

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

110th Legislative Day

May 21, 1998

PRESIDENT PHILIP:

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

PASTOR MICHAEL CRAWFORD:

(Prayer by Pastor Michael Crawford)

PRESIDENT PHILIP:

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

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, May 14th; Friday, May 16th -- or, I'm sorry, Friday, May 15th; Monday, May 18th; Tuesday, May 19th; and Wednesday, May 20th, in the year 1998, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Joint Resolution 69 Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Senate Amendment 8 to House Bill 2844 Be Adopted.

Senator Bomke, Vice-Chair of the Committee on Local Government and Elections, reports Senate Bill 1307, the Motion to Concur with

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House Amendment 2 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 1728, the Motion to Concur with House Amendment 1 Be Adopted.

And Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Bill 1251, the Motion to Concur with House Amendments 1 and 2 Be Adopted; and the Motion to Concur with House Amendment 1 to Senate Bill 1585 Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 1506, the Motion to Concur with House Amendments 3 and 4 Be Adopted; Senate Bill 1713, the Motion to Concur with House Amendment 1 Be Adopted; and Senate Bill 1846, the Motion to Concur with House Amendment 1, also Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

Senate Bill 1315, together with House Amendment 3.

Passed the House, as amended, May 20th, 1998.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin, for what reason do you rise?

SENATOR CRONIN:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR KARPIEL)

State...

SENATOR CRONIN:

Today is a very significant day. Very, very significant in the history of the State of Illinois. Today is a sort of...

PRESIDING OFFICER: (SENATOR KARPIEL)

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Could we have some order, please? It's very noisy in here.
Thank you.

SENATOR CRONIN:

It's sort of a sad day for many of us in this Chamber because we're going to be losing one of the finest staffers that's ever worked in this -- in this Capitol Rotunda building. Keith Snyder has worked on the Republican staff with the Education Committee for sixteen years. He's a wonderful guy. He's very, very knowledgeable and he has been the most appropriate and effective staff person, advisor, that anyone could have. And so I wanted to invite the Senate to -- to first recognize that he's leaving, to thank him for his good work, and to congratulate him. He's up and on to bigger and better things with the Educational Labor Relation(s) Board. And in recognition of all this and to kind of punctuate this event, we have a cake down here. Good luck to Keith. And it's a good cake. It's not one of those cakes with that sweet grease. It's a really good cake. It's good quality frosting, good quality cake, and we invite you to come and have a piece of it and celebrate Keith's -- Keith's success. Thanks so much.

PRESIDING OFFICER: (SENATOR KARPIEL)

Thank you, Senator Cronin. Congratulations, Keith. Senator Welch.

SENATOR WELCH:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR WELCH:

Up here in the gallery, on the Democrat side, we have a group of students from Northlawn Junior High School in Streator, Illinois. I'd like for us to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR KARPIEL)

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The Senate does welcome you. Stand up and be recognized. If the Members will please be in their seats, we are going to page 7 on the Calendar. The top of the page. Secretary's Desk, Concurrence. And the first bill is -- for the purpose of nonconcurrence. The first bill is Senate Bill 600. Senator Cullerton. Senator del Valle, as a hyphenated sponsor, will present the -- with the motion. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I move to nonconcur with House Amendment No. 5.

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator del Valle. Secretary, please read the bill.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 5 to Senate Bill 600.

The motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR KARPIEL)

With leave of the Body, Senator del Valle will handle it. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I -- I move to nonconcur with Senate -- with House Amendment No. 5.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, Senator del Valle, and I do see that Senator Cullerton's back on the Floor, moves to nonconcur in House Amendment No. 5. All those in -- to Senate Bill 600. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Myers, for what purpose do you rise?

SENATOR MYERS:

Madam President, a point of personal privilege.

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PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR MYERS:

I would like to introduce my two Honorary Pages today, Shawn Baxter and Austin Hittinger. They're in the back, and in addition, Austin's parents are in the President's Gallery.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to the Senate. Would the Senate please welcome them? On page 7, Secretary's Desk, Concurrence, Senate Bills, is Senate Bill 1500. Mr. Secretary, read the bill. The motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 1500.

The motion of Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. I would move to concur with the House Amendments 1, 2 and 3 to Senate Bill 1500. These three amendments -- No. 1 simply excludes facilities which could otherwise be provided by an electric or a gas utility from facilities which the Kaskaskia Port District may operate. Amendment 2 authorizes the Port District {sic} (Development) Revolving Loan Program to be operated by the Department of Commerce and Community Affairs. And Amendment 3 relates back to Amendment 1 and prohibits the Kaskaskia Port District from owning or operating utility systems in those -- if those services can be provided by an investor-owned public utility offering electric and gas services. Would be glad to answer any questions. Would ask for approval of -- of this -- these amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator Demuzio.

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SENATOR DEMUZIO:

Let -- let me pose a question to the Member, if he would yield, please.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR DEMUZIO:

Will there be a -- there'll be a companion bill in here for funding for this particular program?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

No. This -- this simply permits the General Assembly to appropriate money for the program, again, Senator.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Let me rephrase the question. Will there be -- will the General Assembly be appropriating any money that'll go into the Revolving Loan Fund this Session?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I would certainly hope so, that sooner or later this could be -- some money put into this. Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I notice it's -- no, never mind. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not - this is final action - the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1500. Those in favor, vote Aye. Opposed,

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vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this issue -- on this question, the Ayes are 57, the Nays are none, Present -- none voting Present. The Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 1500. And the bill, having received the required constitutional majority, is declared passed. On page -- on page 7 we will go down to Senate Bill 1599. Mr. Secretary, read the bill. Read the motion. Out of the record. We'll now go to Executive Session for the purpose of advice -- advise and consent. Senator Petka.

SENATOR PETKA:

Well, thank you, Madam President, Members of the Senate. I move the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of October 30th, 1997; November 10th, 1997; and May 14th, 1998. I also move that the Senate resolve itself into Executive Session for the purpose of acting on the -- the Treasurer's appointments set forth in her Messages of A and B of October 16th, 1997.

PRESIDING OFFICER: (SENATOR KARPIEL)

You've heard the motion. All in favor, say Aye. Opposed, Nay. The motion carries, and we are in Executive Session. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 14, 1998, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Thank you, again, Madam President. With respect to the

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Governor's Message of May 14th, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

The Chicago Transit Authority, to be a member of the Chicago Transit Authority for a term ending September 1, 2002, Sam Panayotovich of Lansing.

To the Illinois Commerce Commission, to be a member of the Commerce Commission for a term ending January 21st, 2002, Richard L. Mathias of Winnetka.

To be members of the Illinois Commerce Commission for a -- terms ending January 20th, 2003, Ruth K. Kretschmer of Medinah, and Terry S. Harvill of Chicago.

The Illinois Industrial Commission, to be a member of the Illinois Industrial Commission for a term ending January 18th, 1999, Jacqueline Kinnaman of Chicago.

To be a member of the Illinois Industrial Commission for a term ending January 15, 2001, Douglas Stevenson of Medinah.

To be a member of the Illinois Liquor Control Commission for a term ending February 1st, 2004, Leonard L. Branson of Greenview.

To be members of the Illinois Racing Board for terms ending July 1st, 2004, Louise O'Sullivan of Chicago and William Jackson of Chicago.

To be members of the Illinois State Toll Highway Authority for terms ending May 1st, 2001, James J. Banks of Oak Park, William E. Dugan of Mt. Prospect, Tom Hardy of Chicago, Arthur Philip of Oak Brook and Lance Wyatt of Lake Bluff.

Madam President, having read the salaried appointments from the Governor's Message of May 14th, I now seek leave to consider these appointments on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka requests that the question be put. Is there any

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discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. While we certainly support the Governor's right and position to make these appointments and we are together on most of them, we did file a motion to separate the question on one individual, Mr. Stevenson. And I'd like that, pursuant to our rules, that we separate the question on that vote for Mr. Stevenson.

PRESIDING OFFICER: (SENATOR KARPIEL)

The -- yes. There's a -- the Chair acknowledges that there is a motion signed by five Members to divide the question. And is there any further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR JACOBS:

Senator, I know that, you know, it's necessary for good government to have Governor's appointments that are -- are then agreed to or not agreed to by this Body, but it really bothers me that we're making these appointments into the year 2004, 2005, at this time. It seems to me we'd be much better off to make some temporary appointments and let the next Governor, whether it be a Democrat or Republican, pick those people that he would believe would be best to serve him. And I think whenever we do these type of activities, I think that we're -- we're really tying people in to a new administration that may not be in the best position for the new administration that's coming in. So why are we acting on these as permanent, rather than temporary, appointments?

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Petka.

SENATOR PETKA:

Thank you. Senator, that issue was addressed yesterday by a questioning of -- of one of the nominees. The response that was given, I think, was most telling. Basically it -- the appointments that have been made by the Governor are made to ensure that we will have continuity in terms of the way the boards function; second, that people who, in fact, are being appointed, who have gone through the -- the process in committee, are, in fact, highly qualified people who are a natural fit for the positions; and, quite candidly, it -- it just seems to me that based upon the -- the prerogative of the Governor, who has the -- under the Constitution, has the ability to do just that, that he is simply filling a constitutional duty that he has, and this Body will be acting in accordance with the Constitution if it chooses to confirm.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jacobs.

