

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

117th Legislative Day

December 2, 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 pastor today will be given -- our prayer today will be given by Pastor Patty Johansen, United Methodist Church, Rochester, Illinois. Pastor Johansen.

PASTOR PATTY JOHANSEN:

(Prayer by Pastor Patty Johansen)

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 Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move that reading and approval of the Journal of Tuesday, December 1, in the year 1998, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Licensed Activities, reports House Bill 2688 Do Pass, as Amended, and Senate Bill 859, the First Conference Committee Report, Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports House Bill 2805 Do Pass, as Amended.

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And Senator Cronin, Chair of the Committee on Education, reports House Bill 448 Do Pass, as Amended, and Senate Amendment 3 to Senate Bill 1 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 refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 1670, with Senate Amendment No 1.

Nonconcurrent in by the House, December 1st, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages.

SECRETARY HARRY:

Message from the Minority Leader, dated December 1st, 1998.

Dear Mr. Secretary - Please be advised that I have made the following appointments: Senator Kimberly Lightford to the Executive Committee and Senator Emil Jones as Spokesperson of the Executive Committee. These appointments are effective immediately.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 269, offered by Senator Petka and all Members.

Senate Resolution 270, by Senator Lauzen and all Members.

Senate Resolution 271, Senator Rauschenberger and all Members.

Senate Resolution 272, Senator Clayborne and all Members.

Senate Resolution 273, Senator Hawkinson and all Members.

Senate Resolution 274 and 275, by Senator Demuzio and all

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Members.

They're all death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Madam Chairman. For point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR LUECHTEFELD:

In the gallery behind this side of the aisle are the students from the Nashville Middle School and their teachers. Come here to witness the Senate and -- and look at the -- our Capitol. I would like, if you will, if they would stand and if we would welcome them. Nashville...

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be welcomed by the Illinois Senate?

SENATOR LUECHTEFELD:

...Middle School.

PRESIDING OFFICER: (SENATOR DONAHUE)

...have a group with us today. And I -- the Chair will yield to Senator Bomke.

SENATOR BOMKE:

All right. Thank you. Ladies and Gentlemen of the Senate, it is my pleasure to introduce to you the IHSA Class A Soccer State Champions, Sacred Heart-Griffin High School. I'm very proud of this group. Springfield is quickly becoming not only renowned for Abraham Lincoln, but Soccer State Championships, 'cause we had one here last year. Is a great pleasure to introduce this group of young men to you. I have with me Representative Poe and Representative Klingler. Before I get to them, Coach Tate, would you like to say a few words?

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SACRED HEART-GRIFFIN SOCCER COACH TATE:

(Remarks by Sacred Heart-Griffin Soccer Coach Tate)

SENATOR BOMKE:

Representative Klingler {sic} (Poe).

REPRESENTATIVE POE:

These boys are in my district and I just want to -- congratulation(s) to them and all the enthusiasm they bring the City of Springfield. We're quite proud of 'em as a City. And we hope we do this every year. Thank you.

SENATOR BOMKE:

Well, you -- you've already offered a round of applause. Let's do it one more time, in joining me in applauding the Soccer State Champions, Sacred Heart-Griffin High School.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR GEO-KARIS:

I'm delighted to tell this astute audience today that the father of our presiding officer today, Larry Kent, is with us from Quincy, Illinois. He was here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Yes. Dad, will you rise and be recognized by the Illinois Senate?

SENATOR GEO-KARIS:

There he is. Let's welcome him aboard.

