

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

78th Legislative Day

February 23, 2000

PRESIDENT PHILIP:

The regular Session of the 91st 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 Most Reverend George J. Lucas, the new Bishop of the Springfield Diocese Catholic Conference of Churches, Springfield, Illinois. Reverend Lucas.

THE MOST REVEREND GEORGE J. LUCAS:

(Prayer by the Most Reverend George J. Lucas)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Thursday, February 17th, 2000.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

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

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Wednesday, February 22nd, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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Senator Myers moves to -- to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR SILVERSTEIN:

With me today are two rabbis, one from my district and one from Senator Ronen's: Senator Harvey Well and Senator Leonard Matanky, visiting us today -- Rabbi. Rabbi.

PRESIDENT PHILIP:

Will they please -- will they please rise and be recognized by the Senate? House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2970, offered by Senator Sieben.

(Secretary reads title of bill)

Senator Parker offers House Bill 3119.

(Secretary reads title of bill)

House Bill 3558, Senator Sieben.

(Secretary reads title of bill)

And House Bill 3859, offered by Senator Molaro.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Can I have your attention just for one minute? Kind of bring you up to date, where we are. We're going to probably do 2nds most of the morning and then have our caucus and then go to 3rds in the afternoon and then hopefully have some committee meetings later in the afternoon, then come in tomorrow morning, say at 8 a.m., and try to clean up the rest of the Calendar. All -- beg

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your pardon. Well, you know, we're going to probably have to be here Friday, but the more -- more we get done today and the more we get done tomorrow, the sooner we'll get out on Friday. And remember: If you've got any amendments, you better file 'em. You better file 'em.

PRESIDING OFFICER: (SENATOR KARPIEL)

On page 2 of the Calendar, we will start with Senate Bills 2nd Reading. I hope everyone's ready to move their bill and is paying attention. If you have a bill on 2nd Reading on the Calendar, you should be in your seat or someplace where you can -- where I can see you, and let me know if you want it called. All right. Top of page 2 is Senate Bill 807. Senate Bill 1231. Senator Dillard. Call the bill, Mr. Secretary. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1231.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1248. Senator Shadid. Senator Shadid on the Floor? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1248.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1271. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1271.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1276. Senator del Valle. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1276.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1278. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1278.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1281. Senate Bill 1288. Senator

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Dillard. Out of the record. Senator -- Senate Bill 1291.
Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1291.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate -- Senate Bill 1296. Senator Bowles.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1296.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1300. Senator Radogno. Senate Bill
1302. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1302.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved
for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1304. Senator Lauzen. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1304.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1307. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1307.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1310. Senator Watson. Senate Bill 1316. Senator Geo-Karis. Yes? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1316.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1317. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1317.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1323. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1323.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1330. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1330.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1332. Senator DeLeo. Is Senator DeLeo on the Floor? Senate Bill 1338. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1338.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1339. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1339.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor... Committee on Licensed Activities adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1340. Senator Syverson. Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1340.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1341. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1341.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1368. Senator Cronin. Senate Bill 1376. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1376.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1391. Senator Radogno. Senate Bill 1404. Senator Wendell Jones. Senate Bill 1421. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1421.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor -- pardon me, Madam President. There's one committee amendment adopted by the Committee on Financial Institutions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1422. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1422.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1426. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1426.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1431. Senator Clayborne. Are we holding that bill for an amendment? Out of the record. On the top of page 4 is Senate Bill 1439. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1439.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

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3rd Reading. Senate Bill 1440. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1440.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1444. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1444.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1446. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1446.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1447. Senator Cronin. Senate Bill 1453. Senate -- Senate Bill 1453 - a fiscal note has been requested. So we'll go to Senate Bill 1456. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1456.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1504. Senator Bomke. Senate Bill 1508. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1508.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on Public Health and -- Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1510. Senator Parker. Senate Bill 1513. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1513.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1522. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1522.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate -- Senate Bill 1532. Senator Cronin.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1532.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1540. Senator Cronin. Senate Bill
1550. Senator Thomas Walsh. Senate Bill 1553. Senator Jacobs.
Senate Bill 1561. Senator Thomas Walsh. Senate Bill 1567.
Senator Silverstein. Senate Bill 1588. Senator Molaro. Senate
Bill -- Senate Bill 1589. Senator Geo-Karis. Read the bill, Mr.
Secretary.

SECRETARY HARRY:

Senate Bill 1589.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1599. Senator Parker. Senator
Parker? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1599.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1602. Senator Klemm. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1602.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1613. Senator Petka. Senate Bill 1620. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1620.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1626. Senator Parker. Senate Bill 1627. Senator Thomas Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1627.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1629. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1629.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1630. Senator Luechtefeld. Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1630.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1636. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1636.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on -- or, there were no committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1645. Senator Molaro. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1645.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1647. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1647.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1649. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1649.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. On the top of page 6 is Senate Bill 1651. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1651.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1653. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1653.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1655. Senator Parker. Senate Bill 1656. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1656.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1659. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1659.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1660. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1660.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senator -- Senate Bill 1672. Senator Klemm. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1672.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1674. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1674.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1680. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1680.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1682. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1682.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1693. Senator Trotter. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1693.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1704. Senator Madigan. Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1704.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate -- Senate Bill 1707 has a fiscal note request, so we'll go to -- Senate Bill 1718. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1718.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments -- or, pardon me...