SENATOR JACOBS:

I, too, agree with continuity and I agree that the Governor has the constitutional right, but again, I think you could still -- I'm not sure if I buy the argument that was given to the committee, because one can still have continuity by making these temporary appointments until the new Governor comes in and then that Governor then could make a determination whether he wanted to make those same appointments permanent or whether he wanted to -- to replace that person with someone else. I'm just a great believer that the Chief Executive of -- of this State should have the people under him, serving him or her, in the same mode as which his thought process is and not to carry old baggage into a new administration. And I think it's wrong, and for that reason, I'll probably be voting No against all the appointments.

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PRESIDING OFFICER: (SENATOR KARPIEL)

If there is no further discussion, the question is, does the Senate advise and consent to the nomination of Douglas F. -- F. Stevenson. Those in -- Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. There was no discussion as to the reasons of why we were in opposition of Mr. Stevenson. I -- I thought that...

PRESIDING OFFICER: (SENATOR KARPIEL)

I -- I said, is there no further discussion. I didn't see any more lights on.

SENATOR HENDON:

Madam -- Madam President, if I might -- if -- if I might, Madam President, the...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't -- it's my understanding that -- was Mr. Stevenson's name read in with respect to this Message? I think that's a different Message, is it not?

PRESIDING OFFICER: (SENATOR KARPIEL)

I'm sorry. We're calling for the question to advise and consent to the nomination of Doug -- Douglas Stevenson on the Message of May 14th. That's what was requested. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. The Chairman of Executive Appointments and myself have been working very closely together and cooperatively together throughout this Session - the last two years, actually. And it was my understanding that we were going to take the noncontroversial nominations first, which we always do, and then deal with the motion -- the -- the individual whose name was separated by -- by the motion. We have had no

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opportunity whatsoever to give any reasons, which is not fair to Mr. Stevenson or to the other Members of this Body, as to why we would be in opposition to him, and -- and unless Senator Petka can tell me that that was not our understanding and that is not what we have been doing historically, I would just appreciate if we could do -- take the noncontroversial ones first and then deal with Mr. Stevenson, because that was the purpose of the motion.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I would just suggest to the Chair that the first roll call that we take be the individuals who have not been asked to be -- I believe the question was to be divided, that the first list simply address the individuals that there is no controversy and then the second question then be the individual that apparently there's some -- some controversy.

PRESIDING OFFICER: (SENATOR KARPIEL)

That's fine. The question is, does the Senate advise and consent to the nominations -- the -- all the other nominations just made. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, and those voting -- and there are none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Now on the question of advise and consent to the nomination of Doug -- Douglas Stevenson. On that question, is there discussion? Senator Dudycz. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. As I said earlier, we have supported the Governor's appointments in every single case, 99.9 percent of the time, but in the case of Mr. Stevenson, we found

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some very disturbing information about him. And his answers yesterday before the committee were not adequate to convince me that he should go to the Industrial Commission. This gentleman has served in front of, as an attorney, the Industrial Commission a number of times and has always, always, taken a very hard-line position against workers. I don't think that in Illinois we need an unbalanced Commission. He also has been reprimanded by the Attorneys' Disciplinary Review Committee for his actions before the very Industrial Commission in which we now seek to appoint him. While the Governor has done a -- a very good job in his other nominees, this one should be rejected because he is clearly not in a position where he could be neutral when cases come before him. I asked him straight up would he be nonpartisan and be neutral when it comes to dealing with a worker's claim. He said he would, but I just did not get that feeling. In addition, he has been the editor for a -- an advocacy paper on workers' compensation that is clearly against the worker. I don't think that someone with that background, with a long history of being a strong advocate, which I understand an attorney has to be for his client, is the right person for this position. Perhaps something else, but not this position. So I urge an Aye -- a Nay vote on Mr. Stevenson.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What bothered me in committee yesterday, having read some of the documentation on Mr. Stevenson and having some initial concerns, but concerns that may have been able to be answered. No question he was an advocate for his employer at the time as a lawyer. He was working for business. He was a very strong advocate for that position. He's entitled to do that. In fact,

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under the canons of ethics, he is required to do that. So the fact that he was rough on employees is what he's being paid for. That honestly didn't bother me, though I would have taken the side of the employees. But when Senator Hendon asked him about the issue of had he been reprimanded, had he had -- ever been in any way reviewed and disciplined by the Attorneys' Registration and Disciplinary Commission, his answer was no. His answer was: Well, there was a case and it was appealed and on appeal it was sent back, and there was no finding against him. And I was -- had the record in front of me, and I -- I read it and I read it to him. And I said: That is just not true; you are misleading this committee. What had happened was, according to the public record of the case, he -- he did have what's called an ex parte communication with judges on the Industrial Commission. It was by letter. He also wrote to his client - and I can find you the exact quote if you want; this is from memory - that I know the judge; we serve on a committee together; he's a good friend; do not worry about it. To that effect. And it was a letter asking for a continuance in a matter, and that's how he related that information to his client, that it will be taken care of because he has talked to him and this is a friend. That, of course, is an improper communication to the judge and obviously an improper communication to his client. The case was appealed. The Appellate Court found that there was prima facie evidence that the injured party was denied due process because of that communication. It was a specific finding by the Appellate Court that he had done wrong. It was sent back to the trial court. Mr. Stevenson just -- then went in on behalf of his client and himself and entered into a stipulation in the trial court, where they settled the case - not unusual. But in that stipulation, it was also stipulated that there was what appeared to be improper conduct. Three years later, the Attorneys' Registration and

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Disciplinary Commission reviewed the matter and issued a formal reprimand in 1991. The case was appealed in 1987. In 1991, ARDC said his conduct was wrong and issued a reprimand and that, you know, that -- which is a formal finding. They didn't disbar him, but they did issue a formal finding against him and said so. When we read all that to him -- and that bothers me, by the way, especially when it's before the same Commission where he's now going to be a judge. But what bothered me more was his effort to mislead us. And he said: Well, but it was appealed and it was sent back. I said: But this is what the record says. In the appeal, the Appellate Court said there was prima facie that you did do this. And then you settled the case so there was no reason to go back to trial, and then after that, there was another hearing, where you had counsel, and you were again found responsible, guilty for that act. I think that's wrong. I think that's misleading and I think we should not advise and consent.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR PETKA:

Well, thank you very much, Madam President. And if I may just briefly address some of the issues that have just been raised by my colleagues on the other side of the aisle in connection with the confirmation hearing. It's -- it's somewhat unfortunate that we do not have, as a Body, an opportunity to review and to see the inflection of people's voices in the manner in which they answer questions in connection with the confirmation process in -- in the committee. Senator Carroll has related, I believe, very factually the -- the trend of questions that were -- were basically given to this nominee. From my reading of the individual - and, again, we're judging his credibility - there was really no intent to deceive. The question that was posed by the first speaker, in connection with this -- with this action before the Attorneys'

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Registration and Disciplinary Commission, he responded to it, and in my opinion, correctly. When the -- when the question was further pursued, we were talking about a nonrelated incident. I believe that that was patently clear to the -- at least from -- to our side of the aisle, that there was no intent to mislead. And it is very -- it became very, very apparent, at least to myself, that was -- what was attempted to be done by -- by a couple of the questioners was to basically have a litmus test. They were looking for a commitment from this gentleman to basically vote in a specific manner and that -- not -- not to be fair and impartial, but to apply a litmus test that this individual would basically be more responsive or basically vote a pro-labor position. In terms of him being an advocate, there is no question that he has a -- a duty to forcibly advocate for his -- for his particular position based upon the -- the fact that he is hired and retained by clients. I thought this gentleman, though he was under considerable fire, was very poised and that he was very honest and very truthful and, in my opinion and opinion of the -- of the Majority Members of the Executive Committee, will make a very distinguished member of that panel. And so, Madam, I would ask that the question now be put.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. The question is, does the Senate advise and consent to the nomination of Douglas F. Stevenson. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, 1 voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination of Douglas F. Stevenson. Senator Hendon, for what reason do you rise?

SENATOR HENDON:

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Verification of the roll call, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon has requested a verification. Will all Senators be in their seats? The Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Bomke, Burzynski, Butler, Cronin, Dillard, Donahue, Dudycz, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Karpiel, Klemm, Lauzen, Luechtefeld, Madigan, Mahar, Maitland, Myers, O'Malley, Parker, Peterson, Petka, Radogno, Rauschenberger, Sieben, Syverson, Thomas Walsh, Watson, Weaver, and Mr. President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Does Senator Hendon question the presence of any Member voting in the affirmative?

SENATOR HENDON:

Yeah. Senator Sieben.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sieben is in his seat.

SENATOR HENDON:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley is in his seat.

SENATOR HENDON:

Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger is standing by his seat.

SENATOR HENDON:

Senator Fitzgerald. I see him.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Fitzgerald is here. ...in his seat.

SENATOR HENDON:

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Senator Donahue.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue is standing right there.

SENATOR HENDON:

Senator Mahar.

PRESIDING OFFICER: (SENATOR KARPIEL)

And Senator Mahar is in his seat.

SENATOR HENDON:

Senator Lauzen.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator who?

SENATOR HENDON:

Lauzen. Lauzen.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen is in his seat.

SENATOR HENDON:

All right. Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld is in his seat.

SENATOR HENDON:

That -- that's -- that's it, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

On a verified roll call, the Ayes are 31, the Nays are 24, 1 voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination of -- of Douglas F. Stevenson. Senator Petka, for what reason do you rise?

