

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

64th Legislative Day

October 29, 1997

PRESIDENT PHILIP:

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

THE REVEREND DARYL FANSLER:

(Prayer by the Reverend Daryl Fansler)

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 of the Journal of Tuesday, October 28th, in the year 1997, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

A Message from Joseph A. Spagnolo, State Superintendent of Education, October 24th, 1997.

To the Members of the General Assembly - Below are the descriptions for two waiver requests that are being submitted for General Assembly consideration as addendum to the report it received on October 1st, 1997.

PRESIDENT PHILIP:

Committee Reports.

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SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Joint Resolution Constitutional Amendment 15 Be Adopted and House Joint Resolution 30 Be Adopted, as Amended.

Senator Sieben, Chair of the Committee on Agriculture, reports Senate Bill 1195 Do Pass.

And Senator Cronin, Chair of the Committee on Education, reports House Bills 452, 654, 1005 and 1098 Do Pass, as Amended.

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 35.

Adopted by the House, October 28th, 1997. It's a death resolution.

PRESIDENT PHILIP:

Consent Calendar. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1208, offered by Senator Geo-Karis.

(Secretary reads title of bill)

House {sic} (Senate) Bill 1209, offered by Senators Burzynski and Syverson.

(Secretary reads title of bill)

And House Bill -- or, Senate Bill 1210, offered by Senators Burzynski and Syverson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

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House Bills 1st Reading.

SECRETARY HARRY:

House Bill 932, offered by Senator Lauzen.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

...has been a request from WQEC-27 to film the proceedings. Any objections? No objections. Leave is granted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...morning, Ladies and Gentlemen of the Senate. The Vernon Hills seniors request permission to film while the Senate is in Session. Hearing no objection, the request is granted. Senator Link. For what purpose do you arise, Senator Link?

SENATOR LINK:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, Senator Link.

SENATOR LINK:

As you indicated, we are privileged with the senior citizens from Vernon Hills, which is represented by Senator Geo-Karis, Senator Peterson and myself, and we'd like to welcome all the senior citizens. And they are constituents of all of ours, but the person that is leading them today is a very close constituent of ours, and it happens to be my wife, Susan Link. And I'd like to welcome them all to the Senate. And if we could welcome them today.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. You're very fortunate to have your wife. We welcome all of you. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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State your point, Senator Bomke.

SENATOR BOMKE:

Wanted -- announce -- wanted to announce that it's my...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we have your attention, Ladies and Gentlemen of the Senate? Thank you. Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. It's the colleague to my left, Senator Myers' birthday today. She tells me she's thirty-nine.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Happy birthday to Senator Judy Myers.

SENATOR BOMKE:

And there is cake...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

And there is cake over here for the Senators. Ladies and Gentlemen of the Senate, we're going to start at the bottom of page 7 of today's Calendar in the Order of Motions in Writing to Override Total Vetoes. This will take thirty-six votes. We would like to have your undivided attention. This is important to all of you. Senate Bill 36. Senator Peterson? Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move that Senate Bill 36 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 36 is a notification bill for senior citizens regarding the assessment freeze. The bill would mandate that supervisors of assessments would give notification, either by mail or publication, that the seniors can

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file for this particular freeze. Does -- Cook County, I understand, already does this, so it wouldn't affect Cook County; would affect the other counties. This notice could be put in the tax bills. When the treasurer sends out their tax bills, a notice could be put in there. So we don't look at it as a -- a big cost to local governments. The Governor's basic objection was he felt it was an unfunded mandate. I think seniors deserve this. It's not a -- a big cost to local governments, and in fact, I haven't had one local government or county call me and say that they couldn't abide by this particular bill. I ask for your -- your support to override the Governor's veto on Senate Bill 36.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? The question is, shall Senate Bill 36 pass, the veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 54 voting Aye, none voting No, none voting Present. And this bill, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 194. Senator Dudycz? Out of the record. Senate Bill 278. Senator Collins? Senator Collins? Out of the record. Senate Bill 473. Senator Syverson? Out of the record. Senate Bill 548. Senator O'Malley? Senator O'Malley, 548? Out of the record. Senate Bill 561. Senator O'Malley? Read the -- the -- the bill -- the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

...move that Senate Bill 561 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and -- and Members of the Senate. Senate Bill 561, I -- I move to override the Governor's veto. When Senate Bill 561 was considered by the Senate originally, it passed unanimously. In the House, it passed unanimously. On the concurrence on the recommendations from the House, the Senate passed that unanimously as -- as well. What -- what the legislation does is require that the Human Resources Investment Council recommendations be reviewed by the -- by the General Assembly before they actually be enacted and -- and -- and put into effect. The suggestions that came from DCCA -- there was a letter that went out from DCCA, saying that -- that these Human Resource Investment Council recommendations are purely advisory. I can assure you, if you read the original law, that is not the case. This -- this particular Council has the ability to actually enact these provisions. And what I am requesting that we do is stay put with where we were before and have some -- some General Assembly oversight of the recommendations coming from this -- very -- very important Council's work. If there's any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

If we may have your attention. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a minute, Senator Demuzio. Ladies and Gentlemen of the Senate, let's give us -- let's give the courtesy to the speakers. Thank you. Senator Demuzio.