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading...

SECRETARY HARRY:

Pardon me, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Oh.

SECRETARY HARRY:

The Committee on Commerce and Industry adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1733. Senate Bill 1734. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1734.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1735. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1735.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Senate Bill -- Senator Geo-Karis, for what reason are you seeking recognition?

SENATOR GEO-KARIS:

Madam President, I didn't hear my bill, 1656, called, and I'm just wondering whether I missed it or whether it was called, 'cause...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator, it was moved.

SENATOR GEO-KARIS:

Okay. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senate Bill 1780. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1780.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Thirteen -- 3rd Reading. Senate Bill 1781. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1781.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1782. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1782.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1783. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1783.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1784. Senator Rauschenberger. Move the bill -- I mean, read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1784.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1785. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1785.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd -- 3rd Reading. Senate Bill 1786. Senator

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Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1786.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1787. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1787.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1788. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1788.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1789. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1789.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1790. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1790.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

The top of page 8 is Senate Bill 1791. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1791.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1792. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1792.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1793. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1793.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1794. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1794.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1795. Senator Rauschenberger. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1795.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1796. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1796.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1797. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1797.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1799. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1799.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1800. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1800.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1801. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1801.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd -- 3rd Reading. Senate Bill 1802. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1802.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1803. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1803.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1804. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1804.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1805. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1805.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1806. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1806.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senator Parker, for what reason do you rise?

SENATOR PARKER:

Thank you, Madam President. For a reason of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State -- state your point.

SENATOR PARKER:

Up in the President's Gallery, I have some constituents that are here. It's Mr. and Mrs. Susan and Michael McGill and their daughter, Kendra, and their other daughter, Caitlin, is a Page for the Day. And I'd like my constituents to rise, please, and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Will the Senate please welcome our guests? Continuing on page 9, we have Senate Bill 1817. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1817.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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3rd Reading. Senate Bill 1818. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1818.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senator -- Senate Bill 1819. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1819.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1820. Senator Weaver. Read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1820.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1821. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1821.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1822. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1822.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1823. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1823.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1824. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1824.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1825. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1825.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1826. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1826.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1828. Senator Rauschenberger. Read

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the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1828.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1829. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1829.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1830. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1830.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1831. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1831.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. On the top of page 10 is Senate Bill 1841. Senator Tom Walsh. Senate Bill 1851. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1851...

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PRESIDING OFFICER: (SENATOR KARPIEL)

Out of the record. Senate Bill 1852. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1852.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1853. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1853.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1854. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1854.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1855. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1855.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1856. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1856.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1857. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1857.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1860. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1860.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1865. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1865.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1866. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1866.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1867. Senator Maitland. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 1867.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1869. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1869.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1871. Senator Viverito. Senate Bill 1874. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1874.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1875. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1875.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1876. Senator Noland. Senate Bill 1883. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1883.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1885. Senator Maitland. Senate Bill 1888. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1888.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1899. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1899.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1923. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1923.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1929. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1929.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. With leave of the Body, we will go back and pick up some 2nd Reading bills that were inadvertently passed up at the time. We'll go back to Senator -- Senate Bill 1310. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1310.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate Bill 1332. Senator DeLeo. Senate Bill 1567. Senator Silverstein. Senate Bill 1871. Senator Viverito. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 1871.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senator Demuzio, for what reason do you rise?

SENATOR DEMUZIO:

Thank you, Madam President. As I understand it, we're not going to conduct any more business; we're just waiting for a caucus to begin. And so, with leave of the Body, we will, in fact, just have a Democratic Caucus effective immediately. Any idea how long you're going to be?

PRESIDING OFFICER: (SENATOR KARPIEL)

I believe about a half an hour.

SENATOR DEMUZIO:

All right. There will be a Democratic Caucus immediately...

PRESIDING OFFICER: (SENATOR KARPIEL)

And as a jack-of-all-trades, I will announce a Republican Caucus in Senator Philip's Office immediately, and we -- we'll all be back at 10:30, when we will start on 3rd Readings. So, please be back at 10:30.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

We'd like to have all the Senators come back to the Floor. This will be 3rd Reading, final action, page 11 on the Calendar, and we'll begin with Senator Burzynski and Senate Bill 334, when everyone returns. Madam Secretary, Introduction of Bills.

ACTING SECRETARY HAWKER:

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Senate Bill 1945, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

And Senate Bill 1946, offered by Senator Ronen.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

Madam Secretary, House Bills. House Bills 1st Reading, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1541, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 3424, offered by Senator Jacobs.