SENATOR PETKA:

Madam President, I move the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR KARPIEL)

You have heard the motion. Those in favor, say Aye. Opposed,

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Nay. The motion carries. Senator Demuzio, for what reason do you rise?

SENATOR DEMUZIO:

Just on a point of inquiry.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DEMUZIO:

Did we just handle all of the Messages from the Governor that went to the Executive Appointments Committee? What happened to the others?

PRESIDING OFFICER: (SENATOR KARPIEL)

We -- we handled the ones from May 14th. And we'll get to the rest of them later. Senator Demuzio.

SENATOR DEMUZIO:

What happened to the non-salaried appointments?

PRESIDING OFFICER: (SENATOR KARPIEL)

There weren't any on that Message. Senator Demuzio.

SENATOR DEMUZIO:

Well, the committee acted on a whole bunch of 'em. I mean, are we -- we're not -- we rose from Executive Session. We're not going to act on any of those, then, today?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka, I believe there's a question about the -- some of the other appointments. Senator Petka.

SENATOR PETKA:

I only heard bits and pieces of the question. Can it be restated?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

It was just explained to me. I understand that we're going to do this later on in the afternoon, come back to this because of

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the airplanes leaving for -- for the funeral. Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

Thank you. On the Order of 3rd Reading. ...going to the Order of 3rd Reading -- Reading on page 2. House Bills 3rd Reading. Page 2 on the Calendar. House Bill 383. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 383.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 383 repeals the current law regarding Medicaid-funded abortions and replaces it with language that prohibits State-funded abortions, except in instances of rape, incest or to preserve the life of the mother or child. It also adds a requirement that local law enforcement must be notified of the rape or incest prior to the abortion procedure. Some of you may recall Senate Bill 269, an identical bill -- forgive me, Senate Bill 662, an identical bill, passed the Senate 31-24 last -- in the 89th General Assembly, last Session. Another attempt has been made with respect to this provision recently, but in any event...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator Cronin. The noise level is getting very high again. If we could have the conferences taken off the Floor. Thank you. Senator Cronin.

SENATOR CRONIN:

In any event, this deals with the issue of public funding of

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abortions, and whether you call yourself pro-life or pro-choice, we all know that this is a very difficult, controversial, emotional issue. I would urge the Members of the Body to look at this issue a little bit differently. This isn't necessarily about abortions; this is about public funding. And for those who may be inclined to oppose this, I would urge you, I would ask that you maybe give a little bit of respect to those who look at abortion as the taking of innocent life. And if these people want to exercise a constitutional right, as the U.S. Supreme Court has ruled, they may do so. But, we're saying here, not with public dollars, not with taxpayer dollars. They may go to any number of private providers and exercise their constitutional right, but it's unfair to ask the community that pays their taxes, where this is such a highly emotional and there's such a divided opinion on the matter, to ask that they pay for these. The statistics from the Public Health Department indicate that thirty-two thousand dollars was spent in FY'97 for purposes of performing publicly funded abortions in this State. Thirty-two thousand dollars is an amount of money that is most affordable and it's -- it's -- it's a number that -- that private agencies can -- can foot the bill for. And I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just to the bill a little bit: I think Senator Cronin, who I have a tremendous amount of respect for, really hit it on the head whenever he said thirty-two thousand dollars was expended last year out of a thirty-six-billion-dollar budget. And I don't want to get into a "Bill Black" scenario, but I could probably make one out of that and refuse to do so. But as I understand it, that's about fifteen people. I have a real problem with the rape

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and incest issue, partially because on the incest, in particular, it's pretty difficult for a child, who perhaps has been raped through incest or through their -- their parentage, to have to take it to an authority. So that's what we're saying by this bill, that they have to report it to an authority, which means then all the consequences come down. I wish everybody would report that to the authorities, but there are many, because of those family consequences, do not do so. So, for that reason, I think with the small amount of people that have taken part in this -- and I know the opposition will probably say, well, one is too many. We can debate that. That's another issue. But I'm really concerned about removing something that we have traditionally said that except for -- for rape and incest for payment by the State. It -- it isn't a lot of money, but I look at it from the other standpoint, which really bothers me more than anything else. In effect, what we're saying is that if you are a poor person and you are involved in rape, or you are a poor person and there is incest, then you should not have the wherewithal to -- to go have an abortion, which we all abhor, and that's a real problem with me. And I would just remind our Members on this side of the aisle to really pay close attention to this, as the Senator asked, and give it a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I rise in opposition to House Bill 383. Just to expand upon Senator Jacobs' comments: What we are imposing upon women in this bill is that before they can be addressed regarding their request for an abortion in the case of incest or rape, is that there had to be a report made to the police regarding the rape or the incest. Now, I -- suggest to you that one has nothing to do with the other. That's a false hurdle

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that is being imposed upon women's decision regarding abortion that really should have no connection at all. I mean, we encourage persons to report crimes, but now you are putting a twenty-foot hurdle between a woman and her right to an abortion because she failed to file a police report. Now, that's outrageous. On the other question, this bill changes the law. Under present law, a woman is entitled to having an abortion paid by Medicaid in cases of rape, incest, where there's a threat to the life of the woman or a threat to the health of the woman. This bill strikes that last option of a Medicaid-recipient woman whose health is threatened. She could not take advantage of an abortion. The number of people who would be affected, fortunately, are small. The amount of money is a drop in the bucket, and that's an overstatement. It is the principle that's involved here, and I would suggest to you that from the point of view of many women, and women-supportive men, this is an outrageous piece of legislation. I urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Weaver.

SENATOR WEAVER:

I would move the previous question.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This is probably worth pointing out: This House Bill 383 was in the Rules Committee yesterday. In the Rules Committee, on which I serve, I don't know if you Senators are familiar with this, but many times you walk into the Rules Committee on very short notice and you're handed a -- a list of bills. This particular bill was, by the Rules Committee Report, sent directly to the Floor, 2nd Reading. So it didn't even go to a committee. Now, that really

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is not proper. This is a controversial bill - everybody knows that - and to have the rules be abused in that way is -- is not right. I guess the other point to be made is, this is -- even the proponents know that there's going to be litigation if this was to be -- be passed, which we also know won't be passed. It won't even be called in the House, if it was to be passed. And that costs money. Public funding of lawsuits is an issue as well. It's going to be a lot more than thirty-two thousand dollars, too. So I think just for -- for no other reason, to say: You know what? - if you've got a bill like this, let's send it to a committee. So I think because of the fact that it was not debated in committee, the way in which the rules were used to -- to send it right directly to the Floor, on very short notice, is improper.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin, on that.

SENATOR CRONIN:

Yes. Thank you, Madam President. Just to respond to the -- the speaker from the other side of the aisle, my colleague, Senator Cullerton. First of all, this is a House bill. Speaker Madigan sponsored it in the House; it already passed the House. So the issue that you raise, that this isn't going to pass in the House, is -- is incorrect. I mean, if it passes here, it goes to the Governor. Secondly, Speaker Madigan and I both know that this bill is necessitated because of litigation. Illinois law, you're right, currently only provides for public funding of abortions when the life of the mother's in jeopardy. But as you know and as Senator Berman pointed out as "the" law, a circuit court in Cook County ruled, in 1994, that the current Illinois law regarding funding abortions was only to protect the life of the mother is a violation of the State Constitution, even though these laws were upheld by the U.S. Supreme Court in Williams versus Zbaraz and -- and -- when challenged on federal grounds. So there has been no

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ruling, not by the highest court in the State of Illinois, not by the highest court in the land. So, to simply declare that -- that the law is thus on this is, I think, inaccurate. And I think, as the sponsor of the bill, we'd welcome the Supreme Court of the State of Illinois, their opinion on this matter.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR GEO-KARIS:

Are you telling me, Senator, that before this rape or incest can be looked into, that there has to be a police report filed?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, as a former Assistant State's Attorney, I handled rape and incest cases. And if a child is raped and there -- or incested, and the family doesn't want to go to the police but wants to take care of it quietly so this girl won't be embarrassed, what do we do about it? I do not support abortion as such, except for the -- to save the life and health of the mother in rape and incest cases, but I don't think this is the right bill for it at all. And I think what you're doing is making it very tough, very tough on the victims. And I'm not here to victimize rape or -- or victims of incest; I'm here to protect them. And I certainly will not vote

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for this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I second what Senator Geo-Karis said. We are not here to hurt the victims. This -- to have to report to the police and have that report on file for rape and incest is a great burden. And also, in addition to that, this same thing was struck down in 1994 as unconstitutional in Pennsylvania in cases of Medicaid funding, that prior to the performance of the abortion, the crime has been reported together with the identity of the offender if known to the law enforcement agency. It was unconstitutional. It will not hold up. We are going to be spending a lot to -- if we pass this bill, and we are putting people, really, at risk. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. I stand in strong support of this bill. We have a Right of Conscience Act which says that doctors and medical providers do not have to provide services for something that they are morally and fundamentally opposed to, and last year we extended that to HMOs. I look at this as being the "taxpayers' right of conscience", and we are telling taxpayers that they do not have to pay for something that they are morally and fundamentally opposed to. And I think that that's the right thing to do and I would encourage everybody to vote Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Collins, your light was not on when Senator Weaver moved the previous question. It came on after he moved the previous question. Senator Cronin, to close.