SENATOR DEMUZIO:

May I ask if the Senator will yield for a question, please?

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He indicates that he will.

SENATOR DEMUZIO:

Senator O'Malley, as I recall, what took place here is that the Human Resource Investment Council -- we changed the Statute about a year or so ago, giving them some ultimate authority, apparently, over all of the new block grants and other types of activities for job training and things of that nature, as I -- as I recall. Am I correct so far? All right. Then... The Senators now nodding yes. Then I, too, thought that that was gospel; that whatever the recommendations that they made with respect to the block grants and to the other types of goals and objectives that they established, that they had the authority to make specific recommendations to grantees, accept grants and -- and make those grants outright, rather than having to go back through the Department of Commerce and Community Affairs; that they were sort of going to be the nucleus, I assume, to the tell the Department who to give the money to and things of that nature. And now what you're attempting to do is to say that after you make those decisions of -- of -- of who's going to get the money, then you have to come back to the General Assembly for final approval. Is that what we're saying here?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

That's essentially correct, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

What happens in the situation -- and I don't quarrel with that. What happens in the situation where we're not necessarily on the same timetable with the federal government and so not necessarily are we going to be in Session? When they get the money

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and they make certain recommendations, are they still going to be required to come to the General Assembly with those recommendations for our approval? Is that going to delay the process at all?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

It -- it is my understanding that their recommendations could be implemented to some extent, even with this legislation. Representative Phelps, who is the sponsor of the legislation in the House, added language that basically said that if the General Assembly failed by joint resolution to act within seven months of the recommendations coming forward, then they would be deemed revoked, which would force them to go back and -- and make their recommendations again.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I don't have any quarrel with that. All -- I don't want to get myself into a situation where they have to come and the Legislature has to agree to all this, because then we're back into the political thing. If you have more political clout in a certain area, you want amounts changed, grants changed, et cetera and so forth. I -- I don't quarrel with what you're doing and I'm willing to go along with it, but... If it's on the up and up and it's straight, it'll work and it'll be fine. If it isn't, then we're going to have a problem. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? Hearing none, Senator O'Malley has moved that Senate Bill 561 do pass, the veto of the Governor to the contrary notwithstanding. All those in favor will vote Aye. Those opposed

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will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 53 voting Aye, none voting No, none -- none voting Present. And the -- the bill, having received the required three-fifths majority -- the required three-fifths majority, is declared passed, the veto of the Governor to the contrary with -- notwithstanding. Senate Bill 1103. Senator Severns? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

I move that Senate Bill 1103 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Severns.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. This is a bill that affects only one community, my City of Decatur. It simply provides that the City should provide an alternative to leaf burning, based on the medical evidence that's been provided. It -- it has no price tag, and it has no impact on any other city but my city. And I would urge a favorable vote on the motion to override the Governor's veto.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? Hearing none, Senator Severns has moved that Bill -- Senate Bill 1103 pass, the veto of the Governor to the contrary notwithstanding. All those in favor, vote Aye. All opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are only 29 voting Aye, 22 voting Nay, 2 voting Present. And this bill, having failed to receive the required three-fifths vote, is hereby

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declared lost. At this time, Ladies and Gentlemen of the Senate, we're going to go to the Order of Business of Motions in Writing to Accept the Specific Recommendations for Change, in the middle of page 8. Senator O'Malley. Senate Bill 51. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 51, in manner and form as follows:

Amendment to Senate Bill 51

in Acceptance of Governor's Recommendations
Offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Please let -- let us have your attention. Senator O'Malley.

SENATOR O'MALLEY:

Yes. Madam President, with respect to Senate Bill 51, I move that we accept the specific recommendations of the Governor. I do not have my bill file here, but there are a number of provisions in this legislation. The Governor felt that one provision needed some clarifying language. I reviewed that language and found it to be acceptable, as did the school district that was affected by the legislation. So I -- again, I would move that we accept the Governor's recommendation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 51, and -- in the manner and form just stated by Senator O'Malley. And those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, Madam Secretary, there's 57 voting Aye, none voting No, none voting Present. And the specific recommendations of the Governor

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as to Senate Bill 51, having received the required constitutional majority of Senators elected, are -- are hereby declared accepted. Senate Bill 368. Senator O'Malley? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 368, in manner and form as follows:

Amendment to Senate Bill 368

in Acceptance of Governor's Recommendations
Offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Senate Bill 368, I am moving that we accept the Governor's recommendations. Again, I've reviewed them. The interested parties associated with this legislation had no problem with them. This legislation passed the Senate unanimously when it was originally presented, and overwhelmingly in the House. Be happy to answer any questions there might be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 368, in the manner and form just stated by Senator O'Malley. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the specific recommendations of the Governor as to Senate Bill 368, having received the required constitutional majority vote of Senators elected, are declared accepted. Senate Bill 780. Senator O'Malley? Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 780, in manner and form as follows:

Amendment to Senate Bill 780

in Acceptance of Governor's Recommendations
Offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Yes. Madam President, I move that we accept the recommendations of the Governor with respect to his Message concerning -- Senate Bill 780.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 780, in the manner and form just stated by Senator O'Malley. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And the specific recommendations of the Governor as to Senate Bill 780, having received the required constitutional majority vote of Senators elected, are declared accepted. Senate Bill 805. Senator O'Malley? 805. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 805, in manner and form as follows:

Amendment to Senate Bill 805

in Acceptance of Governor's Recommendations
Offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator O'Malley.

