education, Transportation, Commerce and Industry - in their respective rooms. That's Education, Transportation, Commerce and Industry at 1 o'clock. At 1:30, Insurance, Public Health and Local Government will meet, again in their respective rooms. Insurance, Public Health, Local Government, 1:30. At 2 o'clock, Energy and Environment, Revenue, and Agriculture and Conservation. 2 o'clock, Energy and Environment, Revenue, Ag and Conservation. Okay. And we will reconvene the Session here in the Senate at 2:30 or immediately following the finish of the committees. All right? So, 1 o'clock, Education, Transportation, Commerce and Industry; 1:30, Insurance, Public Health, Local Government; 2 o'clock, Energy and Environment, Revenue, Ag and Conservation; 2:30 in the Chambers, after we go to our -- our caucuses. All right? Now we're going to go to Supplemental Calendar No. 1. It should be being distributed as we speak. We're starting off with Motions to Concur. That is final passage. Top of the page, Supplemental Calendar No. 1, is Senator Luechtefeld, on Senate Bill 13. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 13.

Offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the -- of the Senate. Amendment 1 to Senate -- House Amendment 1 to Senate Bill 13... Senate Bill 13 simply talked about the attempting to

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conceal a fugitive by family members. We amended that -- or, we changed that to meet most people's agreement in the Senate. It was amended once in the House to -- some technical changes, plus to reaffirm the spousal privilege into the bill. It passed 111 to 0 in the House. I would appreciate your favorable vote for the adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final passage. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 13. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 13, and the bill, having received the required constitutional majority, is declared passed. Senator Hawkinson, on Senate Bill 14. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 14.

Offered by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Senate Bill 14 recreated the cannabis law that we passed a couple of years ago but that was thrown out because it was part of that underground tank bill and the sex offender bill and it was held to violate the single subject matter. We have passed this bill numerous times before. What this amendment does is create an immediate effective date. The -- the bill, again, is designed to increase penalties for large drug traffickers, primarily along Interstate 80. We've had

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problems along that corridor. It's come -- this bill came as a request from the State's Attorneys in Henry and Bureau Counties and others, and backed by the State's Attorneys Association. Again, this amendment only adds an immediate effective date. Be happy to answer questions, otherwise ask for your affirmative vote on the Motion to Concur in House Amendment to Senate Bill 14.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? This is final passage. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 14. 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. Senate does concur in House Amendment No. 1 to Senate Bill 14, and the bill, having received the required constitutional majority, is declared passed. Senator Farley on the Floor? Out of the record. Senator Fitzgerald. Senator Farley? Just a second. Do you want to call Senate Bill 171? Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 171.

Offered by Senator Farley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Farley.

SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would move to concur with House Amendments 1 and 2 to Senate Bill 171. These amendments were put on in the House and were adopted today in Judiciary Committee. Senate Amendment -- or, House Amendment No. 1 allows a county board or municipality, or both, to create or contract with a community-based organization for teen court programs. It lowers the age from 13 to 10 years of

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age for those persons who may serve on a teen court jury, prosecute a teen court case, or represent a person in front of a teen court. House Amendment 1 also allows a person who personally knows the minor before the teen court to be able to prosecute or represent that person with the consent of the supervisor of the teen court program. This is a -- a concern, or was a concern before the amendment, because in small towns or municipalities, so many people know each other. So it was felt that -- that it would be impossible, if we didn't have this amendment, to effectively have a teen court program in that municipality. Senate {sic} Amendment No. 2 requires that all teen court jury members, teen court attorneys, judges and observers to sign an oath of confidentiality prior to commencing teen court proceedings. I think that this adds to the bill, Madam President. And, Ladies and Gentlemen, I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final passage. And the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 171. 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 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 171, and the bill, having received the required constitutional majority, is declared passed. Now, Senator Fitzgerald, on Senate Bill 248. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 245 {sic} (248).

Offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

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SENATOR FITZGERALD:

Yes. House Amendment No. 1 to Senate Bill 248 simply changes the word "shall" to "may". And this is the day care home lunch bill, if you'll recall, and I'd urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 248. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 248, and the bill, having received the required constitutional majority, is declared passed. Senator del Valle, on Senate Bill 331. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 331.

Offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I move to concur with House Amendment No. 1 to Senate Bill 331. The amendment makes a minor change in the original bill and it allows a person who fails to fulfill the scholarship obligations to enter into a payment schedule contract within thirty days of the failure.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 331. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 331, and the bill, having received the required constitutional majority, is declared passed. Senator Watson, on Senate Bill 429. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 429.

Offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. As the bill left the Senate, it increased the penalty for one existing category of aggravated assault from a Class A misdemeanor to a Class 4 felony when an individual uses a deadly weapon, and we identified it being a firearm, on a police officer. The House amended it, just to clarify the language that it only involved the use of a firearm. So that's basically cleaned up the language and I'd move for concurrence.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 429. 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 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 429, and the bill, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to Senate Bill 599. Senator Radogno, on

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Senate Bill 827. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 827.

Offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill, as it left the Senate, you'll recall, just clarified the trespass law by making it a misdemeanor to knowingly enter, without authority, a building which is not open to the public. The amendment does three things. It includes trespass on a building, as well as inside of one. It excludes if a person has made an error, as defined in the bill, and that causes the trespass. And thirdly, it allows for a defense of necessity when one enters the building. And ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? The question is -- this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 827. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 827, and the bill, having received the required constitutional majority, is declared passed. Senator Burzynski, on Senate Bill 857. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 857.

Offered by Senator Burzynski.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Basically we've got three slight changes. It changes the makeup of the Board of Nursing, gives authority for geologists to have additional time to apply for licensure, and amends the Illinois Dental Practice Act to move to fee by administrative rule. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? ...discussion?
This is final action. Senator Cullerton.

SENATOR CULLERTON:

Yes. I just wanted to see if I had the correct number on the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Yeah. Sorry, we were just trying to get that straight, and we appreciate that. All right. Now I think we're correct on our board. This is final passage. And the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 857. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 857, and the bill, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 918. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 918.

Offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 918, as it left the Senate, amended the Governor's Council on Physical Fitness and Sports Act with provisions that the Council would establish minimum standards for youth sports in Illinois. House Amendment No. 1 becomes the bill. It changes the title of the Governor's Council on Physical Fitness and Sports to the Governor's Council on Health and Physical Fitness. It also changes the terms of the members of the Council to four-year terms, commencing in the year 2000. Provides that the Council shall establish, by rule, minimum standards for accreditation of -- of Coaches' Safety Orientation and Training Skills Programs, and similar programs for officials. Provides that these programs may be recognized by municipalities, sports programs, park districts, and insurance carriers as acceptable standards. I'd be happy to answer any questions there might be, but I would request your support for concurring with Amendment No. 1 from the House to Senate Bill 918.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 918. 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. The Senate does concur in House Amendment No. 1 to Senate Bill 918, and the bill, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 952. Read the bill -- or, read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

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I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 952.

Offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 952, just to refresh your recollection, is the Secretary of State's Business Corporation Advisory Committee and the Taxpayers' Federation of Illinois' accumulation of long-standing study of the Business Corporation Act in Illinois. I'm going to move that we concur in Amendments No. 1 and 2. The first amendment amends the Business Corporation Act to clarify that all directors may vote on all matters voted upon by the board, even when the director voting may have an interest in the vote. However, in a challenge, the burden is on the interested director to prove the fairness of that transaction. And the second amendment creates the Choice of Law and Forum Act and it's modeled about -- or, against a New York Statute and allows parties to a contract over a quarter of a million dollars a year to agree an Illinois law will govern their rights and duties, and allows parties to sue in Illinois courts on actions arising from a -- a major contract. I'd be happy to answer any questions and I know of no opposition. And I'd appreciate a favorable vote in concurring on Amendments No. 1 and 2 to Senate Bill 952.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 952. 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, 1 Nay, none voting Present. And the

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Senate does concur in House Amendments No. 1 and 2 to Senate Bill 952, and the bill, having received the required constitutional majority, is declared passed. House {sic} Bill 1073. Senator Jacobs. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1073.

Offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we concur in House Amendment No. 1 to Senate Bill 1073. The amendment allows the Department of Professional Regulations to extend the exemption to practice of the Occupational Therapy Practice Act, the required examination, beyond six months of the date when a test is offered beyond the six months' time. This bill passed out of the Senate. This was requested by the -- the Department. And I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1073. 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 the Senate does concur in House Amendment No. 1 to Senate Bill 1073, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1084. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their

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Amendment No. 1 to Senate Bill 1084.

Offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I move to concur with House Amendment No. 1. It would allow the Department of Human Services to operate the Assistive Technology Evaluation and Training Centers in collaboration with other entities. It'll give the Department more options in creating and operating the Centers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments -- Amendment No. 1 to Senate Bill 1084. 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 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1084, and the bill, having received the required constitutional majority, is declared passed. Previously, there was leave to return to Senate Bill 599. A Motion to Concur, Senate Bill 599. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 599.

Offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 599 establishes a special fund for the deposit of funds received by the Attorney General from consent decrees and assurances of

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voluntary compliance. These funds come primarily from the consumer fraud and charitable trust enforcement areas. And it just gives the Attorney General some flexibility, and I would move to concur to House Amendment No. 1 to Senate Bill 599.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 599. 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 the Senate does concur in House Amendment No. 1 to Senate Bill 599, and the bill, having received the required constitutional majority, is declared passed. ...now go to the Order of Secretary's Desk, Non-concurrence of House Bills, in the middle of page 3 of Supplemental Calendar No. 1. Madam Secretary, on House Bill 447.

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendment No. 1 -- pardon me, No. 2 to House Bill 447 and request that a conference committee be appointed.

Offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. House Bill 447, I refuse to recede from the Senate Amendment No. 2 and I request a conference committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

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

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Syverson.

SENATOR SYVERSON:

Senator Smith, earlier this week, you stated that this bill would not go to conference committee, and now you've changed that. Is there a reason for that, or -- and maybe you can tell us what your intent is?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith.

SENATOR SMITH:

I said to you I did not know what the House was doing, but I did not say that. I'm sorry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Can you tell us what the intent is for this, what you're planning to do with it when it moves to conference?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith.

SENATOR SMITH:

As of right now, I don't know what they're going to do. I -- I really don't know. That's why I recede {sic}, and -- and the amendment that I put on, Amendment No. 2, was only to give it an immediate date. That's all.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I would just simply say that I was the one who asked the question in regard to what the intent of this was, and it was not to go to conference. So do you know what the intent to put it into conference is for?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Smith.

SENATOR SMITH:

And as I stand here now, Senator, I do not know what their intentions are. At the time, when I had the amendment, it was only to give it an immediate effective date. That's all.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Smith moves that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 447 and that a conference committee be appointed. Roll call has been requested. 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 29 Ayes, 28 Nays, 1 voting Present. And the motion fails. House Bill 1212. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 1212 and request that a conference committee be appointed.

Offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue. Senator Donahue moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1212 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

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Yes. Senator Donahue, is this going into a conference committee? And if so, do you -- is -- are the rules still that you need six signatures before you can have a vote on a conference committee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Yes sir.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

So, all conference committees, then, have to be bipartisan this year, it would seem to me. Before you can even have a conference committee, you have to have at least one person from the other party before you can go to a conference committee. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

...know if we're going to have -- like, for example, in this particular conference committee, do you know what we're going to have in there?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

This is the conveyance bills that come through every year and that's what it's going to deal with, is conveyances with the Department of Transportation and Department of Energy and Natural

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Resources.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

There have been some conveyance bills that have been introduced and passed out of both -- both Chambers. Do you know if there's going to be any new conveyance bills included in this conference committee? As well as, I think, we've had some controversial votes on some quick-take measures in certain parts of the State. Do you know if this conference committee report might contemplate that or, perhaps, are you just not yet sure what might be in the conference committee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Well, quite frankly, Senator, I'm as concerned about quick take as you are. I'm not real thrilled about having -- carrying a piece of legislation like that. But at this point, sometimes we need the flexibility for this type of bill for the end.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Donahue moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1212, and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Top of page 4 of your -- of Supplemental Calendar No. 1, in the Order of Secretary's Desk, Non-concurrence of House Bills, is House Bill 1215. Out of the record. House Bill 1485. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 1485 and request that a conference committee be

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appointed.

Offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. Originally, this original bill, when it was amended, and the amendment became the bill, it was in error. And we need to move this to conference committee to correct it to put the original language back in. And I would move to refuse to recede from Senate 1 to move it to conference committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Bomke moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1485 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. House Bill 1628. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 1628 and request that a conference committee be appointed.

Offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Yes, thank you, Mr. President. I refuse to recede. I move for a conference committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Shadid moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1628 and that a conference committee be

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appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the Secretary shall so inform the House. ...Karpziel.

SENATOR KARPIEL:

There's a Republican Caucus now, in Senator Philip's office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There will be a Republican Caucus immediately in the Senate President's office. Senate will stand at ease. Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR JACOBS:

We have with us today the Westmer Eighth Grade Class from Joy, Illinois, accompanied by Dennis Henderson. I would like to have them stand and be recognized.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will -- will our guests in the gallery please rise and be recognized? Welcome to Springfield. There will be a Republican Caucus immediately in Senator Philip's office. A Democratic Caucus immediately in Senator Jones' office. The Senate stands at ease and will reconvene at 2:30 or at the conclusion of all committees.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

...Fawell, what purpose do you rise?

SENATOR FAWELL:

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For the purpose of an announcement. The Transportation Committee will meet immediately, immediately in Room 400. Transportation Committee, in Room 400, now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben, what purpose you rise?

SENATOR SIEBEN:

Thank you, Mr. Chairman. For the purpose of an announcement. The Ag and Conservation Committee will meet in thirty minutes. That would be at 2:45. Ag and Conservation at 2:45, in Room A-1 in the Stratton Office Building.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson, what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. The Senate Public Health Committee will meet in Room 400, immediately after Transportation. Transportation's only going to take a couple minutes, so immediately after Transportation, Room 400, Public Health.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, what purpose you rise?

SENATOR CRONIN:

Thank you, Mr. President. For purposes of announcement. The Senate Education Committee shall convene in Room 212, immediately upon adjournment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson, what purpose do you rise?

SENATOR PETERSON:

Thank you, Mr. President. For the purposes of an announcement. The Revenue Committee will meet at 2:45, in Room 400.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler, what purpose do you rise?

SENATOR BUTLER:

For purposes of announcement. The Local Government and

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Elections Committee will meet at, I guess, 1 -- or, 2:45, in A-1.
2:45, A-1. Wait...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald, what purpose do you rise? Senator --
Senator Butler.

SENATOR BUTLER:

We have a problem here. We have a conflict with the Ag
Committee in A-1. Where's the Ag Committee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler, the Ag Committee is meeting at 2:45, in A-1.
Senator Butler.

SENATOR BUTLER:

Well, I'm trying to find the Ag Committee. How much time do
you need in the Ag Committee? Okay. Okay. Local Government will
meet at 3 o'clock, in A-1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan, what purpose you rise?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement: that
the Insurance Committee will meet in Room 212, at 2:45 p.m.,
immediately following the Education Committee's meeting in Room
212. Insurance Committee, Room 212, 2:45.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen, what purpose do you rise?

SENATOR LAUZEN:

Thank you, Mr. President. Announcement: Commerce and Industry
Committee will meet immediately on the Senate Floor, as soon as we
clear off some of the folks going to committee. So that's
Commerce and Industry Committee, Senate Floor, immediately.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel, what purpose do you rise?

SENATOR KARPIEL:

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To -- an announcement, Mr. President. There will be a -- an Energy and Environment Committee meeting in Room 212, immediately following the Insurance and Pensions Committee. And they're meeting, I think, immediately. And we will be immediately after them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any more announcements? Senator Fitzgerald.

SENATOR FITZGERALD:

Yes. Mr. President, the State Government Operations Committee meets tomorrow morning at 8 a.m., in Room A-1. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel. You had your lights on. The Senate will stand at ease, pending the conclusion of all committees. At which -- at which point, we will resume our normal business of the day.

(SENATE STANDS AT EASE)

END OF TAPE

TAPE 2

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

...the intention of the Chair for us to go back into Session and -- and get out of here as soon as we can. I know a lot of you have got activities that you're interested in, and so does the Chair. So I would suggest you getting to the Floor as soon as possible. We're about ready to proceed. Supplemental Calendar

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No. 2. There's a considerable number of bills - about eight pages worth. Once again, we understand all the committees have completed their work for this afternoon and I would recommend Members returning to the Floor. Committee Reports.

SECRETARY HARRY:

Senator Cronin, Chair of the Committee on Education, reports Senate Amendment 2 to Senate Joint Resolution 27 Be Adopted.

Senator Fawell, Chair of the Committee on Transportation, reports Senate Bill 31, the Motion to Concur with House Amendment No. 1 Be Adopted; Senate Bill 455, Motion to Concur with House Amendment No. 1 Be Adopted; Senate Bill 495, Motion to Concur with House Amendment No. 1 Be Adopted; Senate Bill 496, Motion to Concur with House Amendment 1 Be Adopted; Senate Bill 543, Motion to Concur with House Amendments 1 and 2 Be Adopted; Senate Bill 548, Motion to Concur with House Amendment 1 Be Adopted; Senate Bill 950, Motion to Concur with House Amendment 1 Be Adopted; and Senate Bill 954, the Motion to Concur with House Amendments 1 and 2 Be Adopted.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bill 76, the Motion to Concur with House Amendment 1; Senate Bill 476, Motion to Concur with House Amendment 2; Senate Bill 1020, Motion to Concur with House Amendments 1 and 2; and Senate Bill 1039, Motion to Concur with House Amendment 1, all Be Adopted.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bill 80, the Motion to Concur with House Amendment 1; and Senate Bill 418, the Motion to Concur with House Amendment 1, both Be Adopted.

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 124, Motion to Concur with House Amendment 1; Senate Bill 457, Motion to Concur with House Amendment 1; Senate Bill 665, the Motion to Concur with House

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Amendments 1 and 2; and Senate Bill 801, the Motion to Concur with House Amendment 1, Be -- all Be Adopted.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bill 347, the Motion to Concur with House Amendment 1 Be Adopted; the Motion to Concur with House Amendment No. 1 to Senate Bill 475 Be Adopted.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 83, Motion to Concur with House Amendment 1; Senate Bill 549, Motion to Concur with House Amendment 1; Senate Bill 677, Motion to Concur with House Amendment 1; and Senate Bill 715, Motion to Concur with House Amendment 1, all Be Adopted.

And Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports Senate Bill 304, the Motion to Concur with House Amendment 1; and Senate Bill 305, the Motion to Concur with House Amendment 1, Be Adopted.