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SENATOR CRONIN:

Thank you, Madam President. Thank you, Ladies and Gentlemen of the Senate. Senator Walsh stated it very articulately and I do believe that this is an issue that is important to taxpayers who are opposed to abortion. This does not prohibit any woman from exercising her constitutional right. All we're saying is that tax dollars shall not be used, is not an appropriate use, for purposes of abortion. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. The question is, shall House Bill 383 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 29 voting Aye, none voting Nay -- I'm -- I'm sorry. There are 29 voting Aye, 24 voting Nay, none voting Present. And House Bill 383, having not received the required constitutional majority, is declared failed. Senator Cronin.

SENATOR CRONIN:

May I ask that this bill be put on Postponed Consideration?

PRESIDING OFFICER: (SENATOR KARPIEL)

Postponed Consideration. I'm -- just so that -- for everyone's edification, the Senate will stand in recess until 5 p.m.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDENT PHILIP:

The Senate will reconvene. Committee Reports.

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SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports House Bill 18, the Second Conference Committee Report Be Approved for Consideration.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 64.

Adopted by the House, May 20th, 1998.

We have like Messages on House Joint Resolution 47, House Joint Resolution 54, House Joint Resolution 56, House Joint Resolution 65, House Joint Resolution 66, House Joint Resolution 67 and House Joint Resolution 69.

All adopted by the House, May 21st, 1998.

PRESIDENT PHILIP:

Senate will stand at ease for a few seconds.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Ron Ackerman of Ackerman Studios requests permission to shoot still photos. Hearing no -- hearing no objection, leave is granted. Messages.

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SECRETARY HARRY:

Message from the President, May 21st, 1998.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadline for final action on the following categories of bills, with specific bills enumerated under these categories, to January 1st, 1999:

Health Care, specifically: House Bill 626.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Re-referred from the Executive Committee to the Rules Committee - Senate Joint Resolution 73 and House Bill 626; to the Committee on Education - Senate Amendment 5 to House Bill 1640 and Senate Amendment 9 to House Bill 2844; to the Committee on Environment and Energy - Conference Committee Report 1 to Senate Bill 545; to the Committee on Executive - House Bill 626; to the Committee on Public Health and Welfare - Conference Committee Report 2 to House Bill 1699; to the Committee on Transportation - Conference Committee Report 1 to Senate Bill 955; and Be Approved for Consideration - Senate Joint Resolution 73, House Joint Resolution 66 and House Bill 626.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bill 1552, with Senate Amendments 1, 2, 3 and 4.

Nonconcurrent in by the House, May 21st, 1998.

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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 recede from their Amendment No. 2 to a bill of the following title, to wit:

Senate Bill 1286.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, May 21st, 1998.

We have a like Message on Senate Bill 1339.

Action taken by the House, May 21st, 1998.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. We will now go to Executive Session for the purpose of advise and consent. Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President. I move the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of October 30th, 1997; November 10th, 1997; March 11th, 1998; May 6th, 1998; and May 12th of 1998. I further move that the Senate resolve itself into Executive Session for the purpose of acting on the Treasurer's appointments set forth in her Messages A and B of October 16th, 1997.

PRESIDING OFFICER: (SENATOR DUDYCZ)

You've heard the motion. All in favor, say Aye. Opposed, Nay. The Ayes -- the motion carries and we are in Executive Session. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of October 30th, 1997, reported the same back with the recommendation

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the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President.

To be a member of the State Board of Elections for a term ending June 30th, 1999, William McGuffage of Chicago.

And to be a member of the State Mining Board for a term ending January 18th, 1999, Harold Odle of West Frankfort.

Mr. President, having read the salaried appointments from the Governor's Message of October 30th, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put this question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you again, Mr. President. With respect to the Governor's Message of October 30th, I will read the non-salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Joliet Arsenal Development Authority for a term ending January 15th, 2001, John W. Johnsen of Wilmington.

To be a member of the Illinois State Medical Disciplinary Board for a term ending January 11th, 1999, Henri Havdala of Lincolnwood.

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To be a member of the Illinois State Police Merit Board for a term ending March 15th, 1999, John Rednour of DuQuoin, Richard Joutras of Northfield.

And to be a member of the Quad Cities Regional Economic Development Authority for a term ending January 17th, 2000, Mark Appleton of Aledo.

Mr. President, having read the non-salaried appointments of October 30th, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of November 10th, 1997, reported the same back with the recommendation the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Mr. President, with respect to the Governor's Message of November 10th, 1997, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

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To be the Director of the Department of Public Aid for a term effective November 24th, 1997, and ending January 18th, 1999, Joan Walters of Springfield.

Mr. President, having read the salaried appointment from the Governor's Message of November 10th, 1997, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

...there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of March 11th, 1998, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Governor's Message of March 11th, I will read the non-salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Illinois Committee for Agricultural Education for a term ending March 13th, 2000, Larry Littlefield of Gibson City.

And to be a member of the Illinois Committee for Agricultural

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Education for a term ending March 13th, 2001, Bill Lemon of Chatham.

To be a member of the Bi-State Development Agency for a term ending January 18th, 1999, Ronald Jedda of Collinsville.

And to be a member of the Bi-State Development Agency for a term ending January 17th, 2000, Paul Whelan of Belleville.

To be a member of the Children and Family Services Advisory Council for a term ending January 15th, 2001, John F. Irwin of Glenwood.

To be members of the Illinois Coal Development Board for terms ending July 1st, 2001, Marianne Lawrence of Carbondale, Edgar Hale of Pinckneyville.

To be members of the Illinois Electronic Fund Transfer Advisory Committee for terms ending December 31st, 2001, Linda Culver of Springfield, Diane McCluskey of Dawson.

To be members of the State Emergency Medical Services Advisory Council for a term ending December 12th, 2000, Gus Cox of Modesto, Richard Fantus of Mettawa, Michael Hansen of Downers Grove, John Riordan of Chicago and Jay Riseman of Springfield.

To be a member of the Board of Higher Education for a term ending January 31st, 1999, Cordelia Meyer of Chicago.

To be a member of the Illinois Human Resource Investment Council for a term ending July 1st, 2000, Joseph Angleton of DuQuoin.

To be a member of the Joliet Arsenal Development Authority for a term ending January 15, 2001, John W. Johnsen of Wilmington.

To be a member of the Illinois State Medical Disciplinary Board for a term ending January 11th, 1999, Henri S. Havdala of Lincolnwood.

To be Public Administrator of Cook County for a term ending December 3rd, 2001, Louis G. Apostol of Glenview.

The remainders are -- of the names that are going to be read

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will be Public Administrators in the respective counties for a term ending December 3rd, 2001:

Starting with David Fischer of Beardstown, of Cass County.

To be the Public Administrator and Public Guardian of Hamilton County, Bernard Minton of McLeansboro.

To be Public Administrator and Public Guardian of Clinton County, Charles G. Rakers of Aviston.

To be Public Administrator and Public Guardian of Williamson County, Homer L. Askew of Marion.

To be Public Administrator and Public Guardian of Boone County, Bernard F. Bahling of Belvidere.

To be Public Administrator and Public Guardian of Pulaski County, Barbara J. Bode of Mound City.

To be Public Administrator and Public Guardian of Pike County, John Borrowman of Pittsfield.

To be Public Administrator and Public Guardian of Randolph County, Sheryl Boyd of Sparta.

To be Public Administrator and Public Guardian of Fayette County, Beulah Brown of Vandalia.

To be Public Administrator and Public Guardian of Morgan County, Eddie Carpenter of Jacksonville.

To be Public Administrator and Public Guardian of Edwards County, Sherry Colyer of Albion.

To be Public Administrator and Public Guardian of Winnebago County, Mary Gaziano of Rockford.

To be Public Administrator and Public Guardian of Jackson County, Margaret -- excuse me, Marlene McGregory-Gibbs of Murphysboro.

To be Public Administrator and Public Guardian of Greene County, James Guis of White Hall.

To be Public Administrator and Public Guardian of Monroe County for a -- John Huetsch of Waterloo.

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To be Public Administrator and Public Guardian of DeKalb County, Charles Iskowich of DeKalb.

To be Public Administrator and Public Guardian of Washington County, Harry M. Jankowski of Nashville.

To be Public Administrator and Public Guardian of Wabash County, Terry C. Kaid of Mt. Carmel.

To be Public Administrator/Public Guardian of Stephenson County, George A. Koehler of Freeport.

To be Public Administrator and Public Guardian of Macoupin County, Richard R. Lane of Virden.

To be Public Administrator and Public Guardian of Brown County, December -- for a term ending December 3rd, 2001, Doris Lehne of Mt. Sterling.

To be Public Administrator and Public Guardian of Perry County, Francis M. Maxton of DuQuoin.

To be Public Administrator and Public Guardian of Knox County, David McDonald of Galesburg.

To be Public Administrator and Public Guardian of Mason County, Charles L. McNeil of Mason City.

To be Public Administrator and Public Guardian of Menard County, Randall A. Mead of Petersburg.

To be Public Administrator and Public Guardian of DeWitt County, Allison Perring of Weldon.

To be Public Administrator and Public Guardian of Kendall County, Robert Pilmer of Plano.

To be Public Administrator and Public Guardian of Livingston County, John G. Satter of Dwight.

To be Public Administrator/Public Guardian of McLean County, Stanford S. Schneider of Bloomington.

To be Public Administrator/Public Guardian of Iroquois County, Roy A. Seiling of Gilman.