SENATOR O'MALLEY:

Madam President, thank you. I -- I move that we accept the recommendations set forth in the -- in the Governor's Message concerning Senate Bill 805. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 805, in the manner and form just stated by Senator O'Malley. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 voting Aye, none voting Nay, 2 voting Present. And the specific recommendations of the Governor as to House -- Senate Bill 805, having received the required constitutional majority vote of Senators elected, are declared accepted. The next order of business on page 8, at three-quarters of the page down, the Motions in Writing to Override Specific Recommendations. Senate Bill 843. Senator Cullerton? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

I move that Senate Bill 843 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is the only motion on the Calendar of a -- a motion to -- to override a specific recommendation for change by the Governor, I believe.

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This bill was introduced on February 7th. It was amended on March 12th. That's how long the public has been aware of what has been in this bill. Everybody in this room who votes voted for this bill. Everybody in the Judiciary Committee voted for it. Everybody on the Senate Floor voted for it. And I did not mumble this bill through. I stood up and told you exactly what this bill was about. And I appreciate your attention because we're going to do it again. A Travis King, ten-year-old child, drowned in the park district swimming pool, I believe in the Zion Park District. It was supervised by eleven lifeguards. He hit his head on the diving board, sank to the bottom. Two different patrons of the pool asked two different lifeguards to take action. They did nothing. Another patron jumped in to save Travis, but it was too late. The Supreme Court, in the Barnett decision, which is what this case was -- was about, pleaded with us to change the law, and we did. We introduced the bill on February 7th; we amended it on March 12th; and it flew through this General Assembly. And the reason why it flew is because we didn't look upon this from a lobbying point of view, we didn't look upon this from the trial lawyers or the doctors or the -- the IMA; we looked upon it as parents, potential parents of children who could be injured and who could drown. And it became clear to everybody here that the law had to be changed. It became clear that we have to have a public policy that says local public entities should not be immunized for acts of willful and wanton conduct in supervising activities on public property. Now, the law that does exist that we're trying to change is Section 3-108. It's got two -- two sections to it, (a) and (b). What section (a) says right now, before we change it, is that a local public entity nor a public employee, they are not liable for an injury caused by a failure to supervise, even if it's willful and wanton behavior. And we said that's wrong. So we added one sentence: "unless the local public

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entity or public employee is guilty of willful and wanton conduct..." which causes the injury. This is not just negligence, folks. Willful and wanton conduct is -- is like recklessness. And we're just saying, when someone is so reckless that their conduct is willful and wanton, the plaintiff should have a -- an opportunity to prove their case. The second section of the Statute dealt specifically with pools, and what it said was, if -- if it's a public pool and it's designated for swimming and there's a notice posted on the premises of the hours, that the -- the public employee or the entity can be liable for injuries, unless it's supervised - unless it's supervised. So in the Barnett case, the Supreme Court said: You know what? As bad an outcome as this is, because they had a lifeguard, even though he was willfully and wantonly reckless, because they had a lifeguard, you can't prevail. And so we struck section (b). We struck it. And everybody here voted for it. Now, after the bill passes, the Municipal League, I'm sure well-intentioned, has gone out and lobbied. They've contacted -- you know how people do that lobbying. They contact people, word of mouth; they're supposed to call you, and they've all called you. If you understood what this bill really did and you called them back and you explained it to them, most of them would say, "Well, I didn't really realize that that's what they were talking about," because the word that they're getting out on this is "Your property taxes are going to go up; everybody's going to file lawsuits over frivolous matters, and the cities are going to have to pay enormous judgments." And that's not the case, because this is limited to willful and wanton conduct. And let me tell you, from what -- from what I understand in the practice of law, if you file a -- a complaint and you -- you make up something, if it's not willful and wanton conduct, you can be sanctioned. There can be penalties for -- for false pleading. And so, it's not going to be a floodgate of litigation.

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As a matter of -- matter of fact, speaking of floods, there was a flood - remember? - in the City of Chicago, and the City of Chicago won. There was a lawsuit and the City of Chicago won that lawsuit. And the Supreme Court agreed with the Appellate Court when they said that not only did the City win because of this Section, but that the City also would win because there's a concept called "discretionary activity" that is immunized. So discretionary activity by City employees is immunized. So they're covered. This is not the type of bill which is going to open floodgates of litigation. This is the type of bill that has to be passed. It has to be passed. Now, I noticed on the Calendar that Senator Klemm has filed a motion to accept the Governor's amendatory veto. Let me tell you something: I would have thought that if we failed to override, that maybe that would be acceptable, but now that I've read the Governor's amendatory veto closely, let me tell you what he's done. He's made it worse than the current law. He has literally made it worse than the current law. He has added new elements to being able to try to prove in a swimming pool case, in a drowning, that the city is liable. And so I would urge you to vote the way you voted the first time we voted on this bill. This is, let's face it, politically - politically, let's just think at that level - the right vote -- a Yes vote is the right vote, but more importantly, the public policy of the State ought to be that a person like the -- the family of Travis King should have a right to proceed against someone who is willfully and wantonly negligent and reckless. For that reason, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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He indicates that he will.