PRESIDING OFFICER: (SENATOR DONAHUE)

For the information of the Body, we will be going to page 5 on today's Calendar, Order of Motions in Writing to Accept Specific Recommendations for Change. If you will come to the Floor and be

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in your seats. Senator Peterson, on House Bill 2367. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2367, in manner and form as follows:

Amendment to House Bill 2367

in Acceptance of Governor's Recommendations

Filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. House Bill 2367, as it went to the Governor's desk, provided for designation by a current guardian of a disabled adult of a standby guardian to act on an interim basis as guardian upon the death of the current guardian and other circumstances, for a period of sixty days. We also added -- believe it was a Senate bill sponsored by Senator Cullerton, regarding revisions in the Probate Act recommended by the Chicago Bar. The amendatory veto message recommended that the Uniform Disposition of Unclaimed Property Act be further amended to add a provision that an account into which money of a minor is deposited pursuant to provisions of the Probate Act of 1975, regarding deposit or investment of money of a ward, shall indicate the birthdate of the minor. And I move to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson has moved to accept the specific recommendations of the Governor as to House Bill 2367. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2367, in the manner and form just stated by Senator Peterson. Those in favor will vote Aye.

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Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 2367, having received the constitutional majority, is hereby declared passed. Senator Luechtefeld, on House Bill 3129? Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3129, in manner and form as follows:

Amendment to House Bill 3129

in Acceptance of Governor's Recommendations

Filed by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President, Members of the Senate. House Bill 3129 creates the Kyoto Protocol Act of 1998. It prohibits the Illinois Environmental Protection Agency and the Illinois Pollution Control Board from making any -- any commitment regarding or adopting new rules regarding the reduction of greenhouse gases without General Assembly approval. The Governor's recommend -- recommended that -- additional language, that nothing in the Act shall be construed to limit or impede the authority of the IEPA or the Pollution Control Board to propose or adopt, enforce rules or laws which implement the federal Clean Air Act or to limit or impede State or private participation in any ongoing voluntary initiatives to reduce emissions of greenhouse gases. This was accepted -- the Governor's proposal was accepted in the House 115 to 0. I move that we accept the Governor's recommendation.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3129, in the manner and form just stated by Senator Luechtefeld. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 3129, having received the required constitutional majority vote of Senators elected, is declared passed. Further down on page 5, on the Order of Motions in Writing to Override the Specific Recommendations of Change, is Senator Cullerton, on House Bill 1151. Out of the record. Senator Parker, on House Bill 2370? Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move that House Bill 2370 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I respectfully request an override of the amendatory veto of House Bill 2370. The Governor's amendatory veto excludes the application of the guarantee of religious freedom to persons...

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator Parker.

SENATOR PARKER:

Okay.

PRESIDING OFFICER: (SENATOR DONAHUE)

Take your discussions off the Floor. And will the Senators --

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be in your seats and give your attention to Senator Parker.

SENATOR PARKER:

Thank you, Madam President. The Governor's amendatory veto excludes the application of the guarantee of religious freedom to persons in Illinois prisons, jails and reformatories, whether adults or juveniles, and even persons awaiting trial and still presumed innocent. The concerns that the Governor expresses were addressed thoroughly by the many groups and organizations that supported this legislation before it was introduced, at not only the State level, but the federal Religious Freedom Restoration Act, which is in effect. Other states now passing RFA {sic} (RFRA) have no exemptions. This legislation passed unanimously through the General Assembly in the spring Session, in fact unanimously twice through this Chamber. I respectfully request an override of the Governor's amendatory veto, and will answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Hendon.

SENATOR HENDON:

Senator Parker, in the Governor's amendatory veto, did he take out the rights of -- of those who are incarcerated to practice religious freedom? Is that what -- what's going on?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.



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SENATOR HENDON:

So, by voting with you, we will put that back in, that will remain in there, so someone incarcerated can practice. Correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Right. If you vote with me, it will be as it unanimously passed this Assembly.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR PARKER:

Thank you. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 2370 pass, the specific recommendations of the Governor as to the contrary notwithstanding. Those in favor will vote Aye. Opposed, No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 2 voting Present. House Bill 2370, having received the required three-fifths vote, is declared passed, the veto of the Governor of {sic} (to) the contrary notwithstanding. With leave of the Body, we will return to House Bill 1151. Senator Cullerton? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

I move that House...