To be Public Administrator and Public Guardian of Bureau

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County, Robert H. Shultz of Walnut.

To be Public Administrator/Public Guardian of Fulton County,
C. Eugene Taylor of Canton.

To be Public Administrator/Public Guardian of Lawrence County,
Charles I. Ulrich of Sumner.

To be Public Administrator and Public Guardian of Lake County,
Joseph H. Vogler of Gurnee.

To be Public Administrator/Public Guardian of Vermilion
County, George R. Weller of Danville.

Once again, all these Public Administrators and Public
Guardians will have -- will be for a term ending December 3rd,
2001.

Be a member of the Rehabilitation Services Advisory Council
for a term ending July 1st, 2000, Cynthia Grothaus of Springfield.

To be Chairman of the Illinois Sports Facility Authority for a
term ending June 30th, 2000, Alexander Lerner of Glencoe.

To be a member of the Illinois Student Assistance Commission
for a term ending July 1st, 1999, Brian Kelly of Oak -- Orland
Park.

To be a member of the Upper Illinois River Valley Development
Authority for a term ending January 18th, 1999, Steven R. Nelson
of Princeton.

To be members of the Workmen's {sic} (Workers) Compensation
Advisory Board for a term ending January 19th, 2002, Greg Baise of
Lemont, Dennis Whetstone of Springfield.

To be members of the Workers Compensation Advisory Board for a
term ending February 1st, 2002, David Vite of Woodstock.

Now, Mr. President, having read the non-salaried appointments
from the Governor's Message of March 11th, 1998, I now seek leave
to consider these appointments on a roll call. And, Mr.
President, will you please put that question as required by our
rules?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 6th, 1998, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Governor's Message of May 6th, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the State Board of Elections for a term ending June 30th, 1999, Philip R. O'Connor of Chicago.

To be a Judge of the Court of Claims for a term ending January 19, 2004, Robert G. Frederick of Champaign.

To be Interim Chairman of Human Rights -- Illinois Human Rights Commission for a term ending January 15, 2001, Sakhawat Hussain of -- of Frankfort.

To be a member of the Illinois Human Rights Commission for a term ending January 15, 2001, Rudolph S. Shoultz of Springfield.

To be a member of the Illinois Industrial Commission for a term ending January 18th, 1999, Richard M. Gilgis -- Gilgis of

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Downers Grove.

Mr. President, having read the salaried appointments from the Governor's Message of May 6th, 1998, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you please put that question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. 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 a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just... Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Governor's Message of May 6th, 1998, I will read the non-salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the Illinois Building Commission for terms ending May 1st, 2000, Bruce Bonczyk of Springfield, J. Raymond Carroll of Urbana, Kenneth Crocco of Harvard, David C. Danley of Barrington, Berardo DeSimone of Elmhurst, Gary Lichthardt of Elgin, Thomas J. McManus of Chicago, Roy Velde of Sterling.

To be members of the Capital Development Board for terms ending January 21st, 2002, Bernard B. Birger of Collinsville, Roland C. Harris of Hoffman Estates.

To be members of the Illinois Development Finance Authority for terms ending January 15, 2001, Martin Binder of Chicago, Steven Cisco of Schaumburg, Peter Gidwitz of Chicago, Howard Kaplan of Highland Park, Phillip Rigsby of Cave-in-Rock and Perry Snyderman of Highland Park.

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To be members of the Illinois Electronic Data Processing Advisory Committee for terms ending December 31st, 2001, Bruce L. Cleland of Chicago, Priscilla R. Maniscalco of Mount Prospect.

To be Chairman of the Illinois Gaming Board for a term ending July 1st, 1999, J. Thomas Johnson of Park Ridge.

Be members of the Illinois Gaming Board for terms ending July 1st, 1999, Robert Vickrey of Peru, Terry Scrogum of Springfield.

To be a member of the Health Facilities Planning Board for a term ending June 30th, 1998, Eric L. Myers of Wheaton.

To be a member of Illinois Health Facilities Authority for a term ending June 30th, 2003, Edward H. Mazur of Wilmette.

To be a member of the Board of Higher Education for a term ending January 31st, 1999, Samuel K. Gove of Urbana.

To be a member of the Labor-Management Cooperation Committee for a term ending July 1st, 2000, James W. Sullivan of Chicago.

To be members of the Lottery Control Board for terms ending July 1st, 2000, Paul M. Tomazzoli of Hillsboro, David A. Zaransky of Northbrook.

To be a member of the Lottery Control Board for a term ending July 1st, 2001, Mary Ann Koppel of Skokie.

To be a member of the Metropolitan Pier and Exposition Board for a term ending June 1st, 2002, Patrick F. Daly of Wheaton.

To be a member of the Metropolitan Pier and Exposition Board for a term ending June 1st, 2003, Guy J. Chipparoni of Chicago.

The following will be Public Administrator appointments for the respective counties, all for terms ending December 3rd, 2001:

Joan J. Eiberger of Mendota, to be Public Administrator of LaSalle County.

To be Public Administrator of DuPage County, Paul P. Didzerekis of Wheaton.

To be Public Guardian of LaSalle County, Wayne R. Whitmore of Mendota.

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To be Public Guardian of DuPage County, Duilio Pierotti of Addison.

To be Public Administrator/Public Guardian of Putnam County, Kimrey D. Alleman of Magnolia.

To be Public Administrator/Public Guardian of Logan County, Donald A. Behle of Lincoln.

To be Public Administrator and Public Guardian of Pope County, Mary G. {sic} (J.) Boglino of Golconda.

To be Public Administrator and Public Guardian of Cumberland County, Glenn A. Braden of Neoga.

To be Public Administrator/Public Guardian of Tazewell County, Thomas K. Brewer of Tremont.

To be Public Administrator and Public Guardian of Macon County, Brad R. Brown of Decatur.

To be Public Administrator and Public Guardian of Franklin County, David F. Daisy of Benton.

To be Public Administrator and Public Guardian of Scott County, Rose Marie Evans of Winchester.

To be Public Administrator and Public Guardian of Piatt County, Kelly R. Finet of Monticello.

To be Public Administrator and Public Guardian of Montgomery County, Frederick D. Floreth of Litchfield.

To be Public Administrator and Public Guardian of Ogle County, John T. Havens of Rochelle.

To be Public Administrator and Public Guardian of Whiteside County, Daniel C. Hawkins of Sterling.

To be Public Administrator/Public Guardian of Douglas County, Betty D. Jones of Arthur.

To be Public Administrator and Public Guardian of Christian County, Lindsey R. -- Lindsey E. Reese of Taylorville.

To be Public Administrator and Public Guardian of Jersey County, Lawrence J. Rolando, Jerseyville.

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To be Public Administrator/Public Guardian of Saline County,
Ramona Schwartz of Harrisburg.

To be Public Administrator/Public Guardian of Peoria County,
Thomas H. Trager of Peoria.

To be Public Administrator and Public Guardian of Mercer
County, Robert C. Vickrey of Aledo.

To be Public Administrator and Public Guardian of Jasper
County, Patricia H. Burtch of Willow Hill.

To be Public Administrator and Public Guardian of Alexander
County, William Z. Caldwell of Tamms.

To be Public Administrator/Public Guardian of Kankakee County,
-- excuse me, Ronald J. Gerts of Bourbonnais.

To be Public Administrator and Public Guardian of Coles
County, Elaine Komada of Charleston.

To be Public Administrator/Public Guardian of Sangamon County,
Alfred B. LaBarre of Springfield.

To be Public Administrator and Public Guardian of Stark
County, John A. Leezer of Toulon.

Be Public Administrator/Public Guardian of JoDaviess County,
Charles F. McCabe of Elizabeth.

To be Public Administrator/Public Guardian of Madison County,
James T. Mihalich of Rosewood Heights.

To be Public Administrator and Public Guardian of Wayne
County, Edna Maxine Young of Fairfield.

To be a member of the Illinois Student Assistance Commission
for a term ending June 30th, 2003, Gretchen A. Winter of Chicago.

To be a member of the Board of Trustees of Western Illinois
University for a term ending January 15th, 2001, Carolyn J. Ehlert
of Milan.

To be Chairman of the Workers Compensation Advisory Board for
a term ending January 21st, 2002, Mark R. Isaf of Paris.

To be a member of the Workers Compensation Advisory Board for

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a term ending February 1st, 2002, William M. Dickson of Chicago.

To be members of the Workers Compensation Advisory Board for terms ending January 19, 2002, James L. DeLisa of Tinley Park, Donald A. Johnson of Springfield.

Now, Mr. President, having read the non-salaried appointments from the Governor's Message of May 6th, 1998, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Just a comment that all of these nominees are excellent, and we expect everyone -- we appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 12, 1998, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Governor's Message of May 12th, 1998, I will read the salaried appointments

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to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Illinois Educational Labor Relations Board for a term commencing June 1st, 1998 and ending July 1st, 2004, Keith A. Snyder of Lincoln.

To be a member of the Illinois Educational Labor Relations Board for a term commencing January 10th, 1999, and ending July 1st, 2004, Janis M. Cellini of Springfield.

To be a -- a member of the Illinois Human Rights Commission for a term ending January 18th, 1999, Mathilda Jakubowski of Downers Grove.

To be a member of the Illinois Human Rights Commission for a term ending January 15, 2001, Yvette Kanter of Highland Park.

To be a member of the Illinois Human Rights Commission for a term commencing January 10th, 1999, and ending January 15th, 2001, Arabel Rosales of Chicago.