SENATOR FAWELL:

Senator, I've gotten a number of letters on this bill from my towns, Winfield, Wheaton, Glen Ellyn, Downers Grove, all of whom say they certainly agree with the intent of the bill, what happened was a tragedy, but this bill, the way it is written, was way too broad and we are, in effect, causing an action so that all of our municipalities, and what have you, can be found liable for acts that they have no control over, in reality. I don't think this is really what we want to do. We deliberately limited the liability of our municipalities so that we wouldn't have some of the problems that we've had in the past where huge judgments have come against our communities for, really, things that are really not necessarily a willful and wanton thing but perhaps just a -- an accident - crack in the sidewalk, this type of thing. I don't think this is really what we want to do. I -- I will lay you odds that every single one of us in this Chamber have received similar-type correspondence, and I'm sure you have -- I would assume you would have, from the City of Chicago, also received such correspondence. I think we ought to let the sleeping dogs lie. Come back if you do not want to accept the Governor's amendatory veto, which limits it to the situation you're talking about. And I strongly would urge my colleagues to remember their mail and to vote No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh. Thomas Walsh.

SENATOR T. WALSH:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

There are now one, two, three, four, five, six, seven -- there are eight speakers. You -- you moved the previous question and we'll just -- just localize those speakers only. Senator Dillard.

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SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR DILLARD:

Senator Cullerton, I just want to make it clear, and I've read the bill and it's a very small change. I mean, we're not talking about a massively, newly worded Statute. But I want to make sure that I understand this. Is it possible not to be willfully and wantonly liable, even if there is no supervision?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

If -- I'm not -- I'm not certain if I can answer that. If -- if -- or, if I fully understand what -- what you're saying. If -- if someone is supposed to supervise -- if the lifeguard is supposed to supervise but he doesn't show up, he doesn't perform the supervision, I imagine he could be found to be willfully and wanton in his conduct. But that, of course, would be a matter for the trier of fact. Under the current law, you don't even get to that question, and that's why we need the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Just -- just so I'm clear, and let me rephrase it just a little bit, Senator Cullerton: Can't there be some circumstances where supervision is not needed, but somebody might file a lawsuit, but in the end, it wouldn't be willful and wanton conduct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...Cullerton.

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SENATOR CULLERTON:

I understand. And that -- that goes to the issue that's raised by the municipalities: This will just be a floodgate of litigation. And the answer is, you have to show that something -- the conduct is willful and wanton. Now, if no one was -- for example, if no one was ever even assigned to be a supervisor - the kids are playing in the park; there's no supervisor - some kid falls and slips on a slide, that's not willful and wanton behavior. So I -- I think what we're talking about is a -- a fact situation that you first posed, that I could see where there could be a -- a possibility, where someone was supposed to be a supervisor and didn't -- didn't show up, where you could say, yes, that was willful and wanton. But in the -- if I understand the -- the gist of your question, the -- this is not going to be a -- open up the -- the floodgates of litigation for a situation where somebody says, "Well, you should have had a supervisor." That's not what we're talking about here, 'cause that could not be willful and wanton, as I understand it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard. Senator Dillard.

SENATOR DILLARD:

Senator Cullerton, and to the bill, Madam President, I don't have a problem with your override motion. I may be one of the few people around here who actually read, other than Senator Fawell, all the letters from my local government. But more importantly, I did a little work, a little research: I read the bill. So I don't have a problem and I'm going to vote with you, Senator Cullerton, on this. But what I want to make it clear and -- is that there are some instances where supervision is not needed at a park or a local government, and just because there's no supervisor doesn't automatically mean that the conduct of that local government or park district was willfully and wantonly conduct.

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So, you know, Senator Cullerton, I'm with you on this. I do want to -- you know, hopefully, it won't come to this. Hopefully, we won't have to make some changes in the definition of what is proper supervision. But I certainly don't have a problem with the override motion on this, 'cause I'm not going to sit here and defend any conduct by a park district or a local government where willful and wanton - this very high standard of conduct - is present. And I appreciate the Gentleman answering my questions. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, over the years with litigation and problems like that, many public entities I have seen, at least in my communities - schools and parks and so on - tend to be so afraid of -- of problems that they -- they tend to move in the direction of closing these facilities more and more and they're not -- to the use of the public. Would you see this law moving in that direction?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Well, Senator, you know, I respond to that the same way I -- I react to the letters. You know, the letters that they sent - and I don't think intentionally, but unintentionally - exaggerate and misstate what the bill does. And if they don't understand, from their lawyers that they hire, what exposure we're -- we're giving them, then I would say anything's possible. But the fact of the matter is, this is a very, very limited circumstances under which they would be liable, and it's only in those rare cases where there is willful and wanton behavior and -- like the case that -- that the Barnett case dealt with. Now, if you talk to them, they