PRESIDING OFFICER: (SENATOR DONAHUE)

Read the motion.

ACTING SECRETARY HAWKER:

I move that House Bill 1151 do pass, the specific recommendations of the Governor to the contrary notwithstanding.

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Filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DONAHUE)

Our conversations are getting a little out of hand. Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a motion to override the Governor's amendatory veto. This is a bill which passed out of the Senate 55 to nothing. You may recall, we've debated this bill a couple years ago. There was a similar amendatory veto, which on override failed. So we came back to the drawing board. We worked on a compromise and we reached the support of many more people who had been previously opposed. This bill deals with and comes out of an incident that, you may recall, occurred up in Zion at a -- a swimming pool. There was a -- a -- a death occurred when someone drowned and it was alleged that the -- the lifeguard was not paying attention. He had been warned: There's somebody drowning; you've got to come and help him. And he said, "Ah, I'm talking to my friend. I -- I don't even believe you that anybody drowned." And it turns out that the kid did drown. There was a lawsuit filed and the Supreme Court said: You know, the way the law is written, there's nothing we can do here, and so, we even recommend that the General Assembly consider a revision to this Section. So what we've done here is to amend the Tort Immunity Act. And what we say is that a unit of local government is immunized for negligence if it undertakes to supervise an activity on its property, or if it has a duty to -- to -- to do so. It's liable only if it's found to be guilty of willful and wanton conduct. And then, in this bill, we defined willful and wanton conduct, which is "a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to" -- "to or conscious disregard for the safety of others...." So what we're

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saying here is, then, in the most outrageous of circumstances, when an employee is undergoing the supervision of an activity and they're just totally willfully and wantonly conducting themselves, that there can be a lawsuit that would prevail. It does not open the door to a -- a number of other lawsuits, because we're not -- if -- if they're merely negligent, they're still immunized. There still are some people who are opposed to it, but we, as I indicated, had picked up the support of a number of -- of people, including the Illinois Governmental Association of Pools, the Park District Risk Management Agency, DuPage Mayors and Managers, Northwest Municipal Conference, South Suburban Mayors and Managers Association, Illinois Association of County Board Members and Commissioners, Metro Counties and, of course, the Bar Association. So be happy to answer any questions, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Cullerton, is the -- the Illinois Trial Lawyers Association in favor of this bill as written?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Put your light on, Senator Hendon. Senator Hendon.

SENATOR HENDON:

And the -- the Chicago Bar Association is also in support now?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I've answered a lot of letters on this bill saying that I would vote to sustain the Governor's amendatory veto, but that was before I had a good chance to look at the bill again after it was amended. And I feel that Senator Cullerton is justified because, to me, wanton and willful is very serious. It's not an ordinary case of negligence. And therefore, I am going to vote to override this bill because -- this veto because I don't want anyone who causes actual or -- or deliberately any harm or, if it's not intentional, shows an utter indifference or conscious disregard for the safety of others. In the case of the swimming pool in Zion, there were lifeguards there, loads of children were in the pool and none of them bothered. So I feel that this is only right, and I -- I suggest an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Two questions, quickly, of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Am -- Senator Cullerton, am I correct in -- in my assumption or my -- the information I've been given that the County of Cook and City of Chicago and the Chicago park districts are still uncomfortable with this version?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. We did meet with the City of Chicago Corporation Counsel's Office. We tried to win them over, but we were not able to. The County of Cook, who was not actually at the table at the time we negotiated the bill, they have come and indicated their opposition afterwards. And I think you said the park district - they, I believe, are still opposed to it. Although, I would note that there were a number of associations that we negotiated with that do support it, including the Park District Risk Management Agency and Intergovernmental Risk Management Agency and a number of others. Because, you see, there was initially some concern that this would impose new duties, and it's -- we've made it very clear that it does not impose new duty. It's only when there is -- a duty to supervise already exists. And the other concern was that, you know, people might think that willful and wanton conduct is the same thing as negligence, and it's not. And we redefined, by putting it right in this section, what willful and wanton conduct is. And so, that's why the people who support it came over to our side. It's just that not everybody agrees yet.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, Senator Cullerton, am I correct that -- that I think the main point to their concern was that the Act denies immunity, even when a local government does not provide supervision, as long as a court decides that they have a duty to supervise, imposed by common law, Statute, code or regulation? And I -- I think it's that section that they were most concerned about. I've certainly heard good arguments from it -- from both the -- the bar associations and I probably will be voting in support, but I just