PRESIDING OFFICER: (SENATOR WATSON)

Messages from the House, Mr. Secretary.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bill 1118, with Senate Amendment No. 1.

Nonconcurrent in by the House on May 20th, 1997.

We have a like Message on House Bill 1400, with Senate Amendment 1.

Also nonconcurrent in by the House, May 20th, 1997.

PRESIDING OFFICER: (SENATOR WATSON)

Introduction of Bills, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1187, offered by Senator Dillard.

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(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

...Larry Walsh, for what purpose do you rise, sir?

SENATOR L. WALSH:

Mr. President, for a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point.

SENATOR L. WALSH:

It's my honor today, Ladies and Gentlemen and colleagues of the Senate, to have my aunt and uncle from Arizona coming and visit us in Springfield, and I would like to introduce them and have them welcomed by the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Glad to have you here. Welcome. You brought some of that Arizona weather with you, didn't you? Very good. It's obvious that some of the Members haven't heard the fact that we're back in Session. But what we intend to do here is to begin with nonconcurring motions and Supplemental Calendar No. 2. We begin with Senator del Valle. Senator del Valle, Senator Hawkinson, Senator Fitzgerald. Senator del Valle, on the Order of Non-concurrence, Senate Bill... Out of the record. Senator Hawkinson. Senate Bill 232, on the Order of Non-concurrence. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 232.

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Senator Hawkinson moves to nonconcur in House Amendments No. 1 to Senate Bill 232. All those in favor, say Aye. Opposed. The Ayes have it, and the

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motion carries, and the Secretary shall inform the House. Senator Fitzgerald. Out of the record? Out of the record. We move on to page 3 of Supplemental Calendar No. 2. We have Senate Bill 307. Senator Viverito. This is a nonconcurrency motion, Mr. Secretary. Please read the motion.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. -- or, Amendments 1 and 3 to Senate Bill 307.

Filed by Senator Viverito.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. Is there any discussion? Seeing none, Senator Viverito moves to nonconcur -- Senator Viverito?

SENATOR VIVERITO:

Yes. Mr. President, I have worked some of the particular problems out on that particular bill, and I'd like to concur. Could I -- could I do that? Could I change that now?

PRESIDING OFFICER: (SENATOR WATSON)

No. You have to file another motion, sir. You just withdraw this.

SENATOR VIVERITO:

All right. All right. I'll...

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. Do you want this out of the record, obviously? Yes. Out of the record. We are now on page 5 of Supplemental Calendar No. 2. Senate Bill 551. Senator Parker. Senator Parker on the Floor? Senator Parker? Mr. Secretary, please read the motion.

SECRETARY HARRY:

...move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 551.

Filed by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Parker moves to nonconcur in House Amendment No. 1 to Senate Bill 551. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall inform the House. Senate Bill 569. Senator Watson? Senator Watson on the Floor? I'd like to have leave to go back to that order of business. Senator Parker, on Senate Bill 1099. Mr. Secretary, please read the motion.

SECRETARY HARRY:

...move to nonconcur with the House in the adoption of their Amendment No. 2 to Senate Bill 1099.

By Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Having heard the motion, is there any discussion? Senator Parker moves to nonconcur in House Amendment No. 2 to Senate Bill 1099. All those in favor, say Aye. Mr. Secretary, we'd like to take this bill out of the record. Page 6, Supplemental Calendar No. 2, we find Senate Bill 1109. Senator Klemm. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1109.

Filed by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Having heard the -- the motion, is there any discussion? Senator Klemm moves to nonconcur in House Amendment No. 1 to Senate Bill 1109. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. We will now move to concurrence motions. As you know, that's final action. We are on Supplemental Calendar No. 2. We will begin at the top and proceed through. On page 1 -- I guess it's actually page 2 of the Calendar, on the Order of Concurrence, is Senate Bill 31. Mr. Secretary, please read the

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motion. Senator Sieben.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 31.

Filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Mr. President and Members of the Senate. The House did add an amendment to House -- or, Senate Bill 31. The underlying bill deals with school buses and the requirement, going forward here, to require crossing arms on the school buses. The House amendment -- the House amendment did two things. It first made a technical correction, and then, secondly, it added provisions stating that the crossing arms shall be designed as prescribed by rules promulgated by the State Board of Education. State Board of Education is the one that's involved with school buses and school bus crossing arms and the education program. This was language requested by the State Board of Education to help facilitate the administration of -- of this new requirement on school buses for crossing arms. Know of no objection and -- and I would move to concur with House Amendment No. 1 to Senate Bill 31.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the -- would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator Sieben, as you know, I'm a cosponsor with you on this bill. I had a similar bill and we -- we combined forces on this.

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Just a question. I haven't had a chance to read the actual amendment, other than just to look at the analysis. Does the bill still require that they put these crossing -- these arms out in front of the buses, and is the -- is the amendment that the House passed just saying that the way in which they're designed can be done by rule? In other words, do we still have a -- a substantive bill that -- that requires over time, over a phased-in period, these -- these arms to be installed on the school buses?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. That's correct. What -- the amendments do nothing to change the underlying requirements for crossing arms on new and retrofitted buses.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Seeing none - this is final action - the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 31. 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 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 31, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 76. Senator Lauzen. Out of the record. Senate Bill 80. Senator Bowles. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 80.

Filed by Senator Bowles.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

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SENATOR BOWLES:

The amendment to Senate Bill 80 amends the Illinois Food, Drug and Cosmetic Act as far as surgical devices are concerned. The amendment is the result of negotiations between the Senate sponsors, the House sponsors and the proponents, who are the Federal Center for Disease Control and Prevention, the Association of Medical Device Processors, the Illinois Hospital and Health Systems Association, the Illinois State Medical Society of Illinois, and Illinois Freestanding Surgery Centers Association. There are no opponents to this bill. What it does, it establishes oversight and regulation of the procedure of medical device processing. This Senate Bill 80, if enacted in -- by the Senate today, would be the first -- we would be the first state in the nation to have a law regulating this -- this practice. This landmark piece of legislation will be a model for other states to follow in regulating the reprocessing of medical devices. I would be happy to answer any questions, if you have, but I would -- I make a motion to concur.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Lauzen.

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Lauzen.