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would say even in those cases, they'd say it's tragic, but they don't even want to pay in those cases. You know, I understand. That's -- that's what they -- they do. They don't want to pay ever. But -- and we've given them broad immunity. I mean, we have really allowed them to -- to go about the business of providing public service without having to worry about frivolous lawsuits, for certain, and in this case, if they're just negligent, they're not liable. They can't be liable. So it's only in those rare cases where there -- someone is just so blatantly reckless, and I just say, and I hope you agree, that we've got to -- we've got to do something about those cases, and that's what this bill is limited to.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. You know, I read most of the legislation on this and I agree with both sides, actually. I filed a motion to accept the Governor's amendatory veto because I think what we've heard from every municipality is that it goes too far if we were to override the Governor, and I agree with that. I think it does dampen what local governments can do on public property, on government lands. I think what we've heard from -- from the opponents of this are correct, but also I think that we need to give the protection that the Bar Association has asked for. And Senator Cullerton had come over and talked to me briefly about that. That really the absence of passing this, that the current law would almost be better to allow the Trial Lawyers and the Bar Association to work with the Municipal League and the counties to craft, perhaps, some legislation that would meet both of our concerns. Because what -- the tragedy at that swimming pool was -- was -- was avoidable and should have not have happened. So it's my suggestion and recommendation that we do not

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override the Governor's amendatory veto. I will not then call the bill to accept the amendatory veto. That would meet, least, the requirements that Senator Cullerton had asked as a second choice, to allow all parties to sit down and try to find a compromise on it. In the meantime, it would still, at least, protect to that degree our municipalities and local government while that is being done. It seems to me, rather than pitting our two friends together on something we agree to, this would be a better compromise. So with that, I do ask that everybody, perhaps, who agrees with that position not support this particular amendment and motion and then I will not call that particular acceptance of the Governor's amendatory veto. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We need your attention, Ladies and Gentlemen. Next speaker is Senator Butler.

SENATOR BUTLER:

Thank you very much, Madam President. Ladies and Gentlemen, I want to remind us all of something. The Governor's veto does exactly what we were asked -- we asked him to do, and that is to take care of the specific case of the tragedy at the swimming pool. And I remind me -- I remind you that this is exactly what we were asked to do. Now, what's being done here is to open up - I disagree with Senator Cullerton - we're opening up a floodgate. This is another one of kind of the "Lawyers' Relief Acts," because it -- it -- it does indeed open up, contrary to what he said. It's like -- you know, what we're facing here again is kind of like the piranha attack on a -- on the Tort Immunity Act. We're being nibbled -- that bill is being nibbled to death, and I wish we had the guts enough, or somebody had the guts enough, to just totally kill that thing, rather than what we're doing now, merely nibbling it to death. Secondly, I want to quote from a letter here. It says: Governor Edgar appropriately used his amendatory

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veto to scale back Senate 843 so it would achieve no more than its intended purpose, that is altering the result in the Barnett case by requiring lifeguards to respond to emergencies of which they were aware. And the final paragraph of this letter is: In this era of heightened concern over unfunded mandates and their unfair impact on the taxpayers, passing this bill in its original form is particularly unwarranted. I urge you to accept the Governor's amending veto. And it's signed, Richard M. Daley, the Mayor of Chicago, who in his letter, as you read, points out the enormous cost that this is liable to entail. Frankly, I think this makes it too easy, absolutely too easy, to drag local government into court. Now, you know, they're -- every time they're dragged into court it costs money to -- to -- to defend the case. And again, contrary to what Senator Cullerton says, I predict this thing will indeed open up a floodgate, because it is -- it does, indeed, that. It takes away some of the protection that local governments have had because of the Tort Immunity Act and other things. So I -- there is a -- there is a great deal of evidence that supports the idea that this override is a bad idea. It's -- it's detrimental to local government. Indeed, I think it -- it will be very costly to taxpayers. This is an anti-taxpayer, pro-trial lawyer bill, and I think we ought to take a good look at it. I would urge you to think twice about this and -- and vote No on the immunity -- or, on the override. I'm sorry.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I'm glad you called on my comments following former Mayor Butler's comments on this bill. Let me suggest to you that what we are being asked to do by Senator Cullerton's motion is to weigh and to vote on a certain level of responsibility - responsibility

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- for government, as well as for citizens. For the record, I want you to know that this deals in a field in which my practice of law is concentrated. I understand the issues that are involved in this. When I'm not in this Chamber, I may be in court arguing these cases. So let me share with you what my experience and "expertise" - that's in quotes - may have on this issue. The reason I'm going to support Senator Cullerton's motion is because I think that this motion and the bill, as we passed it, does what we've been asked to do by our voters back home. And what is that? It does -- they don't send us down here to take sides with municipalities or with trial lawyers. They ask us to pass laws that make sense to them and to do what is right. And I suggest to you that the bill, as we passed it, without the Governor's amendatory veto, is doing the right thing. And what does that do? It says to every municipality that you should exercise your good judgment in running your cities and towns. What does that mean? It means that if you make a mistake, municipality, we understand; we're not going to hold you responsible if you make an ordinary mistake. But if you make a willful and wanton mistake, if you jeopardize the health of your constituents, if you make a decision that is indifferent to the health and safety of your -- of the people that use your facilities, you should be held responsible for your actions. Senator Dillard asked about the definition of the standard of care that's imposed on municipalities by this bill - willful and wanton misconduct -- or, willful and wanton conduct. Let me tell you what the courts have defined that to be. It's defined as a course of action which shows an actual or deliberate - actual or deliberate - intention to cause harm or which, if not intentional, shows an utter indifference to or conscience disregard for the safety of others or their property. What does that mean? It means if I'm a -- if I'm the mayor of -- of X town and I have a swimming pool that we run and I don't hire