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wanted people to be aware that some local governments with large responsibilities still had concerns. Appreciate the work that you and the sponsors have done.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Madam President. This is not the first time we've had this legislation before us. I believe some of the -- my colleagues on this side of the aisle sponsored a bill a year ago that did the same thing, and that bill was vetoed and we never went forth. The two main concerns, which Senator Cullerton has -- has mentioned in his last response, the two main concerns, as Senator Rauschenberger has mentioned, was, one, they were concerned that we were going to be creating new duties to supervise, by this legislation, and that that would cause them to have to hire people that they don't currently hire. And secondly, there was a legitimate concern that the definition of willful and wanton used to vary all over the ballpark. Some courts would say that it was almost like negligence; others would say, no, it's -- it's more clear to very, very reckless conduct. So we did two things: We brought -- we tried to bring all the parties together. Judiciary Committee got involved. We had hearings where everyone was free to come to the table. I think it's fair to say that, with the exception of City's Corporation Counsel, everybody at those meetings agreed that we were doing the right thing by doing two things: One, we were expressly incorporating the statutory definition of willful and wanton in the Act and making it applicable to all of these cases, so that some court somewhere couldn't go off and vary that definition and say that, yeah, this -- this is willful and wanton, even if it was contrary to the Statute. Secondly, we made expressly clear that, by this Act, we are creating no new duties to supervise. So nothing in this Act

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will create a duty to supervise - a new duty that does not already currently exist either under the common law or under the Statutes. With that, the representatives of the counties, most of the municipalities and other parties agreed that we had made the changes that addressed their concern, and I think that's why it passed 55 to nothing to 1 voting Present when we had it last time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. The Illinois Supreme Court and -- and the 2nd District Appellate Court, in separate decisions, have both asked the General Assembly to relieve the hardship of a ruling that they were required to make because of existing State law. In -- in my opinion, the legislation which we are now considering strikes a very reasonable balance between the rights of individuals who are injured and the -- and local public entities. And, in my opinion, the legislation has had a full and fair hearing before the Judiciary Committee. All parties had an opportunity for input in connection with this legislation. I commend the sponsor for crafting what I believe is -- is very, very desirable and necessary legislation. And with that, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. I guess I take a different point of view. I think the Governor was correct in -- in narrowing the scope. The example that was given to us, of course, was a tragedy that probably should have been avoided. I think the legislation the Governor has presented to us with his -- with his amendatory veto addresses what our concerns are. I think the various local entities certainly perform a service, and I think to open the

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scope of lawsuits continually for these people, if nothing else if they're frivolous, and we know what the courts are -- are crowded with frivolous lawsuits, just continually opens it up and ties the hands of -- of local government, particularly park districts. I'd -- I think the amendatory veto is correct in its scope and I would support rejecting this override.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR CULLERTON:

Well, thank you, Madam President, Members of the Senate. I would just respond by -- by saying that we believe we were very careful in drafting this legislation so that there will not be a situation where frivolous lawsuits will prevail. We are very careful in defining willful and wanton and making sure that it's not treated just like any negligence case. The Governor's amendatory veto, by the way, I would point out, actually goes backwards and makes it even worse than it is right now. That's why we cannot accept it. I would just say this: I would suggest that we can do nothing else but to vote Aye because we shouldn't just look at this as we "can" vote Aye; we "must" vote Aye. We have to change the law. The way the situation is now is -- is grossly unfair, because a public employee can be willfully and wantonly -- conduct that type of conduct, someone can die, and there's no course of action. We -- we really can't be voting for -- No on a bill and denying that opportunity to change the law. And this is the time we should do it. So I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 1151 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, Nay. The voting is open.