(Secretary reads title of bill)

And House Bill 3990, offered by Senator Peterson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR SHADID:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR SHADID:

Mr. Chairman, with us today -- Senator Hawkinson and myself would like to introduce to you two representatives from Caterpillar Tractor Company, Mr. Doug Crew and Mr. Tom Walters. We have a special guest, Mr. Wilson Wang, who is the governmental relations manager of Cat-China. So we'd like to ask you to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR WATSON)

Well, our friends from Caterpillar, we welcome you and Mr. Wang. Welcome to Springfield and welcome to Illinois and to the

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United States. We're glad to have you here. Remind the Members that -- one more time here, that we are going to begin in the middle of page 11, which is Senate Bill 3rd Reading. We still lack Membership attendance on the Floor. We'd like to have all the Members return to the Floor as soon as possible so we can get started on 3rd Reading, final action. We will now begin on the Order of 3rd Reading. For the last time, we're going to call Senate Bills 3rd Reading. Not for the last time; we'll have a couple more days, but -- but be advised to move your legislation. So, Senator Burzynski, on Senate Bill 334. Madam Secretary. Out of the record. Senator Burzynski, on Senate Bill 649. Out of the record. Senate Bill 742. Senator Karpel? 742. Out of the record. Senate Bill 810. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 810.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 810 is a bill that I introduced last year, and we had hearings on it over the summer - we had some very good hearings - and we now have the amendment on it which becomes the bill. And it -- it's a tax credit for businesses to start up on-site day care. I have always felt that the best kind of -- if -- if a -- if both parents have to work or a single-parent family that has to work, that the best kind of day care, other than grandparents or family at home, is a day care facility that's right on the site of the parent's place of employment. At -- at the present time, manufacturers get a five-percent tax credit for operating a day care on their facilities, but it's just for manufacturers. This bill creates a

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tax credit for thirty percent of the start-up costs of such day care on-site, and it also -- then it goes into a five-percent annual operating -- a credit for a -- five-percent annual operating expenses. It also -- it -- it expands the -- the program to all employers. It also allows for pooling of -- of the facilities. For instance, if you had a small -- a small industrial park or a main street kind of a situation with a lot of little shops, that they could pool it and build a -- a day care for the employees of all the shops on a day -- on a main street or in the industrial park, that type of thing. At any rate, I think it's a good idea. We don't know how much it's going to cost because we don't know how much it'll be utilized, but it's an effort to encourage employers to have on-site day care. ...for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? And before we go to that, let's -- why don't we just get in our seats and -- and pay attention to the speaker? And I apologize to Senator Karpziel for not interrupting and trying to bring some order, because we don't have a lot of that right now. So if you'd just all take your seats, listen to the debate, we can move through this quickly. Further discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President. I rise in support of Senator Karpziel's bill, Senate Bill 810. This is something that Senator Karpziel should be commended for. She introduced this not just last Session but has worked on it for a number of years. As well, former Senator Beverly Fawell and the late Senator Penny Severns have also worked strongly for the support of this bill. As we've seen an increasing number of women going into the workplace, it has become necessary, we know, in the State of Illinois and across the country, to increase the availability of day care. And this

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strategy that we are trying to adopt through the bill will allow, as Senator Karpel explained, employers to create on-site facilities. It will incentivize the creation of these facilities which, as Senator Karpel explained, will be helpful to the families who go to work. It reduces absenteeism so that family members do not need to stay home. They can actually go to work. Or if their child gets ill, the child is right there. The parent can spend time with their child during the day, which has positive -- positive application to their development. And so I stand here in strong support of Senate Bill 810.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpel will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Could the sponsor tell us whether there's a sunset date on this bill? As we move forward with child care policy and currently invest over seven hundred million dollars and soon to be investing nearly nine hundred million dollars in child care through our program, which is income scored and -- and directed, whether there's a -- is there a sunset date included in this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpel.

SENATOR KARPIEL:

Yes, Senator. It sunsets in five years, on December 31st, 2004.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I just want to commend the -- the sponsor and her

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adherence, for -- for her hard work and tenacity.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Parker.

SENATOR PARKER:

Yes. I just wanted to rise in support of this bill, also, and commend the sponsor. This bill is supported not only by the community that would be affected by the other options for day care, but particularly by the Illinois Manufacturers' Association, the chambers, the businesses, and I think it's a good step forward. With the increase in money that we are spending at the State level, it's a good opportunity for us to have the private sector get more involved in this very important situation.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, yeah, thank you. I -- I've looked this over. I -- I rise in support of this. I -- I know that Senator Madigan has worked long and hard on this, and I think this is one of her original ideas that she put in also with Senate amendment -- it was similar to this bill. So it's a good bill and I think we should all vote Aye.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Karpiel, to close.