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lifeguards, that is an utter disregard, and everybody in my town expects me as the mayor to hire well-qualified lifeguards for the swimming pool that my town is going to run. That's why the child that Senator Cullerton talked about died, and his parents should have been able to file a lawsuit and recover for the death of that child because of the utter disregard for the safety of the people and the children in that town. That's what this bill addresses. If they hire a qualified lifeguard and that lifeguard isn't there, that's probably, in my opinion, not willful and wanton. They would have no exposure for that. But if they -- if they don't hire a lifeguard or they hire a lifeguard and don't tell them how to jump in the water and retrieve somebody that's drowning or how to provide CPR, they don't train them on how to do the job that they're supposed to do, that very well may be willful and wanton conduct. That's what our voters expect of their elected officials. That's what we're expected to do when we pass laws to set certain standards. That's all this bill does. That's all it does, Ladies and Gentlemen. It sets a standard - a very high standard. In order to recover under this law, the plaintiff has to prove a very high action of disregard or indifference, or a willful, deliberate intention to harm their constituents. That's tough to prove. I can tell you, it's tough to prove. But that's what our voters expect us as elected officials to maintain. That's what they expect their mayors in their towns to maintain. I urge you to vote Yes to do the right thing, not for the trial lawyers and not for the municipalities. Do the right thing for our voters and vote Aye.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We have three more speakers. And the next speaker is Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President. Just briefly, I -- I rise to make

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a couple of declarations. First of all, like Senator Berman, I, too, am a lawyer-legislator, and as a lawyer-legislator and a part-time legislator, we are asked and it is pointed out in the Constitution of the Constitutional Convention that we're suppose to bring our experiences from the courtroom, others are suppose to bring their experiences from the boardroom or the classroom or the farm, and bring it into this Body, and the Body is suppose to be better as a result of it. Now, I share an experience in my professional career as a lawyer, as is Senator Berman. I happen to be on the other side, though. And the question is: What is the conflict here? Doing the right thing is the only thing I can and would do, and doing the right thing here may not please some of the people that represent -- or, that my firm represents. But I'm here to tell you that I don't think it's a good idea for any of us as legislators to immunize or protect those who may engage in willful and wanton conduct. I just -- I can't, for the life of me, fathom why anyone here would want to protect that. And so I'm here to do what I believe is the right thing and I urge a -- a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Madam President. I, too, rise in support of the motion to override this veto, this amendatory veto. I -- in my practice, I've seen the Tort Immunity Act operate from both sides, from the victim's perspective, as well as from a school or a municipality's perception. So as an attorney, as we all are, I suppose in that sense we have a potential conflict of interest, and -- and I intend to vote my conscience. But I'd just like to bring one other aspect into this analysis of the Tort Immunity Act. The opponents, in many of the letters that we get, seem to misconstrue what the Tort Immunity Act is. In fact, contrary, I

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think, to an earlier speaker, we have been expanding the immunities recently. We haven't been nibbling away at it; we've been expanding the immunities. And one of the areas where we have expanded recently is in the area of recreational property. And we have said whether it's a -- a snowmobiling area or whether it's a municipal park or whether it's a gymnasium that is used for community events, that we want to immunize that municipal or local governmental function. But what do we mean by that? We have stated that what we mean by that is we're going to immunize them from negligent conduct. And what have we done for recreational property? We've said, "We'll immunize you, municipality, for negligent conduct, and we impose a willful and wanton standard." We have an exception which says if the conduct is willful or wanton, then there is no more immunity. And we do the same thing with teachers in the School Code, years and years ago. If a teacher is supervising an activity and they are negligent, they have full immunity under the School Code, as well as under the Local Government Tort Immunity Act. But we also say, "Teacher, if your conduct is willful and wanton," or "School, your conduct is willful and wanton, you don't have immunity." That's what the Act is. Now, there are a couple of exceptions to that where we give absolute immunity, and this wouldn't even change all of those. The decision as to whether to provide supervision in the first place, unlike the -- the swimming pool situation where other rules under public health and other things require the lifeguards, the Tort Immunity Act doesn't impose any duties to supervise. And in fact, if a government decides that for their park property or others the best decision is not to provide supervision, they don't have to. And there's a separate Section, which will not be affected in any way by this vote, that says your decision as to whether or not to provide that supervision is a discretionary decision and you will have, you do have, and you will continue to

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have absolute immunity for that decision. This affects a very narrow range of cases of willful and wanton conduct. And that is a standard that exists throughout most of the Tort Immunity Act and is no different standard than we're attempting to clarify and impose with this bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? The last speaker is Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senator Cullerton -- I don't know, maybe I need some help with this question from -- from all of you attorneys. I think one of the reasons that the municipalities and park districts and local governments are so afraid of this bill, particularly in my area, is because of a case that happened up in that -- in -- in there. And I don't know, it must be a different Section of the Statutes that applies. But the Village of Hanover Park, which is not a very large community and certainly not a very wealthy community, recently had on its streets, one of its streets - I don't know, it may have had -- I believe it had some construction going on. And I wish I had a better memory and could remember all the details. But at any rate, a fellow who was very drunk, way over the -- way over the limit, got on his motorcycle and was riding on the road and he hit into a -- some kind of a construction sign or barrier or something, fell off, and he was, in fact, injured very badly. He did not die, but I believe he may be paralyzed. And it was a sad situation, of course, but he sued the Village and it went to court, and the Village -- I mean, and he was awarded -- and I wish a could remember, but millions and millions and millions of dollars, that the residents now of Hanover Park had to have their property taxes raised to pay that award. It will be going on for somewhere like twenty years they'll have to be paying that. That certainly is a chilling experience for all the communities and