SENATOR LAUZEN:

Can you again explain the amendment -- what the amendment did here? Because there are some concern of people who are writing me from back home that -- that they've worked in this field and they've never had a problem with infection. And is it -- what was it that the amendment did?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

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SENATOR BOWLES:

It adds language which declares the original Act does not apply to persons who use, recycle or reprocess for utilization, or provide for utilization, a single-use surgical device that has been reprocessed by an entity or an individual registered with and regulated by the U.S. Food and Drug Administration or reprocessed by a hospital licensed under the Hospital Licensing Act or the University of Illinois Hospital Act.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I stand in strong support of -- of this motion, and I want to commend the sponsor for her hard work on this. And the same concerns that Senator Lauzen had with this I had had, and the sponsor was very willing to work with these people and has come up with a solution to this. And this is landmark legislation, and I think it's something that all of us can support and be proud of. And again, I commend Senator Bowles for her hard work on this issue.

PRESIDING OFFICER: (SENATOR WATSON)

This is the final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 80. All those in favor shall 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 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 80, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 83. Senator Parker. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 83.

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Filed by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 83 adds two new funds to be administered for the checkoff on the income tax: Mental Health Research Fund and Children's Cancer Fund. The amendment adds a third: The American Diabetes Association {sic} (Foundation Fund). I would answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 83. 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 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 83, and has received the required constitutional majority and is declared passed. Senator Garcia. Mr. Secretary, please read the motion. Senate Bill 124.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 124.

The motion filed by Senator Garcia.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. Senate Bill 124, with House Amendment No. 1, is essentially the original intent. The amendment was a recommendation of the insurance industry to reflect Insurance Code drafting standards and cross-references,

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and for that reason, I would renew my Motion to Concur.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the -- this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 124. Those in favor shall vote -- Aye. The 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, once again, 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 124, and the legislation received the required constitutional majority and is declared passed. Page 3 of Supplemental Calendar No. 2. Senate Bill 304. Senator Sieben. Senator Sieben. Mr. Secretary, please read the motion.

SECRETARY HARRY:

...move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 304.

The motion, by Senator Sieben.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Senate Bill 304 is a Department of Natural Resources administration bill. Had a lot of language there that they were seeking to -- to bring their Statutes up-to-date. The House added Amendment No. 1, which is offered by Representative Noland, and it added some Sections dealing with the oil and gas wells on public lands. There's some prohibitions there on surface oil and gas drilling operations on DNR property. Does allow, though, for the extraction of oil and gas from beneath DNR lands if directional drilling techniques are used. The legislation is an effort to protect DNR natural resource lands from the environmental hazards associated with oil and gas

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production and to preserve the recreational opportunities provided by parklands, wildlife and natural areas. I move for the adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendments -- No. 1 to Senate Bill 304. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 304, and having received the required constitutional majority, is declared passed. Senate Bill 305. Senator Sieben. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 305.

The motion, by Senator Sieben.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This is a Department of Agriculture administration bill. Initial underlying bill dealt with the Illinois Pesticide Act. No opposition to that, and then House Amendment No. 1, added by Representative Ryder, changed the Administrative Code to change "Illinois Grown" label to "Illinois Products" label program. It has a Section dealing with veterinary hospitals, so they'd be excluded from the definition of "kennel operators". I know of no opposition, and I would move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, this is final

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action, and the question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 305. 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 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 305, and the -- the bill, having received the required constitutional majority, is declared passed. Senator Mahar. Senator Mahar, on Senate Bill 347. Senator Mahar. Out of the record. Senate Bill 348. Senator Mahar. Out of the record. Senate Bill 418. Senator Cullerton. Senator Cullerton on the Floor? Out of the record. Senate Bill 455. Senator Fawell. Senator Fawell. Madam, do you wish this bill to be called? Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 455.

The motion, by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. The underlying bill was a bill that was requested by Waste Management, and basically what it did was it allowed them to put the front loaders on. This was okay with both the State Police and IDOT. The proposed amendment was asked by an airport group -- airport transportation group, who, during their nonpeak hours, wanted to be able to run a bus that seated anywhere from eight to nine passengers, rather than the larger buses, which seat ten, and still be underneath the ICC. There is no objection to the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? This is

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final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 455. 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 58 voting Yes, no voting No, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 455, and the bill, having received the required constitutional majority, is declared passed. We're on page 4 of Supplemental Calendar No. 2, right at the top of the page with Senate Bill 457. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 457.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 457 allows HMO enrollees who are residents at a home which provides long-term care rooms and residential apartments, that they may stay there if they become -- need the long-term care. The House amendment is agreed upon between the facilities and the HMO Association. It emphasizes that the point of the bill is for enrollees at these facilities needing Medicare-covered skilled nursing services. I would answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 457. 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 58 voting Yes, no voting No,

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no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 457, and that has received the required constitutional majority and is declared passed. Senate Bill 475. Senator Radogno. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 475.

Filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. The underlying bill requires the disclosure of written or oral host agreements during the siting procedures for pollution control facilities. The amendment simply states that when that agreement is oral, it shall be prepared jointly by the municipality and the applicant and submitted to the -- the local body for -- during the siting hearing.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not - this is final action - the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 475. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 475, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 476. Senator Fawell. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of Amendment No. 2 to Senate Bill 476.

Offered by Senator Fawell.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is the bill that the park districts all wanted, allowing fifteen-year-olds to umpire Little League games, and this amendment merely tightens up the language. It was requested by the Department of Labor.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 476. And those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 476, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 495. Senator Geo-Karis. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 495.

The motion, by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the House put an amendment, provided that the -- this requirement about wearing personal flotation devices shall not apply to a person operating a watercraft on private property. And I move to concur.

PRESIDING OFFICER: (SENATOR WATSON)

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Any discussion? Any discussion? Seeing none, the question is, will the Senate concur in House Amendment No. 1 to Senate Bill 495. 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, the Senate does concur in House Amendment No. -- oh, on that question, yes, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 495, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 496. Senator Geo-Karis. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 496.

By Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the amendment from the House said that the bill -- the Section of the bill dealing with where a person may or may not sit shall not apply to the driver of the boat, a person while fishing, or to a person on -- on private property. I move for its concurrence.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, as I understand, what is meant by private property is

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that a privately owned lake that's owned by a private association would be considered private property under the meaning of the bill. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, sir. That's my understanding.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? Seeing none - this is final action - the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 496. 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. There's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 496, and the bill, having received the required constitutional majority, is declared passed. Senator Dudycz, on Senate Bill 543. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 543.