SENATOR KARPIEL:

Thank you, Mr. President. I just also want to thank Senator Madigan, Senator Wendell Jones and others who have helped with this -- with this bill, and I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 810 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 810, having received the required constitutional majority, is declared passed. Moving on down the line, Senate Bill 1156. Senator Dudycz. Madam Secretary, please read the bill. I'm sorry. Out of the record. Senate Bill 1241. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1241.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1241 was offered at the request of the State Fire Marshal. The bill amends the Vehicle Code, providing that money in the Fire Fighters' Memorial Fund shall be used for maintaining the Fire Fighters' Memorial, for holding an annual commemoration, and for providing scholarships to fire -- for children of fire fighters that were killed in the line of duty. Under current law, fire fighter license plates are available, and in addition to the regular license plate, that -- an applicant is charged a twenty-seven-dollar fee for the original issuance, of which fifteen dollars goes to the Secretary of State for administrative costs and twelve dollars goes into the Fire Fighters' Memorial Fund. And subsequently, for each renewal, in addition to the regular license plate fee, seventeen dollars is charged. Again, two dollars goes to the Secretary of State for their administrative costs and fifteen dollars goes into this Fire Fighters' Fund. The Fire Fighters' Memorial was completed last year, and it was dedicated, you may recall, last May. The Office of the State Fire Marshal oversaw the construction of the Memorial, which is located here on the Capitol grounds. This has

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been a very, very successful program. Over two hundred thousand dollars is taken in annually -- or, a year by the Fund. And now that the Memorial is paid for and is complete, the State Fire Marshal would like to use these funds, subject to appropriation by the General Assembly, to maintain the Memorial, to offset the cost of holding the annual memorial commemoration, and to provide scholarships to children of fire fighters killed in the line of duty. And I would ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Shadid.

SENATOR SHADID:

Yes, Mr. Chairman. I rise in support of this legislation. I think it's good legislation, and it's similar to what the police have in their legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, the question is, shall Senate Bill 1241 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1241, having received the required constitutional majority, is declared passed. Senator Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR CLAYBORNE:

Yes, sitting in my seat is Captain Melvin Weith from the St. Clair County Sheriff's Department. I'd like for him to be acknowledged.

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PRESIDING OFFICER: (SENATOR WATSON)

Very good. Welcome to Springfield and welcome to the Senate. Would you please stand and... Welcome. Now we are on page 12. Senator del Valle, on Senate Bill 1249. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1249.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill amends the Longtime Owner-Occupant Property Tax Relief Act, and what it does is that it requires that if an ordinance is adopted under this Act, or a resolution, then notice must be sent to the homeowner. And if it's sent to the mortgage lender, then the mortgage lender has fifteen days to send the notice to the homeowner.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in support of this legislation. It protects homeowners, and it's a wonderful idea. I...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1249 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And Senate Bill 1249, having received the required constitutional majority, is declared passed. Senate Bill 1266. Senator Watson.

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Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1266.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This bill comes to us every two years when we extend the quick-take authority for the Southwestern Illinois Development Authority, and that's exactly what this does. It extends it two years, to August 30th, 2002.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Yes. I -- I rise in support of this bill. They've made very substantial -- provided very substantial help in developing projects in East St. Louis that probably otherwise would not happen, as well as Belleville and throughout my district. So I, too, -- stand in support of this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President. I, too, stand in support of this bill. This agency has done great things in our area developmentally, fiscally, and I -- I would solicit your positive vote for Senate Bill 1266.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 1266 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record.

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On that question, there are 48 Ayes, 8 Nays, 1 voting Present. And Senate Bill 1266, having received the required constitutional majority, is declared passed. Senate Bill 1268. Senator Hawkinson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1268.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill deals with upgrading the penalty for criminal trespass to a residence when the trespasser knows or has reason to know that people are in the house or stays in the house after he knows or should know that there are persons present in the house. It comes to us from the Henry County State's Attorney, unanimously passed the Judiciary Committee, and it comes out of a couple of cases in Henry County where people went into homes in the middle of the night, without authority, people were present. One of the offenders went into a woman's bedroom and stayed there, essentially refused to leave, and did some other things, and all that they could be charged with, currently, was a misdemeanor. And while that misdemeanor penalty can be appropriate for criminal trespass to a resident {sic} when no one is home, there's no reason to think anybody is home, when you come in, as these cases did, knowing somebody's there and staying there, it ought to be a Class 4 felony, and that's what this bill does. I would ask for your support of Senate Bill 1268. Be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1268 pass. All those in favor,

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vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. Senate Bill 1268, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

Thank you. Mr. President, on 1266, I voted Aye. I meant to vote No. If you could have the record reflect that, I'd appreciate it.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR BOWLES:

Thank you, Mr. President. On 1266, I meant to vote Yes, but apparently I only pushed the speak button. It -- just natural. I would like to be shown as having voted affirmatively for 1266.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you, and that will be so recorded. Moving down the Calendar, on page 12, Senate Bill 1273. Senator Halvorson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 1273 is offered in response to the Will County incident last year when a person was on the Internet posing to be a nine-year-old girl, saying "I am a nine-year-old girl who wants to have sex with

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an older man", put her phone number and her address on the Internet. This will -- unfortunately for this poor, young girl, the harassment was terrible and the family had to move. This bill addresses the harassment code on the Internet. Currently it does not address third-party harassment such as this. This bill, as amended, will make it a Class 4 felony for a person over the age of sixteen to harass somebody under the age of thirteen. I would like to answer any questions if there aren't -- are any; otherwise, I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1273 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1273, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 1275. Out of the record. Senate Bill 1277. Senator Philip. Out of the record. Senate Bill 1283. Senator Philip. Out of the record. Senate Bill 1284. Senator Sullivan. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1284 amends the Voluntary Payroll Deductions Act for State and university employees. It adds to the pool of potential contributors, to those, contractual employees. The contributions