To be a member of the Illinois International Port District Board for a term ending June 1st, 2002, William F. Murphy of Woodridge.

To be a -- to be Chairman of the Illinois State Labor Relations Board for a term commencing January 10th, 1999, and ending January 28th, 2002, Michael T. McCormick of Vienna.

To be a member of the Illinois Liquor Control Commission for a term ending -- excuse me, February 1st, 2004, Irving J. Koppel of Skokie.

To be members of the Pollution Control Board for terms ending July 1st, 2001, Claire A. Manning of Williamsville, Marili McFawn of Palatine.

To be a member of the Pollution Control Board for a term commencing January 10th, 1999, and ending July 1st, 2001, Elena Kezelis of Springfield.

To be members of the Pollution Control Board for -- for terms

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ending July 1st, 2000, Nicholas J. Melas of Chicago, J. {sic} (G.) Tanner Girard of Grafton.

To be a member of the Property Tax Appeal Board for a term ending January 20th, 2003, Mark W. Peterson of Lincolnshire.

To be members of the Board of Review for terms ending January 18th, 1999, John G. Cashman of Elmhurst, Rolland W. Lewis of Mt. Vernon, Stanley Mucha of Burbank, William J. Nolan of Chicago, Jon R. Walker of Moro.

Now, Mr. President, having read the non-salaried appointments from the Governor's Message of May 12th, 1998, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Just a parliamentary inquiry. How many Members would it take to have the Keith Snyder one voted on separately? And would I be joined by enough Members?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

...you -- thank you, Mr. President. Just the same comment that these are all excellent, and we'd hope everyone would go along, including on Keith.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, does the Senate advise and consent to the nominations just made. 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 a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just

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made. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Governor's Message of May 12th, 1998, I will read the non-salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the Illinois Arts Council for terms ending June 30th, 2001, Shirley R. Madigan of Chicago, and Smita Shah of Chicago.

To be members of the Health Facilities Planning Board for terms ending June 30th, 2000, Harry S. Kurshenbaum of Chicago, Stuart Levine of -- of Highland Park, Louis M. Libert of Naperville.

To be members of the Health Facilities Planning Board for terms ending June 30th, 2001, Marjorie Albrecht of Princeton, Thomas Beck of Glenview, William J. Marshall of Plainfield, Robert M. Schrayner of Highland Park, and Bernard Weiner of Kankakee.

To be Chairman of the Board of Trustees of the Historic Preservation Agency for terms ending January 17, 2000, Julianna Cellini of Springfield.

To be members of the Board of Trustees of the Historic Preservation Agency for a term ending January 17, 2000, Pamela A. Daniels of Elmhurst, Edward M. Genson of Deerfield, Warren Swanson of Chicago.

To be members of the Board of Trustees of the Historic Preservation Agency for terms ending January 18th, 1999, Samuel A. Lilly of Downers Grove, Carol K. Stein of Glencoe.

To be Chairman of the Illinois Housing Development Authority for a term ending January 8th, 2001, Abram D. Van Meter of Springfield.

To be members of the Illinois Housing Development Authority for terms ending January 8, 2001, John E. Green of Fox River

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Grove, Rudolph S. Shoultz of Springfield, Napoleon Tarnaris of Long Grove and Chunghee K. Kang of Oak Brook.

To be member of the Metropolitan Pier and Exposition Board for a term ending June 1, 2000, James B. Bolin of Western Springs.

To be a member of the Illinois Racing Board for a term ending July 1st, 2000, Joseph G. Peck of Des Plaines.

To be a member of the Illinois Sports Facilities Authority for a term ending June 30th, 2000, Joel G. Herter of Elmhurst.

Mr. President, having read the non-salaried appointments from the Governor's Message of May 12th, 1998, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. 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 a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Treasurer's Message A of October 16th, 1997, reported the same back with the recommendation the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Treasurer's Message A of October 16, I will read the unsalaried appointment to

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which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Personnel Review Board for the Office of the State Treasurer for a term ending November 1st, 1999, Eduardo Gonzalez Castaneda.

Mr. President, having read the unsalaried appointment, I now seek leave to consider this appointment on a roll call. And, Mr. President, will you put this question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. 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 a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Treasurer's Message B of October 16th, 1997, reported the same back with the recommendation the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Treasurer's Message B of October 16th, I will read the non-salaried appointment to which the Senate Committee on Executive Appointment(s) recommends that the Senate do advise and consent:

To be a member of the Personnel Review Board for the Office of State Treasurer for a term ending November 1st, 2001, Emmett V. McNamara, Sr.

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Mr. President, having read the non-salaried appointment, I now seek leave to consider this appointment on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just -- just made. 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 a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Mr. President, believe it or not, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DUDYCZ)

You have heard the motion. All those in favor, say Aye. Opposed, Nay. The motion carries. Chair recognizes a former Member of this Body, sitting in the gallery behind the Republican side, former Senator Aldo DeAngelis. Welcome to the Senate. If you turn to the middle of page 8 of your regular Calendars, we will be going to the Order of Secretary's Desk, Non-concurrence of House Bills. House Bill 884. Senator Radogno. Again, to the Members, we are now in the Order of Secretary's Desk, Non-concurrence, House Bills, middle of page 8. Will the following Senators be prepared to -- to deal with this matter: Senators Radogno, Geo-Karis, Bomke, Rauschenberger, Walsh and Maitland. Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I move to refuse to recede from the House -- from...

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 884 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 2257. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I refuse to recede on House Bill 2257 of Senate Amendment 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2257 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. Senator Cullerton, what purpose do you rise? House Bill 2583. Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I wish to refuse to recede from Amendment 1 to House Bill 2583 and that it be placed in a conference committee. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2583 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 2827. Senator Rauschenberger. Senator Rauschenberger. Senator Rauschenberger moves that the Senate refuse to recede from the adoption of Senate Amendment -- Senate Amendments No. 1, 2, 3 and 5 to House Bill 2827 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion

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carries, and the Secretary shall so inform the House. Senator Smith, what purpose do you rise?

SENATOR SMITH:

Mr. President, I -- you ran through so fast that we were still working on Senate Bill -- what was it? House Bill 2583. And I wanted to ask a question of the sponsor, and you just ran right through.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith, the -- Senator Smith, the -- the sponsor requested that this bill go to conference, and that's where it's going. Senator Walsh, Thomas Walsh, on House Bill 3026.

SENATOR T. WALSH:

Thank you, Mr. President. I move that the Senate refuse to recede from Amendments -- Senate Amendments 1, 2, 3 and 5 {sic} and that a conference committee be formed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1, 2 and 4 to House Bill 2827 {sic} (3026) 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. Senator Hawkinson, what purpose do you rise?

SENATOR HAWKINSON:

Inquiry of the Chair, Mr. President. You had Senator Rauschenberger's bill on the board and you announced the bill number for Senator Rauschenberger's bill in your ruling when --- whereas we were dealing with Senator Walsh's bill of a different number.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson, the Secretary was in error. He had the wrong number up on the board, but the Chair was correct... Senator Walsh, on House Bill 3026.

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SENATOR T. WALSH:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendments 1, 2, 3 and 5 {sic} on House Bill 3026 and a conference committee report be formulated.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh. Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendments 1, 2 and 4 on House Bill 3026 and a...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1, 2 and 4 to House Bill 3026, 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 3515. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I -- I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3515 and a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3515 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. Supplemental Calendar No. 1 has been distributed and is currently on each Member's desk. We will be going to the Order of Secretary's Desk, Concurrence on Senate Bills, to Supplemental Calendar No. 1. On the top of page 2 of Supplemental Calendar No. 1 is -- is the Order of Secretary's

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Desk, Concurrence of Senate Bills. Senate Bill 1251. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1251.

Filed by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Would like -- on House amendment to Senate Bill 1251, the amendment becomes the bill. There are three parts to this. First, it makes technical changes in the Pawnbrokers License Act. It also makes continuing education changes in the cosmetology which we passed out of here on -- in a Senate bill and also contains windows -- provisions for individuals under the Environmental Health Practitioner Licensing Act, the Illinois Professional Land Surveyor Act, the Barber and Cosmetology Licensing Act and the Private Detective Licensing Act. Would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1251. 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 Amendments No. 1 and 2 to Senate Bill 1251, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1307. Senator Klemm. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

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I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1307.

Filed by Senator Klemm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 2 includes two provisions that were added to the bill. First it allows the superintendent, without going through open examination and a list of eligibility, on an exempt position, in adding the position of assistant director of information technology. This was originally contained in House Bill 2842 by Representative Kubik. The second part of the House amendment is originally contained in House Bill 2751 by Representative Bugielski, and this would allow the commissioners in the district, by a two-thirds vote, to transfer interest money earned on their investments of any of the monies into any of the funds that are needing that dollars. It does not apply to any of the earned interest or funds in the retirement fund or any of the reserve claim funds, but it would allow them to use and earmark that money for purposes that are necessary, and I do ask for your adoption of House Amendment 2 to 1307.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1307. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay and none voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 1307. And the bill, having received the required constitutional majority, is declared passed. On Senate Bill 1506. Madam

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Secretary -- Senator Geo-Karis. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 3 and 4 to Senate Bill 1506.