The motion's by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

...filed two motions. We're going to combine them in one roll call, unless there's objection. Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Appreciate your courtesy there. Senate Bill 543 amended the Vehicle Code, allowing the City of Chicago to use cameras to record vehicles going through red lights which are involved in accidents, leaving the scene of an accident or reckless driving that results in bodily injury. House Amendment No. 1 clarifies that the bill only applies to Chicago,

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and House Amendment No. 2 provides that this Section of the law is subject to prosecutorial discretion that is consistent with applicable law. And I would move that the Senate concur to House Amendments No. 1 and 2 to Senate Bill 543.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

I have some note about DuPage County Board opposes P tickets. I don't know what that -- actually, what that note stands for. Anything in this that you can...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Has absolutely nothing to do with that, Senator. I think you got the wrong bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not - this is the final action - the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 543. 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 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 543, and having received the required constitutional majority, is declared passed. Mr. Secretary, please read the motion on Senate Bill 548.

SECRETARY HARRY:

I move to concur with the House in the adoption of their

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Amendment No. 1 to Senate Bill 548.

The motion, by Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment -- House Amendment No. 1 to Senate Bill 548 authorizes Secretary of State to issue a -- license plates designated as Illinois and Michigan Canal license plates. Under this amendment, the applicant would pay forty dollars for the original issuance, in addition to the appropriate registration fee. Twenty-five dollars would go to the newly created Illinois and Michigan Canal Fund, and fifteen dollars would go towards the Secretary of State's administrative costs. The money in the Fund would be used, subject to appropriation, by the Department of Natural Resources for restoration and improvements of the Canal and its adjacent structures. This request comes from the -- the national -- the I and M Canal National Heritage Corridor Commission, which is making the effort to celebrate and honor the hundred and fiftieth anniversary of the opening of the Illinois and Michigan Canal. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor please yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I think I figured out the answer to my question in -- in committee, and -- and you'll answer it with this question. Is the underlying bill still in place?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Yes, it is.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

May the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Sponsor indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Are we -- are we giving every school board member, alderman and any other elected official the right to speak -- seek specialty plates? Is that what we're doing here?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

What's before us is Amendment No. 1 to Senate Bill 548, which authorizes the Illinois and Michigan Canal license plates in recognition of the hundred and fiftieth anniversary of the opening of the Canal.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I had some difficulty hearing the answer to the question, if the Member wouldn't remind -- wouldn't mind repeating the answer.

PRESIDING OFFICER: (SENATOR WATSON)

Yes. And it wouldn't be a bad idea if we did hold down the noise volume. We've kind of let you get by with that a little bit, thinking that we were moving right along. But let's hold it down a little bit, so that the debate can take place here. Senator O'Malley, to rephrase the response.

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SENATOR O'MALLEY:

Senator Demuzio, House Amendment No. 1 to Senate Bill 548 authorizes Secretary of State to issue license plates designated as the Illinois and Michigan and -- Canal license plates in recognition of the hundred and fiftieth anniversary of the opening of the Illinois and Michigan Canal.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Do you have any idea how many specialty plates there are now in Illinois?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

I'm advised that there are approximately two hundred, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

There are two hundred and fifty plus. So now we're going to issue like Mayor 1 and Mayor 2 and Mayor 3, or are we going by a village or by town, or how are we going to do that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, if you're referring to the underlying bill, let me go back to the original bill. That merely authorizes the Secretary to design and develop a program to issue such plates. It does not mandate that the Secretary does so, nor does it require that the Secretary do it in any special way.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

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One final question, and that is: What is law enforcement's position on this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

I understand that they have taken no position, which I presume means they're neutral.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I stand in favor of this particular bill, because in a lot of cases, some of the mayors that we've met with and talked with - Senator O'Malley and myself - have said there have been emergency-type situations in their community, perhaps a fire or something that -- of a real emergency, and they don't even recognized these mayors when they're pulling up in their car. And I -- I -- I really -- it really -- I don't think it's very funny, Senator Demuzio. In fact, I know your son's a mayor, so I can't quite understand why you would be opposed to this bill, knowing that there are so many mayors out there that really don't have the recognition sometime and they need this license plate. So I commend Senator O'Malley for what he's doing.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Seeing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

Yeah. Very quickly, Mr. President. What's before us is the amendment that was placed by the House, and I have moved to concur with it. That's the issue before us. It is my intention, should for some reason this not -- this motion not succeed, to merely move to nonconcur. So I would appreciate your support and would appreciate if we could get on with the Session today. Thank you.

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PRESIDING OFFICER: (SENATOR WATSON)

This is -- this is final action. The question is, shall the Senate concur in -- in House Amendment No. 1 to Senate Bill 548. 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 43 voting Yes, 13 voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 548, and the bill, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise, sir?

SENATOR DEMUZIO:

Well, a point -- point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Please state your point.

SENATOR DEMUZIO:

Previous speaker mentioned my name in debate. I forgot to declare my conflict of interest because my son is a mayor. Want the record to reflect that I voted a strong No. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Wonderful. Senate Bill 549. Senator Hawkinson. Mr. Secretary, please read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 549.

The motion, by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the bill which we're trying to use to attract DHL to Illinois. The Peoria Airport is -- is one of the three finalists in this competition. The original bill that we sent over just had the straight ten-year fuel tax

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exemption. After some conversations with DCCA and the Governor's Office, it was decided to move this exemption under the High Impact Service Facility Act. DCCA has helped us with the -- with the language. The one -- another substantive change is that we have upped the investment requirement from thirty-five million in the bill to a hundred million, and the job creation from seven-fifty to seven-fifty to a thousand jobs or more. I'd be happy to answer any questions, otherwise ask for an affirmative vote on the...

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? This is final action. The question is, shall Senate concur in House Amendment No. 1 to Senate Bill 549. 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 58 voting Yes, 1 voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 549, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 665. Senator Maitland. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 665.

Offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. The underlying bill, Senate Bill 665, was the omnibus pension bill that we passed out of this Chamber some weeks ago. The two amendments that have been placed on the bill by the House are primarily technical in nature. House Amendment No. 1 simply

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reorders the bill which left here. It -- it was language suggested by LRB to correct an order problem. House Amendment No. 2 does three things. It provides TRS with statutory authority to tax shelter employee contributions for the purchase of optional service and repayment of -- of refunds. Number two, it includes a housekeeping change which requires timely payment of employer contribution to the system to be required of all TRS employers. Number three, it includes language to clarify the termination of survivor benefits. Again, these are technical. There's no cost to the State. I would move for the...