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are voluntary, and this comes from -- support from charities like the United Way. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1284 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1284, having received the required constitutional majority, is declared passed. Senate Bill 1293. Senator del Valle. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1293.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 1293 prohibits members of and candidates of the Cook County Board of Review from soliciting or accepting campaign contributions from an entity who is representing a taxpayer before the Board or who has -- or who has done so in the preceding five years. The property tax appeal process should not be tainted in any way. It should be a totally objective process in order to protect property taxpayers, and this bill would ensure that.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

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Sponsor indicates he'll yield, Senator Shaw.

SENATOR SHAW:

How many -- in this bill, how many -- what agencies does this affect, and could you tell us exactly, in terms of -- I didn't hear you. When you was explaining it, I was preoccupied here. Could you tell us again exactly what this bill does?

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Yes. Thank you for the opportunity to repeat it a second time, Senator Shaw. This bill affects the Cook County Board of Review, and it bans campaign contributions to the Cook County Board of Review.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Yes. Only to the Cook County Board of Review?

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

This bill applies to the Cook County Board of Review.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Only to the Cook County Board of Review.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

This bill applies only to the Cook County Board of Review.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shaw.

SENATOR SHAW:

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Let me ask you another question. Why would we -- this sounds like a good bill, and I could be in support of this bill if it included everybody. Why aren't we included in this bill, as -- as a Body? Why should we be exempted, because people that we deal with - lobbyists and so forth - that -- who send contributions to us and those people trying to influence legislation here, sometime that legislation is at the detriment of the same taxpayers that we are talking about in this bill? Why aren't the county board itself included in this legislation? Why aren't the city council included in this legislation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Senator, that's a very good question. This legislative Body certainly is one that people look at when we talk about campaign finance reform, and this is, Senator, a campaign finance reform bill. It doesn't reform everything, but it is one step in the right direction. There is a big difference between the county Board of Review and this legislative Body. In this legislative Body, you have competing interests. You do have lobbyists representing different interests that have an opportunity to speak to us and make their case. When it comes to the Board of Review, it's the taxpayer. Where's the competing interests, someone who's trying to get attention from a Board of Review that is making decisions? And recently, in a series of articles in the Sun-Times, we -- we found cases where individuals, because -- at least, on the surface, it appeared because of campaign contributions, were able to get their assessments lowered, while other individuals who presented much better cases in the same areas and brought more comparables to the attention did not get the same kind of response. Now, what has happened with the Board of Review is that it has lost the confidence of property

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taxpayers, and what we're trying to do is begin a process of restoring confidence in a process. As far as I'm concerned, that Board of Review should not be elected. As far as I'm concerned, the whole property tax review issue, appeals issue, should be totally, totally kept out of politics. It should be totally objective, but until that day comes, then we've got to take one step - and this is just one step - towards restoring credibility to a -- a property tax body, particularly in Cook County where assessments have gone sky-high. People are losing their homes because of the increases -- dramatic increases in property taxes in areas where there has been rapid development, and what we're trying to do is help those individuals.

PRESIDING OFFICER: (SENATOR WATSON)

I hope you weren't closing. We have several more questions. Senator Shaw.

SENATOR SHAW:

The -- to the bill: Certainly, I want to commend Senator del Valle for his good intentions, but if we're going to do reform, I don't think that we should do it in piecemeal. And this is a piecemeal approach, and we are dealing with forty-six billion dollars of the taxpayers' money. And one would listen to the comments -- were just made and think that the Board of Review is the one that raised the homeowner's taxes. That is not the truth. The Board of Review, from my understanding of it, is there to give people relief, and I -- I believe that's what they have done over the years. But I don't see where we should set up two different sets of rules. It doesn't make any difference whether the taxpayers are directly involved in this, because they are the ones that's footing the bill here in Springfield. We're in their pocket and it's their money that we are spending. And if we want to reform everything else without reforming ourselves, I think that's a bad approach. I had introduced an amendment to this bill - the

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amendment was never called; it's there - where that it would include the county board, it would include other county agencies, and I just don't understand why that we have to take this approach as -- with this bill and just do a half job. Certainly the taxpayers need some relief, and the Board of -- the Board of Review is giving them that relief in Cook County. Maybe they should be appointed rather than elected. That's fine with me. I think it's a -- a good bill, but, at the same time, I don't think it goes far enough. And to do this in this manner, I think, is sending up a smoke screen to the taxpayers of Illinois and particularly Cook County that this is going to solve all of the problem. I ask for a No vote, until the amendment including everybody on this bill -- until this bill has been amended, including everybody.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator del Valle, have there been similar problems indicated at the Cook County Board that we have had or some of the other agencies or bodies that my esteemed colleague, Senator Shaw, just mentioned that we've had at the Board of Review, or is this something that we're seeing repeatedly at the Cook County Board of Review that is causing taxpayers and honest, decent people, who are trying to get a reduction, from getting a reduction?