Filed by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move to -- to nonconcur with Amendments 1, 2 and 4 and I move to concur with Amendment 3. I'm dividing the question so that we concur with Amendment 3, but I'm moving to nonconcur with 1, 2 and 4.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis moves to concur in House Amendments 1, 2 and 4 to Senate Bill 1506. Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, when you -- when you want to concur with Senate amendments and not with others, it would indicate that your hope is that the House would recede from the amendments that you're nonconcurring with. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

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Could you tell me why you oppose -- or, what House Amendment No. 2 is? The substance. ...you. I've -- I've got the answer to my question. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis, is it your desire to concur with House Amendment No. 3 and nonconcur with House Amendment 1, 2 and 4?

SENATOR GEO-KARIS:

Yes, sir. That's exactly what I want to do, sir.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis moves to concur in House Amendment No. 3 to Senate Bill 1506. Is there any discussion? If not, 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. The Senate does concur in House Amendment No. 3 to Senate Bill 1506. Senator Geo-Karis now moves to nonconcur in House Amendments No. 1, 2 and 4 to Senate Bill 1506. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 1585. Senator Karpiel. 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 1585.

Filed by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I'm moving to concur with House Amendment 1 to Senate Bill 1585, and as you may remember, Senate Bill 1585 is the agreement that was worked out on the nurse practitioner bill between the doctors and the nurses and hospitals

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and other interested parties. Went over to the House with one -- one portion of it -- one segment of it was still undecided, and they, unfortunately, were -- we're still unable to work out that portion. So in addition to three sections of this amendment which are fairly technical, the -- the main part of this amendment does create a Joint Committee on Licensure of CRNAs, which are nurse anesthetists, consisting of the chairperson and minority spokesperson of the legislative licensing committees and four other Members who shall be appointed, one each, by the President and Minority Leader of the Senate, and Speaker and Minority Leader of the House. This Joint Committee will meet at the call of the Speaker and the President and it will hold public hearings, public meetings, and issue a report of recommendations concerning the proper standards for licensure of certified registered nurse anesthetists on or before April 1st, 1999. Unfortunately we couldn't work out this Section of the bill, but other than that, all parts are agreed to, and I want to thank everybody who worked on the bill because they all negotiated in good faith. And in spite of the lack of real enthusiasm by some Members, I have something else I have to read into the record for legislative intent. For the purpose of legislative intent, I want to clarify that the Illinois Abortion Law of 1975 must still be complied with under SB 1585. Under Illinois law, only a physician licensed to practice medicine in all its branches may perform an abortion, which is defined in the law to mean "the use of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant". SB 1585 neither expands nor contracts Illinois law designating who has authority to perform an abortion. Thank you, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you, Mr. President. I rise to speak in support of this bill and just to make a couple of comments, if I may. This bill has been through a long and tenuous process of negotiation, but the thing that's made it successful this year is the fact that both sides have been willing to negotiate in good faith and have tried their best and really wanted to come out with a compromise. So I applaud them for that. This legislation, however, as Senator Karpel indicated, does not include provisions relative to certified registered nurse anesthetists. This bill is a very important step forward, recognizing the contributions that nurse practitioners, nurse midwives and clinical nurse specialists provide to the citizens of Illinois. Nurse anesthetists are not in this bill, however. But if this bill is enacted into law, it is important to note that these nurses will still be allowed to legally practice professional nursing in the State of Illinois. This bill is not intended to change the practice of professional nurses administering anesthesia as it exists today. While nurse practitioners, nurse midwives and clinical nurse specialists will have an explicit statutory license to practice advanced practice nursing if this bill is enacted, the absence of a statutory license for nurse anesthetists in no way is meant to imply a change in their legal authority to administer anesthesia in the practice of professional nursing. And there's a commitment, as already indicated, by both medicine and nursing, to continue to work on this issue and to return to the General Assembly at a later date with additional licensing requirements. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1585. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does -- does concur in House Amendment No. 1 to Senate Bill 1585. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1713. Senator Geo-Karis. 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 1713.

Filed by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move to concur with House -- House Amendment 1 and I move to nonconcur with House -- House Amendment 2. House Amendment 1 is a very important bill, and it's a bill that adds references to mental health decisions reflecting the population of sexually violent persons. In addition, incorporates several other changes sought by the Attorney General to facilitate the implementation of the Sexually Violent Persons (Commitment) Act. And I move the adoption of House Amendment 1 -- approval, and nonconcurrence with House Amendment 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis moves to concur in House Amendment No. 1 to Senate Bill 1713. Is there any discussion? If not, 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 1713. Now Senator Geo-Karis moves to nonconcur in House Amendment No. 2 to Senate Bill 1713.

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Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 1728. Senator Peterson. 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 1728.

Filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. The bill itself as it left the Senate stays intact. That removed the limit on the amount of insurance a Lloyds may underwrite with respect to any single risk. House Amendment 1 keeps the underlying language for Lloyds and adds language from Senate Bill 1904, which passed the Senate earlier by a vote of 57 to nothing. Senate Bill 1904 was a combination of Department of Insurance administrative requests and employee leasing clean-up language. Question was raised in committee relating to the Director's revocation and denial authority on the grounds of the use of coercion in the Employee Leasing Company Act. This language is included in this proposal to mirror the language in the Insurance Code concerning the revocation of producer licenses. There have been instances in the past where the Department has considered coercive practices of producers but has only taken action against those producers in the broader context of other dishonest and fraudulent practices. I ask for your approval of Senate Bill 1728 with House Amendment 1.

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 1728. All those in favor will vote Aye. Opposed will vote Nay. The voting

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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 1728, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1846. Senator Petka. 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 1846.

Filed by Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. As this bill left this Chamber, it merely extended a deadline for certain provisions of the Gang Crime Witness Protection Act for one year. In the House, it picked up an amendment which created a misdemeanor offense of a Class A misdemeanor for any person who is placed on probation, conditional discharge, court supervision, or is released on bond to have any contact, direct or indirect, with a streetgang member as defined under the Streetgang Terrorism Omnibus Prevention Act. I might point out that already courts throughout the State have within their power to enter an order against a defendant who is placed on any probation, or discharge, supervision, or released on bond to refrain from such conduct, but apparently the -- an amendment offered in the House sought to take it a step further and to criminalize this type of conduct. It is a Class A misdemeanor. There is an exemption which applies to family or household members. And, Mr. President, I'll answer any questions which might be -- which may be asked.

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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 1846. 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 54 Ayes, 3 Nays, 1 voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1846, and the bill, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 2 has been distributed and is currently on each Member's desk. We will be going to Supplemental Senate Calendar No. 2. On the top of page 2 of Supplemental Senate Calendar No. 2 is House Bills 2nd Reading. House Bill 626. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 626.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. We'll now go... For the information of the Membership, we will be going to the middle of page 2, in the Order of Conference Committee Reports and Consideration Postponed. We will not be going to the Order of Secretary's Desk, Resolutions. Middle of page 2 of Supplemental Calendar No. 2 is the Order of Conference Committee Reports. Mr. Secretary, do you have a file on a conference committee report on House Bill 18?

SECRETARY HARRY:

Yes, Mr. President. Second Conference Committee Report on House Bill 18.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

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Thank you very much, Mr. President, Members of the Senate. The Second Conference Committee Report on House Bill 18 increases the bond authorization for McCormick Place by one hundred million dollars to finance the construction of a parking garage near the new entrance to the convention center and dedicated bus lane from downtown hotels to the facility. These projects will help maintain McCormick Place's competitive nature in the highly competitive convention business around the world. Three important provisions are not - are not - in this bill. Number one: First, House Bill 18 contains no tax increase or extension in the longevity of the McCormick Place taxes. The bond authorization increase will be backed by existing McCormick Place revenues, all generated within the County of Cook. Secondly, this conference committee report to House Bill 18 contains no labor provisions, as we discussed earlier in the year. Finally, this bill does not permit the use of funds to build a stadium. This legislation is, I am reliably informed, supported by labor, business and civic groups, including the Illinois AFofL-CIO, Chicago Federation of Labor, IBEW -- the IBEW, Carpenters, Teamsters, Chicagoland and State Chambers of Commerce, Hotel-Motel Association, IRMA, Illinois Restaurant Association, and the Metropolitan Planning Council. Mr. President, I know of no opposition. I think this bill has been narrowed down, and I would seek support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the Second Conference Committee Report on House Bill 18. As the Senator indicated, we had some discussion early on in the year about some work rule changes that were opposed by certain unions and Members of this Body, obviously. The bill came back in a cleaner, purer form to promote Chicago as

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a premier convention town. This bonding authority -- or, the -- the bonds will obviously help in that endeavor, with a garage and some very needed transportation to and from our major hotels. I think it's appropriate that we congratulate ourselves that we took a very hard look at this legislation, decided not to legislate against collective bargaining and -- and issues such as that. And I certainly support this -- this measure and hope all here do. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

The original bill was pitting union against union for collective bargaining, and certainly I opposed it very vehemently. Does this bill absolutely eliminate those provisions relating to any labor union collective bargaining or any issues affecting the unions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Senator Geo-Karis, as I said in my opening remarks, and Senator Farley said when he commented, there is no labor language in this bill whatsoever.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand. All I want is your assurance that there is nothing relating to collective bargaining between unions and unions. That's all I'm asking you. Right?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

You are correct, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, share in the comments being made. In fact, whenever this bill come before us earlier and we took it down to defeat, it almost renewed my faith in the system. And we have now taken the -- the parts out that I think we were all -- most of us were concerned with, and I stand in strong support of this legislation at this point.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Would the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator O'Malley.