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

Is -- does one of the amendments contain the ability of current IMRF participants to purchase up to twenty-four months' additional pension time for military service served? Something -- it's like what's contained in bill that's now Senate Bill 665, Amendment 2. Is -- is this amendment -- does this give current IMRF participants the opportunity to purchase twenty-four months' additional pension for military service?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator, that component is in the original bill that passed out of this Chamber. It had been approved by the Pension Laws Commission, was a part of 665 when it left this Chamber.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

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SENATOR LAUZEN:

Is that a yes?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Yes, that is a yes.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 665. 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 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 665, and having received the required constitutional majority, is declared passed. Senator Jacobs. Mr.... Excuse me, Senator Jacobs. We're going to have Committee Reports and then we'll get to you. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Butler, Chair of the Committee on Local Government and Elections, reports Senate Bill 21, the Motion to Concur with House Amendment No. 1; Senate Bill 103, Motion to Concur with House Amendment 1; Senate Bill 106, Motion to Concur with House Amendments 1 and 3; Senate Bill 307, Motion to Concur with House Amendments 1 and 3; Senate Bill 369, Motion to Concur with House Amendment 1; Senate Bill 437, Motion to Concur with House Amendment 1; Senate Bill 509, Motion to Concur with House Amendments 1 and 2; Senate Bill 691, Motion to Concur with House Amendment 1; and Senate Bill 999, the Motion to Concur with House Amendment 1, all Be Adopted.

Senator Weaver, Chair of the Committee on Rules, reports the

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following Legislative Measures have been assigned: Referred to the Committee on Agriculture and Conservation - Motion to Concur with House Amendment 1 to Senate Bill 795; to the Committee on Education - Motions to Concur with House Amendments 1, 2, 3, and 5 to Senate Bill 709, 1, 2, and 3 to Senate Bill 763, and 1 and 2 to Senate Bill 878; to the Committee on Executive - Motions to Concur with House Amendment 1 to Senate Bill 218 and Amendment 4 to Senate Bill 473; to the Committee on Judiciary - the Motion to Concur with House Amendment 1 to Senate Bill 366; to the Committee on Licensed Activities - the Motion to Concur with House Amendments 2 and 3 to Senate Bill 316; to the Committee on Local Government and Elections - Motion to Concur with House Amendment 1 to Senate Bill 25; to the Committee on Revenue - the Motion to Recede from Senate Amendment 1 to House Bill 1118, Motions to Concur with House Amendment 1 to Senate Bill 435, and House Amendments 1, 2, 3, 4, and 5 to Senate Bill 856; to the Committee on State Government Operations - the Motion to Concur with House Amendment 1 to Senate Bill 855.

PRESIDING OFFICER: (SENATOR WATSON)

We will proceed now. We're on page 5 of Supplemental Calendar No. 2. Right there in the middle of the page is Senate Bill 677. Senator Jacobs. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 Senate Bill 677.

The motion, by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 677, the underlying bill passed out of here overwhelmingly. House Amendment 1 to Senate Bill 677 allows the

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Rock Island County Board, by a front-door referendum, to impose a quarter-percent sales tax for the purpose of obtaining funds for economic development activities of Rock Island County and communities located within the county. It's one that is requested by our county in order to compete with the communities across the river in Iowa that have better access to economic development dollars and ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 677. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, 1 voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 677, and having received the required constitutional majority, is declared passed. Mr. Secretary, please read the motion on Senate Bill 703. Senator Weaver.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 703.
The motion, by Senator Weaver.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 703 deals with municipal power agencies. House Amendment No. 1 makes their ability to exercise eminent domain powers consistent with the requirements imposed on public utilities.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, the question

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is, shall the Senate concur in House Amendment No. 1 to Senate Bill 703. 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 58 voting Yes -- 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 703, and having received the required constitutional majority, is declared passed. Senate Bill 715. Senator Radogno. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 715.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. The underlying bill had eliminated the use of prior year EAV in Cook County. The -- the reason for that was because recovered TIF districts and new growth weren't available to taxing districts when they are using prior year EAV. The House, however, preferred to approach this problem by specifically carving out exceptions for -- for recovered TIFs and new growth while still retaining the use of prior year EAV. So since the problem has been, for the most part, addressed, I would move to concur with this.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none - this is final action - the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 715. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no

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voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 715, and having received the required constitutional majority, is declared passed. Senator Molaro? Senator Molaro, on Senate Bill 789. Senator Molaro in the Chamber? Out of the record. Senate Bill 801. Senator Madigan. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 801.

The motion, by Senator Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. House Amendment No. 1 to Senate Bill 801 has -- the original bill had to do with the regulatory authority of the Department of Insurance over the insurance companies' investments capabilities. 801 established an eight hundred -- or, a five-hundred-million-dollar reserve. House Amendment No. 1 lowered that to two hundred and fifty million. There is no opposition to that, and I would ask...

PRESIDING OFFICER: (SENATOR WATSON)

There any discussion? Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 801. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 801, and having received the required constitutional majority, is declared passed. Senator Luechtefeld? Senator Luechtefeld, on Senate Bill 909. Mr. Secretary, please read the motion.

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SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 909.

The motion offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. Senate Bill 909 was the circuit breaker bill that moved the number from fourteen hundred to -- to sixteen hundred. All this amendment does -- Amendment 1 in the House simply made an effective date of January 1st, '98, and cleaned up a little bit of the -- the language in it - a technical change.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 909. 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 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 909, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 950. Senator Fawell. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 950.

The motion offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is just clean-up language for the

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graduated driver's license program. It has been requested by George Ryan, and it merely -- it decreased the fine from twenty-five dollars -- from fifty-five dollars down to twenty-five dollars for a seat belt violation.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, this is final action, and the question is -- I'm sorry. Senator Tom Walsh.

SENATOR T. WALSH:

Is the -- is -- is the underlying bill still in place there, the graduated driver's license?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Yes, it is.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Seeing none - this is final action - the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 950. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 950, and having received the required constitutional majority, is declared passed. Senate Bill 954. Senator Fawell. Mr. -- Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 954.