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

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Well, I think, given the process that -- I have another bill to address also, besides this one. The problems are with the Cook County Board of Review, and I think that this is an attempt to address one -- one of those problems.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Well, I'm from Cook County and I wouldn't want anyone to feel as if your bill is just singling out Cook County. This has been a problem in Cook County for some time at the Cook County Board of Review. For those who have money and have power and influence can get reductions, large reductions, for their friends, but those citizens that we represent, especially those who are poor or those who don't know the system, go down there time and time and again. Their cases aren't even heard. They're put on back burner of the calendar, where the ones with the high-priced lawyers are put on the front of the calendar. This is good reform. Now, having been in the Sun-Times today, as a matter of fact, on the editorial board, not in a favorable light, I certainly wouldn't suggest that we govern by what the newspapers say, but they can point out major problems at times, and they have pointed out the major problems at the Cook County Board of Review. Now, if it was the DuPage County Board of Review, well, we'd be talking about that, but it's not. It's the Cook County Board of Review, and as a resident of Cook County, I believe we should pass this positive legislation. And my esteemed colleague probably needs to recuse himself on this issue if he has some other reasons for being against this positive legislation that's good for the taxpayers of Cook County and throughout Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Further -- further discussion? Senator Shadid.

SENATOR SHADID:

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Thank you -- thank -- thank you, Mr. Chairman. I want to commend Senator del Valle for bringing this legislation to the Floor 'cause I strongly support it, and I also think that we ought to take a strong look at the whole process with all the Boards of Review, whether they're appointed or whether they're elected, and also with the State Board that does the oversight on this, which I think needs to be looked at also. So I strong -- strong supporter of this, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Shaw, for a second time.

SENATOR SHAW:

Yes. Thank you, Mr. President. But certainly I intend to vote my conscience on this legislation, and I would say that. But the -- when you look at this in terms of first time in the history of Cook County that you have major outreach programs that are reaching all over Cook County to all citizens, where you don't need a lawyer to file for an appeal, and those programs, outreach programs where individual citizens can come in to the Board of Tax Appeal and the Board of Tax Appeal, at this very moment, is going into every community in Cook County, reaching out to the citizens who never knew that the Board of Tax Appeal existed. But I don't seem -- see the same thing when it come to PTAB and all of the other bodies that control the taxpayers of this State in -- of these -- of counties around this State. But I -- again, I commend the legislation, but at the same time, I just don't think it go far enough and I plan to vote my conscience.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle, to close.

SENATOR DEL VALLE:

I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

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The question is, shall Senate Bill 1293 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, 2 voting No, 3 voting Present. Senate Bill 1293, having received the required constitutional majority, is declared passed. Senate Bill 1294. Senator Jacobs. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1294.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1294 is a bill that was introduced to help our zoo continue in existence, and what it basically does is state that -- any forest preserve district that maintains a zoological park that was established under the Act prior to 1964, regardless of whether the population requirements continue to be met. It just allows us to continue on with the very nice little zoo we have. I know of no -- no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1294 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1294, having received the required constitutional majority, is declared passed. Senator Jacobs, on 1295. Out of the record. Senator Jacobs, on 1297.

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Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1297 allows us to be reciprocal for notary publics with those states who allow Illinois residents to do so in the adjoining state. It originally started out as any of the boarding -- bordering states. I accepted a committee amendment, vis-a-vis the Chairman, that says only if the other state allows us reciprocal arrangements, then we would have a -- reciprocal arrangements with that state. I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1297 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1297, having received the required constitutional majority, is declared passed. Senator Lauzen, on Senate Bill 1298. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 1298 contributes to solving the problem of rocks flying off of gravel trucks, hitting people's windshields. We passed this out of the Senate a year ago by about 57 to 1. It went over to the House, passed by a good margin; was amendatory vetoed by the Governor, who took out the pickup trucks; it came back here. We concurred with the amendment. Went over to the House and the parliamentarian said that because there are so many pickup trucks that have been removed from the bill, that the Governor had exceeded his authority. Well, we've replaced the bill with the identical language that passed here last year, plus the identical language of the amendatory veto, and we're starting the process again. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Shadid.

SENATOR SHADID:

Yeah. Thank you, Mr. Chairman. I just want to make note -- notation here that the -- this is the same language that was in Senate Bill 1155 last year that the Governor amendatorily vetoed. The Governor's rationale stated that current law already requires second division vehicles, including pickup trucks, to secure their loads, and he thinks this would be undue on people who have small pickup trucks.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I -- I need to ask the sponsor a question, if I might, please.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Demuzio.