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park districts. And then when they see a bill like this, I think that's probably why they may... Yeah. Now, if you have - you lawyers here - have a response for that. But I do think that that was -- is part of -- one of the reasons in my area they're all so worried about something that they feel is -- is making it too broad. Without the -- the Governor's amendatory veto, they feel the bill is way too broad, and I think they're all concerned about falling into situations more easily, like Hanover Park.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you for raising that issue, and I will attempt to answer it. First of all, specifically, as you guessed, that fact situation is not covered by this Section of the Statute. This talks about a -- a failure -- an injury caused by a failure to supervise an activity on a public way. Okay? Secondly, I would suggest that it's probable that that lawsuit -- that that judgment was entered prior to the tort reform that we passed a few years ago. Admittedly, perhaps, not with my vote, but certainly that was -- that would have been affected by that. And I guess philosophically, Senator, to respond to your question, I -- and the same thing is to respond to Senator Fawell's question, when they write you a letter and they say this is going to affect us in this dramatic way and you do a little research and you find out that they're misinformed, they're just wrong, I -- I don't know how else to respond to it, by saying that -- other than by saying we have an obligation to read what the bills do and -- and vote on the basis of what we know to be the case. And, you know, they -- they take this situation, they exaggerate it, they apply it to this case that it doesn't apply to, and -- and how else can we respond, by saying, "I'm sorry, you're just not right." And that's all I can -- that's all I can say.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Well, Senator, the way I read the language is that it's going from what is now total immunity to a -- to a restricted immunity. I mean, they still now -- you have to prove wanton and willful. I see -- I realize that. But before, without this language, you don't have to prove anything. And so for -- in their eyes, this is too broad and -- and lets in the possibility of too many of these kind of lawsuits. I -- I'm not here to argue with you on what you're trying to do; I just am pointing out that I think the -- the local governments do have a point and do have a concern.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Cullerton, to close.

SENATOR CULLERTON:

Thank you, Madam President. First, let me just finish -- or start off by addressing Senator Karpiel's issue. Senator Karpiel, you're right: There are cases, after we pass this law, where a municipality will be liable when they otherwise wouldn't be. And to that extent, if that's why the villages are against it, we know why. But those cases where they're going to be liable are going to be very rare, and there are going to be cases where they ought to be liable, like in this case up in Zion where this young boy died when two lifeguards ignored pleas of -- of patrons to go on -- in and save him. Because, remember, unless we pass this law, those cases will not be changed and the outcome will not be -- will be the same. Now, Senator Klemm, I -- I appreciate the fact that you've indicated you're not going to call the motion to accept, because, indeed, believe me, the Governor's amendatory veto is worse than what the current law is. He's literally made it, in certain circumstances, where it would literally be harder to prevail than -- than under current law. But I want to tell

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you, I don't see us having any kind of a compromise here. I think the issue is this vote right here. If you want to overturn this Barnett case, you have to vote Aye, because we've already seen the Municipal League's response. As I said, I introduced this bill February 7th; March 12th, everybody voted for it, including you, because they didn't say anything. We were here ready for 2nd Readings, we were here for amendments. What they did was they waited until we passed it, they went to the Governor and they got what they wanted from the Governor, and it's no good. It's worse. So if you think the Barnett case is the wrong decision and you want to override it, you have to vote Yes on this -- on this bill. And as I said to Senator Fawell, I appreciate the fact that the municipalities, in good faith, are writing these letters. They just are taking -- they're taking examples that don't apply to this law and they're saying -- they're trying to create a horror story to try to get us to vote No. That happens in -- with us on a lot of bills. And we have an obligation to read the law, see what the law really does, and -- and to respond to them. And then, finally, to -- to Senator Butler, let me just say that we -- as Senator Cronin very articulately said, we come in here with our own experiences. I happen to be a lawyer, but I don't practice in this area. I don't do PI work. You happen to have been a mayor. You looked at it from the other point of view. You're looking at your budget. "What happens to our -- our village if we get sued?" You know, I know you weren't intending to be insulting. I know you didn't mean it, but please, please, don't say this is the "Lawyer Relief Act" when we're talking about situations where kids get killed by drowning and they try to find a lawyer to file a lawsuit because -- because of what happened was so wrong. This isn't trying to get lawyers rich. My God, we're not trying to vote for the trial lawyers. This -- and we're not trying to vote against the municipalities. Think upon it as a point of view of a

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parent or a grandparent and having your own child be the victim of some -- this -- of this kind of reckless behavior and realizing there's no way out. That's what we should look at when we look at how to vote on this bill, and for that reason, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm, your name was mentioned in debate. I take it you wish to respond, and I would ask you to be very brief.