The motion, by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

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SENATOR FAWELL:

This, too, is basically a technical bill. It's a clean-up bill. It removes some obscure language about a -- a merit advisory board that hasn't been used for -- for ten years. Basically, that's what it does.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 and 2 to Senate Bill 954. And 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 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 954, and the bill, having received the required constitutional majority, is declared passed. Mr. Secretary, please read the motion on Senate Bill 1020. Senator Dillard.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1020.
The motion offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 actually gets gobbled up or eaten up or deleted by House Amendment No. 2. And what House Amendment No. 2 does to the Uniform Limited Liability Company Act, a model Act from the Secretary of State and the National Uniform Law Commissioners, is it just clarifies, especially in the situation of medical types of companies, that Illinois law must apply, especially where you have a successor company eating up or merging with another company.

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I'd be happy to answer any questions, and I move, again, we concur with Amendments 1 and 2 to Senate Bill 1020.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Cullerton. Any further discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1020. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1020, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1039. Senator Klemm. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1039.

The motion, by Senator Klemm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. The underlying bill on House Amendment -- or, on Senate Bill 1039 created the Automotive Repair Act. If you remember, that required that automotive repair facilities disclose certain information concerning estimates for repair work, warranties, and to provide estimated costs of repair. There was a couple questions about that, and amendment -- the House Amendment No. 1 answered those, and it excluded estimates for a retail purchase when a facility installs that merchandise as part of that transaction. Records also can be maintained electronically, and the Attorney General may proceed to enforce this Act if the facility is engaged knowingly in a persistent pattern to take advantage of the consumer. It's a agreed bill. I

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have no opposition. I think we've answered all the questions. It's been worked on by the Attorney General's Office and a number of other business entities. I think it's a good consumer-protection bill. I do ask for your concurrence.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none - this is final action - the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1039. 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 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1039, and having received the required constitutional majority, is declared passed. We're still on the Supplemental Calendar No. 2, page 5. As you may recall, we had leave to return to this order of business. Senate Bill 569. Could I ask leave that Senator Dudycz handle this nonconcurring motion? Leave is granted. On the Order of Non-concurrence is Senate Bill 569. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 569.

The motion made by Senator Watson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Watson moves to nonconcur in House Amendments No. 1 to Senate Bill 569. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. We're now on page 7 of the Supplemental Calendar No. 2. Page 7. The top of the page. Secretary's Desk, Non-concurrence. We have House Bill 127. Senator Geo-Karis, on House Bill 127. Read the motion, Mr. Secretary.

SECRETARY HARRY:

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I move to refuse to recede from Senate Amendment No. 1 to House Bill 127 and request that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis moves the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 127 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. House Bill 228. Senator Lauzen. Senator Lauzen. Out of the record. Senate -- House Bill 263. Senator Mahar. Out of the record. House Bill 297. Senator O'Malley. Senator O'Malley on the Floor? Out of the record. Senator Mahar, you wish to return to House Bill 263? Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 263 and request that a conference committee report {sic} be appointed.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator O'Malley, do you -- we're now on House Bill 297. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 3 to House Bill 297 and request that a conference committee be appointed.

The motion, by Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the

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Secretary shall so inform the House. Senator Lauzen, in regard to a motion on House Bill 310. Out of the record. Senator Hawkinson, on Senate Bill 581. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 581 and request that a conference committee report {sic} be appointed.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. We are now on page 8 of -- of Supplemental Calendar No. 2. House Bill 606. Senator Stan Weaver. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 606 and request that a conference committee be appointed.

The motion, by Senator Weaver.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. House Bill 1374. Senator Tom Walsh. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment 1 to House Bill 1374 and request that a conference committee be appointed.

The motion, by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. Is there any discussion? If not,

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the question is, shall -- all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. Back to the original Calendar. The original Calendar. Page 8. ...8, right at the top of the page there, Secretary's Desk, Resolutions. Senate Joint Resolution 27. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Senate Joint Resolution 27, offered by Senator Cronin. There were no committee amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin, to explain the amendment.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 becomes the resolution, and the resolution, in this case, addresses the issue of mandate waivers. As all of you know, and as all of you are -- have been most involved in the process of mandate waivers, we have a process that promotes local control of school districts and school districts may seek waivers of various mandates that are in our School Code or Administrative Rule. When it requires a -- when the school district requests a mandate -- a waiver of a mandate of law, it must be -- we must take an affirmative act if we want to deny such a waiver. In this case, we reviewed dozens of waiver requests, and consistent with our philosophy of local control, we permitted those waiver requests to go through. But in this case, with respect to the one particular waiver request in this Floor amendment, we decided that

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the proper position of this General Assembly, or in this committee, or the majority of the committee was to deny this waiver request, and that is with respect to Community Unit School District 300 in Carpentersville. They are seeking to waive certain portions of the Life Health Safety Code. And -- and we respectfully have denied their request, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

As to the resolution, as amended, Senator Cronin. Senate Joint Resolution 27.

SENATOR CRONIN:

Thank you. I offered an explanation. Most of you are familiar with this process. A Yes vote means no, a No vote means yes. So I respectfully ask for your support to deny this waiver request. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate adopt Senate Joint Resolution 27. 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 58 voting Yes, no voting No, no voting Present, and the resolution is adopted. ...there any further business to come before the Senate? If not -- excuse me. Senator Dudycz, for what purpose do you rise?

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SENATOR DUDYCZ:

Thank you, Mr. President. Just to remind the Republican secretaries, staff and Members that -- of our picnic this evening at -- at the fairgrounds.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your announcement.

SENATOR BURZYNSKI:

Just to announce to the Body that the Licensed Activities Committee will be meeting at 9 o'clock a.m., tomorrow morning, in Room A-1. We only have two bills. We will be moving very quickly. Please be there on time. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Any further announcements? I guess there is. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senate Judiciary Committee will meet at 9 a.m., in Room 400. That's 9 a.m.

PRESIDING OFFICER: (SENATOR WATSON)

Further announcements? Senator O'Malley.

SENATOR O'MALLEY:

Yes. Mr. President, for purposes of announcement. I wanted everyone to know that the Financial Institutions Committee will be meeting at 8 a.m., tomorrow morning, in Room 400.

PRESIDING OFFICER: (SENATOR WATSON)

Another announcement from Senator Klemm.

SENATOR KLEMM:

The Senate Executive Committee will meet at 8 o'clock, tomorrow morning, in Room 212.

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PRESIDING OFFICER: (SENATOR WATSON)

Any further announcements? Seeing none, the -- Senator O'Malley moves the Senate stand adjourned until 12 noon, tomorrow, Wednesday, May 21st. Have a good evening.

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