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SENATOR DEMUZIO:

Now, I got a letter from one of my constituents that wanted to know, are we making it illegal now for a person who owns a pickup truck who doesn't have their -- their tailgate secure, some sort of a moving violation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

I think that perhaps there's a misunderstanding. Senator Demuzio and Senator Shadid, the amendatory veto language is now included in this bill to overcome those concerns.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Can you tell me what that means? My constituent has a pickup truck and he has his tailgate down and he goes up to the town to the restaurant: Is he susceptible to be arrested for some moving violation? I mean, I -- I don't understand how you take care of this -- in the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

The answer is no. Senator Demuzio? The answer is no because his pickup truck, your constituent's pickup truck, is no longer covered by this legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

A person may not operate a second division vehicle weighing eight thousand pounds or more loaded with dirt, garbage or any other material in any other part of the vehicle other than the cargo area. You're saying now that all -- that the pickup trucks

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have been excluded from this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Yes. And the reason is, is because they are less than eight thousand pounds.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

So it applies to anything that's eight thousand pounds or above. Is there any such -- is there such a pickup truck that's eight thousand pounds or more?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

The answer is no.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Senator Shadid, for a second time.

SENATOR SHADID:

Yeah. Want to ask the -- Senator Lauzen, are you saying that if a person has a pickup truck and they have a cargo net, that is legal?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shadid. Excuse me.

SENATOR SHADID:

The cargo net would be legal unless there was some debris in the pickup truck that could slide through the cargo net. Then, it would not be legal. Is that correct?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

If I -- I understand -- first of all, as far as this legislation is concerned, the situation that you're referring to is not addressed at all in this legislation. My understanding, under the law that does apply to pickup trucks, the police officer has to actually see the material coming out of the back of that bed, hitting a car, in order for them to stop. My -- you might remember that on the amendatory veto -- I think that if a piece of material comes from the back of a truck, whether it's a pickup or a gravel truck, it's still hitting your windshield, it's still a dangerous situation. But the Governor disagreed with me on that.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shadid.

SENATOR SHADID:

I don't want to belabor the point, but if a person has got a regular tailgate on his pickup truck and stuff still escapes, they still can be issued a ticket, 'cause they've got to make their truck so that no debris falls off it. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

You and I would think so, with the commonsense approach to what the law -- how it should be interpreted. Unfortunately - Senator Shadid? - unfortunately, though, the -- especially the county sheriffs have interpreted the law to say that they -- they have to actually see the debris coming out of the back of that truck to hit the other vehicle.

PRESIDING OFFICER: (SENATOR WATSON)

Further -- Senator Shadid.

SENATOR SHADID:

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I'm not so sure it's the county sheriff with that. I think the State's attorney probably requires that. The sheriff, all he does is issue the ticket and then let the State's -- well, anyway. Thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Parker.

SENATOR PARKER:

I just wanted to rise in support of this bill. We had this same subject before the Senate last year, and it -- it came out 59 to nothing. What Senator Lauzen has done here is to address the concerns the Governor had when he amendatorily vetoed it. It did pass out of committee unanimously, Transportation Committee. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, how will this bill make a difference in the laws that we already have on the books with -- with regard to this -- these instances?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

The emphasis in this bill on vehicles over eight thousand pounds is that the law enforcement official can prevent damage being done. If they see a dangerous condition, like debris on the side of a gravel truck or on the back tray, or the door being, like, ajar where it could spill out, they can stop that vehicle and -- until it's corrected or issue a ticket; whereas, now, the

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interpretation, as we researched this bill, was that they can only punish after the infraction has occurred. So the emphasis in this bill is the prevention of damage, rather than punishment after the fact, for trucks over eight thousand pounds.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Is -- is there language in the bill which would say -- explain when it becomes dangerous, or is -- is there -- you know -- is this just the judgment of the State Police? Or is there language in the bill to determine when something is dangerous? Maybe if it doesn't have a tarp over it, or is there anything with regard to that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

There is no tarp requirement in this bill and it would be in the professional judgment of the law enforcement official.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. -- Mr. President and Ladies and Gentlemen of the Senate, I think this is a good bill, and actually we should have a tarpaulin bill, too. Because if you recall, a couple years ago, a fellow who didn't get his license the right way, as -- as a trucker, drove a truck and something fell off the truck and caused an accident, killing six people. It wasn't his driving that caused the -- the accident. It was the fact that something fell out of that truck. And I'm going to tell you right now, this bill is in the right direction, and it's time that the truckers' organizations come through with tarpaulins covering their loads because we can avoid a lot of unfortunate and fatal accidents.

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And I certainly support this bill and ask everyone to vote for it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. My wife called me yesterday. Something fell off a truck and -- and -- and hit her little Acura. She is so upset. So I've got to vote for this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Demuzio, for a second time.

SENATOR DEMUZIO:

I would just like to ask the -- the sponsor, what is the violation? What's the sanction? What's the penalty?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

My understanding is that it is an equipment violation, rather than a moving violation.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, there's a big difference between a moving violation, because it goes on your driver's license. What is the other violation? Who makes that determination, the police officer?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

...understand that the penalty is listed in "(f)". "Any violation of the provisions of this Section shall be a petty offense punishable by a fine not to exceed \$250."

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Lauzen, to close.