SENATOR O'MALLEY:

Senator Maitland, I have a series of questions, and to some extent, you've answered them, but for purposes of legislative intent, we'll go through the questions. Does this bill include the labor reforms we voted on during the fall Veto Session?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Once again, no, these provisions are not included in this Second Conference Committee Report. This bill has no language affecting labor at McCormick Place. This bill does help labor in

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that it will create construction jobs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Does labor support this conference committee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Yes, labor does; all labor unions affected by McCormick Place are in support of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Does business support this conference committee report?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator, all businesses support this, including the Hotel-Motel Association, the Chicagoland Chamber of Commerce, IRMA, Illinois Chamber of Commerce, Illinois Restaurant Association and the Metropolitan Planning Council.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Can the bond authorization be used to build a stadium?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

No, the current Statute prohibits the building of a stadium. Section 4-(1) {sic} (5(1)) of the Metropolitan Pier and Exposition Authority provide: "Nothing in this amendatory Act of 1991 shall be construed to authorize the Authority to spend the proceeds of

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any bonds or notes issued or any taxes levied under this amendatory Act of 1991 to construct a stadium to be leased to or used by professional sports teams." The taxes that support House Bill 18 -- 18's bond increase were authorized by the 1991 Act, and therefore, these proceeds also could not be used for a stadium.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Does House Bill 18 require a three-fifths vote?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

No, only "State Debt" requires a three-fifths vote and this bond authorization is not State Debt. The Illinois Supreme Court specific -- specifically held that the MPEA's bonds are not State Debt and does not require a three-fifths vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Does this legislation raise taxes, extend the life of existing taxes or bonds?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

No, the taxes - hotel, restaurant, rental car and departure at O'Hare and Midway - all local in nature, expire under the existing Statute when the outstanding bonds are paid off, which is the year 2029. That...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

How will the bonds be repaid?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

By capturing the tax revenue generated in excess of the current debt service. Currently, these excess revenues flow to a sinking fund to pay for future capital repairs and maintenance at McCormick Place. This legislation captures a small portion of these excess funds. Because of the higher than projected hotel tax revenue, a result of McCormick Place's success in bringing people to Chicago, using a small portion of these excess funds will not affect the Authority's ability to properly repair and maintain McCormick Place.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Senator Maitland, for going through those questions. I just want to say to the Chamber, or the Members that are present here today, that I stand in strong support of House Bill 18 in its current form. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. This is absolutely needed legislation for what I believe to be a crown jewel in the world among convention centers, in a crown jewel of a City, and I would seek your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate adopt Conference Committee Report No. 2 to House Bill 18. 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,

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none voting Present. And the Senate does adopt Conference Committee Report No. 2 to House Bill 18, and the bill, having received the required constitutional majority, is declared passed. We'll now go to the middle of page 2, in the Order of Consideration Postponed. Mr. Secretary, House Bill 383.

SECRETARY HARRY:

House Bill 383.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We debated this earlier at a time when a number of Members were off the Floor and didn't get an opportunity to vote on it. This is the bill that prohibits public funding of abortions. And as was pointed out in the debate earlier, this is sort of a -- a right of conscience for taxpayers. Senator Walsh eloquently pointed that out. This does not prohibit a woman from exercising her constitutional right to obtain an abortion. What this does do is say that the taxpayers ought not have to foot the bill. And -- and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Since this is -- since this bill, House Bill 383, has been debated previously and we are now on Consideration Postponed, the Chair will allow one proponent and one opponent to -- to debate Consideration Postponed on House Bill 383. The first light was by Senator Cullerton. Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Rather than debate the bill, I have a question of the sponsor on a -- on a procedural question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, my understanding is, this bill passed the House last year, was assigned to the Executive Committee. The Executive Committee put it into a subcommittee; that subcommittee never met. The bill then reverted to the Rules Committee, and then the Rules Committee, yesterday, sent it directly to the Floor, 2nd Reading, so that the bill never was voted on or had a hearing in committee. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

We have debated this issue previously and there have been identical bills before the Legislature that have had a thorough hearing. This particular number, House Bill 383, this particular bill, has not had the same thorough debate that the others have had.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you for answering my question in the affirmative. Senator Berman wants to debate the merits of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think that we have to recognize that when we talk about the exposure of the taxpayer, it will cost the taxpayers of this State multiple times more in the court litigation that will arise from the passage of this bill than, in fact, cost the taxpayers last year for the abortions that were performed under Medicaid. The cost last year for Medicaid abortions was thirty thousand dollars.

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That will take about, maybe, an hour of the attorneys' fees that will be involved in many, many months of litigation if this bill passes this Body and is signed into law by the Governor. The reason I say that is because there has already been a federal court case, Blackwell Health Center versus Knoll - K-N-O-double L, which struck down this same legislation. So we're going to pass a bill; it's going to go to the Governor. If he signs it, then there will be litigation filed on behalf of women in need of abortions. The Attorney General's Office of the State of Illinois will have to defend that or send it out to a private defense counsel on behalf of the State, and we're probably looking at not thirty thousand dollars in costs to the public to address the needs of women, but let's say three hundred thousand dollars, six hundred thousand dollars, nine hundred thousand dollars. Pick a good attorney's fee, which will be the bill to the taxpayers of the State of Illinois. It doesn't make any sense. Now, on the other issue, what we are doing here is preventing a woman from making the decision, with a doctor, as to what is necessary for her health. That's the issue: a woman's health. This bill prevents abortions under Medicaid to protect a woman's health. Who is the best decider of that? We, fifty-nine Senators, to decide what's best for a woman's health, or is it the woman and her doctor? I would suggest to you that this is probably one of the worst antiwoman votes that you will be asked to take. I urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, to close.

SENATOR CRONIN:

Thank you, Mr. President. You know, when you get past the hyperbole, you really have to look at the facts, and the facts tell us that on December 2nd, 1994, Judge Braden, a Cook County Circuit Court Judge, struck down the Illinois laws prohibiting

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public funding of abortions except to save the life of the mother. Judge Braden ruled the laws unconstitutional under the State Constitution. Now, no Appellate Court, the Supreme Court has not ruled. The Judge's order, Judge Braden's order, compels the Department of Public Aid to pay for any and all abortions necessary to protect a woman's health; however, "health" is not defined in the order and, based on the plaintiff's motion for summary judgment, must be understood to include abortions sought on psychological and emotional grounds and other factors relating to family situations and the woman's age. So, the court, arguably, is mandating abortion on demand throughout all nine months of the pregnancy, and -- and ruling that the State shall pay for those abortions. We need some clarification. If nothing else, we need clarification, and that's what this bill will provide. I ask for your favorable consideration. This does not prohibit a woman from exercising her constitutional right to abortion. It just says that the taxpayers ought not pay for it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 383 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 24 Nays, 1 voting Present. And House Bill 383, having received the required constitutional majority, is declared passed. Senator Berman, what purpose do you rise?

SENATOR BERMAN:

I'd request a verification of the affirmative...

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. Will all Members be in their seats? Senator Berman has requested a verification. Secretary will read the affirmative votes.

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SECRETARY HARRY:

The following voted in the affirmative: Bomke, Burzynski, Cronin, Dillard, Donahue, Dudycz, Fawell, Fitzgerald, Hawkinson, Karpel, Kehoe, Lauzen, Luechtefeld, Madigan, Mahar, Maitland, Myers, O'Daniel, O'Malley, Peterson, Petka, Rauschenberger, Rea, Sieben, Syverson, Viverito, Lawrence Walsh, Thomas Walsh, Watson, and Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Does Senator Berman question the presence of any Member voting in the affirmative?

SENATOR BERMAN:

Senator Fawell.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell is in her seat.

SENATOR BERMAN:

Thank you. I have no further questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On a verified roll -- roll call, the Ayes are 30, the Nays are 24, 1 voting Present. And the bill, having received the required constitutional majority, is declared passed. Resolutions.

SECRETARY HARRY:

Senate Resolution 218, offered by Senator Tom Walsh.
It's substantive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell, what purpose do you rise?

SENATOR FAWELL:

For purposes of an announcement. The Senate Transportation Committee will meet in Room 400 at 8 a.m. tomorrow morning. 8 a.m., Room 400.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland, what purpose do you rise?

SENATOR MAITLAND:

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Thank you very much, Mr. President, Members of the Senate. The Energy and Environment Committee will meet in Room 212 at 8:30 a.m. in the morning.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson, what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Senate Public Health will meet at 8:45 in Room 400. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 48.

Adopted by the House, May 21st, 1998.

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 adopt the First Conference Committee Report on Senate Bill 460 and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendments 1 and 2.

Action taken by the House, May 21st, 1998.

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 passage of a bill of the following title, to wit:

Senate Bill 1225, with House Amendment No. 2.

We have like Messages on Senate Bill 1617, with House Amendment 2, and Senate Bill 1884, with House Amendments 2 and 3.

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Passed the House, as amended, May 21st, 1998.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, what purpose do you rise?

SENATOR CRONIN:

For purposes of an announcement. The Senate Education Committee shall meet tomorrow morning - tomorrow morning - at 8:00 a.m in Room 212. Tomorrow morning, 8 a.m., Room 212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further business to come before the Senate? If not, Senator Karpel moves the Senate stands adjourned until the hour of 9 a.m., Friday, May 22nd. The Senate stands adjourned.

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