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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, 2 Nays, none voting Present. House Bill 1151, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. For the information of the Body, we're going back to page 2. Senate Bill 1. Senator Rauschenberger, do you wish to return to 2nd -- this bill to the Order of 2nd Reading for the purposes of an amendment? Senator Rauschenberger seeks leave of the Body to return Senate Bill 1 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger. Just a second, let's get... Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Floor Amendment No. 3 to Senate Bill 1 does three things in addressing some of the continuous controversy we've had over the Life Safety Code since about 1993. Under the current Statute, every five years school buildings are surveyed by architects and engineers and a list of concerns are brought to the superintendent, who then forwards those on to the regional, who forwards them on to the State Superintendent of Education. Those items that are urgent are to be corrected as soon as is practicable, and those items that are required, the school district has up to three years to deal with. Under the current Life Safety Code, required items are very frequently items like Thermopane windows that are more energy-efficient, replacement HVAC equipment that delivers better BTUs. A lot of

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these things are actually building improvements, which are important, but it's created a significant financial burden on school districts across the State and particularly areas under the tax cap are feeling the pinch. Senate Bill -- or, Senate Amendment 3 to Senate Bill 1 addresses that and does three things to address this issue. Number one, it -- it makes it clear, for the first time in Statute, that if you have an urgent repair, it must be completed within a year. It allows no discretion for the urgent repairs that are -- relate to the safety of students to be deferred any longer than one year. The second thing it does is it takes required items from a required action in three years to permitting school districts to have up to five years to plan for the energy-efficiency and improvements of the building. And the third thing it does is it creates a advisory task force that will be convened this spring to spend three months reviewing the Life Safety Code and to make recommendations to the General Assembly. This concept is supported by the Illinois Education Association, the School Board Association. The State Board of Education is neutral on the bill. It passed the Education Committee with bipartisan support. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1. Senator Rauschenberger? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Senate Bill 1 now is -- is entirely comprised of Senate Floor Amendment 3 to Senate Bill 1 that I just explained. We're not sure that the House will have time to act on this, but we'd like to send this over. And I'd appreciate favorable consideration by the Body and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 1, having received the required constitutional majority -- oop. Senate Bill 1, having received the required three-fifths majority, is declared passed. Senator Geo-Karis, for what purpose do you seek recognition?

SENATOR GEO-KARIS:

Madam President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR GEO-KARIS:

In the gallery, upstairs of your offices there, are two very fine people from Highland Park, Illinois. They happen to be the constituents of Senator Terry Link, and I wish they were mine, and they are Stephanie and Warren Hayes, from Highland Park. Will you help us greet them?

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

117th Legislative Day

December 2, 1998

Will you -- will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Petka, for what purpose do you seek recognition? Senator Petka, for what purpose do you seek recognition?

SENATOR PETKA:

Thank you. For an announcement, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR PETKA:

The Executive Appointments Committee, which was -- hearing, which was scheduled for 3 o'clock, has been cancelled.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, for what purpose do you seek recognition? Okay. No? Is there any further business? Senator O'Daniel, for what purpose do you rise?

SENATOR O'DANIEL:

For purpose of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state...

SENATOR O'DANIEL:

Immediately after adjournment, there'll be a Democrat Caucus in Senator Jones' Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Democrat Caucus immediately following Session. Anything further? If not, the Senate stands adjourned until 9 a.m. - 9 a.m. - on December 3rd. Senate is adjourned.

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