SENATOR KLEMM:

The only reason I wanted to respond is because when Senator Cullerton came over and talked to me about this very motion that he has and the one I have about accepting the Governor's amendatory veto, he had said that he would prefer that it -- it not pass if he fails in his effort. And I think he should fail in this effort. However, he did say - at least, my impression was - that they would sit and work with the municipalities and the counties to see if they could find language if this does not pass on the override. And I said, "Fine." Then now, just as he closed, he said there was no room for compromise, and that's confusing to me because in one hand he said we would -- or, we would look at trying to solve this problem because we're all concerned about it and then in debate he closed by saying there was no room for compromise. And therefore, it makes me confused on whether I should call the bill or not. I tend -- intend to keep my word and I would hope he would do the same.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton, briefly.

SENATOR CULLERTON:

Well, I would like to just clarify my position so...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Briefly.

SENATOR CULLERTON:

...Senator Klemm doesn't think that I'm not keeping my word.

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I thought you left the impression that we don't have to vote for this motion, we can just sit down and -- sit down at a table and work this out next -- next semester. And my suggestion is: No. We got to vote Aye for this bill right now. And my opinion is that there is no compromise, because we've seen what the -- what the Municipal League's plan is. They've got it in their amendatory veto. That's all I meant.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton has moved that Senate Bill 843 pass, the specific recommendations of the Governor to the contrary notwithstanding. This will take three-fifths majority. Thirty-six votes. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 33 voting Aye, 21 voting Nay, 1 voting Present. And this bill, having received {sic} to get the required constitutional majority of three-fifths vote, is hereby declared lost. This motion is lost. Senator... Senator DeLeo, for what purpose do you... Senator Rea.

SENATOR REA:

Thank you, Madam President. We have a group of people in the gallery behind me that's here on a call for education. They're with a Coalition for Active Legislative Leadership for Education, and it includes superintendents, regional superintendents, board members and teachers. And these people are here today, and not only from my district, from -- but from all over the State, and would like for them to stand up and be recognized at this time.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to the Senate. We're glad you came. Senator O'Daniel, for what purpose do you rise, sir?

SENATOR O'DANIEL:

Point -- point of personal privilege, Madam President.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR O'DANIEL:

I also, in -- in the galleries to the rear, have educators here from all twelve counties that I represent down in southeastern Illinois, and I want to welcome them here, also.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome. We're glad to have you here. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR DEMUZIO:

Well, Madam President, it's not often that we have an opportunity to say hi to one of our former Honorary Pages, person who served here many years ago. However, today, he's a successful young man. His father used to sit to my left as the Senate President. His name was Tom Hynes. This young man used to be a Page for us, an Honorary Page. And he'd go around and he'd do errands and he'd look for coffee and things, and he would beg for ten-dollar tips. Well, he saved his money. He went to law school. And sure enough, he became a successful lawyer and he's back to say thanks. Say hello to Tom Hynes' son, Dan Hynes, an inspiring young man.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Which one is he? Welcome to the Senate. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

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SENATOR TROTTER:

Yes. I would like to take this opportunity to introduce to the Members of this august Chamber one of the hardest working aldermen of the City of Chicago, the alderman for the 7th Ward, Alderman Bill Beavers.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Bill Beavers, welcome, sir. Welcome to the Senate. Jaime Pipenhagen and Nancy Guideone, from Senator Parker's district office, request permission to take still photographs. Permission's granted. Senator Myers, for what purpose do you rise, ma'am?

SENATOR MYERS:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, Senator Myers.

SENATOR MYERS:

I wanted to introduce the ladies who are sitting behind me, two of whom have a birthday today, too. My aides: Debbie Staats, Sue Rennels, Deb Monk; and Jana Lithgow, who's here visiting today with the Rural Bond (Bank) - she's an -- an intern. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome you here. The 1 o'clock committees are meeting at 2 p.m. today, I've been informed by the Secretary of the Senate -- the Assistant Secretary. Hold on just a minute, so we can give you some more information. Senator Hawkinson, for what purpose do you rise, sir?

SENATOR HAWKINSON:

Madam President, for purposes of an announcement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hold on just a minute. Senator Hawkinson has an announcement to make. Let's listen to the announcement.

SENATOR HAWKINSON:

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Thank you, Madam President. The Judiciary Committee, which is posted for 1 p.m., will meet immediately after adjournment, in Room 400.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Any further announcements? The other committees will meet further -- right after the adjournment, as far as I understand. Senator Burzynski, what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Madam President. For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski has an announcement. Let's listen to his announcement, Ladies and Gentlemen of the Senate.

SENATOR BURZYNSKI:

Thank you. The Licensed Activities Committee will be meeting in Room 212 immediately after adjournment. If all of the Members would please be very prompt, we should be out of that committee very quickly. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

License Committee will meet after adjournment, in Room 212. Senator Demuzio, for what purpose do you rise, sir?

SENATOR DEMUZIO:

Madam President, might I inquire as to what the remainder of the day looks like for the Members?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

If you'll give us just a moment, I will answer your query. Is there any further business to come before the Senate? If not, Senator Myers moves that the Senate stand adjourned until 10 a.m., Thursday, October 30, 1997. Does that answer your query, sir? Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Why don't we come back tonight, or something like that?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio, you're out of order. Senate stands adjourned until 10 a.m., Thursday, October 30. Have a nice day.

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