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SENATOR LAUZEN:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1298 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1298, having received the required constitutional majority, is declared passed. Senate Bill 1303. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill -- 1303.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 1303 provides that a taxing district -- may intervene in any case in which an objection is filed against the taxing district's levy by filing an appearance in the case with notice. The taxing district is then responsible for defending the levy and the State's attorney's office is relieved of the defense. And it provides that a taxing district may also then participate in the court conference with the objector. Ask for your support of 1303.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

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SENATOR WELCH:

Senator Peterson, would it be correct to assume that this bill is going to provide work for private attorneys who could replace the State's attorney in pursuing some of these objections?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Yes, and it would be at the taxing district's option if they want to use their attorneys or not. But once they do use their attorneys, the State's attorney's office is relieved of any responsibility in pursuing the objection.

PRESIDING OFFICER: (SENATOR WATSON)

Further -- Senator Welch.

SENATOR WELCH:

Is the cost of the new attorney picked up by the State's attorney's office or by the taxing body that -- that hires the attorney?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

It's picked up by the taxing body. So not all taxing bodies are going to look at this. But in some cases -- we have kind of a shotgun effect now, where you just have people filing tax objections, and in some cases, the taxing district has a legitimate reason why they have certain cash reserves and they feel that they're not going to be properly represented by the State's attorney's office 'cause they've got a multitude of cases to handle and they want to get 'em done as fast as possible. So, in this case, they feel that their own interest would be better served by having their own attorney.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

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SENATOR WELCH:

You know, Senator, we've raised the salaries of these State's attorneys so high that we have all kinds of primary contests now for State's attorney. In my county, we've got two primaries on each side of the ballot because the salary is so high. People want to come back and get their pension increased. And now we're taking work away from the State's attorney. Do you -- since this is a problem up in your county, do you think you could put an amendment on here in the House to limit it to, like, collar counties, Cook County, something like a two-hundred-thousand-person limit? Would that be possible?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Well, it's my understanding, Senator, that one of the main governmental units that wants this throughout the State of Illinois are school districts. So I wouldn't really be that open to having it just for collar counties. I think everybody should have it. And in most of the cases, it's not the State's attorney themselves that are doing it. They have assistants that handle this, and is -- it's done all over. You -- you're familiar with what they do.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, I'm just worried about the cost being transferred to us. If it's the school districts that are complaining, they're the ones down here asking for more money, instead of the counties paying the State's attorney to do the job. So I'm not sure I -- I want to transfer the responsibility for paying for these lawyers from the county to the State when we've already -- we're already paying high salaries for the State's attorneys.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

It's been a long time since I've been involved in this, Senator, but is it -- the State's attorney's role in these proceedings currently would not necessarily be as an advocate for the taxpaying bodies, but -- and if the State's attorney felt that the objection was valid, he or she could concur in the objection and avoid the battle. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

That's correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

On the other hand, under your bill, if the State's attorney is replaced by an attorney for a taxing body, that body doesn't have the same general interest, but has the interest, in preserving the taxes over the objection. Isn't that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

That's correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Then, why would you remove the State's attorney, whose

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interest is the bigger picture in doing justice, from the picture and replace her or him with an advocate for the tax, against the taxpayer making the objection?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Well, from what I understand, these assistant State's attorneys have a multitude of cases to handle. They go in and negotiate and they don't always have direct communication. They're not calling the unit of government, saying "This is how much they were", "This is how much we might settle for", "Do you have any other evidence?" They just don't have the time. They have to -- their job is to get through these protests as fast as possible and settle any way they can with the protester. And, as I said before, in -- in some cases, the units of government feel it's more to their benefit to have their own representation because they feel they have a legitimate reason for that unusually large cash reserve.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

And my question doesn't go to the propriety of allowing the taxing district to intervene. Mine goes more to the question of why would you remove the State's attorney who may, in her or his judgment, say "Hey, the taxpayer's right in this case," and have a contrary view to the attorney for the taxing district. And shouldn't that view be represented to the court, as well? I guess that's rhetorical, but if they have a different interest, I -- I'm not disagreeing with your need to intervene, but I'm questioning the part of it that removes the State's attorney from the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

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SENATOR PETERSON:

Well, if somebody files a protest, Senator, they're already representing their interest, I mean, whatever it is. And you know, at this time, it's just like on assessments. We have people -- and basically it's not just -- it's not homeowners; it's corporations and people who have commercial property who object. They just have people that go in and file objections to see whatever they can get off. In many cases, they don't really have a legitimate reason. So units of government have felt that they would like to have this option. They may not use it. They may never use it. But they would like -- would like to have the option.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I have a potential conflict of interest and will be voting Present.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Further discussion? If not, Senator Peterson, to close.

SENATOR PETERSON:

Appreciate your support of Senate Bill 1303.

PRESIDING OFFICER: (SENATOR WATSON)

The -- the question is, shall Senate Bill 1303 pass. All those in favor, say Aye -- vote Aye. All those opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 voting Yes, 15 voting No, 4 voting Present. Senate Bill 1298, having received the required constitutional majority, is declared passed. Beg your pardon. Senate Bill 1303 is declared passed. Senator Viverito, for what purpose do you rise?

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SENATOR VIVERITO:

Thank you, Mr. President. On 1298, I tried to vote Yes, but my -- it didn't register. I'd like to be voted Yes on 1298. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. The record will so reflect. Senate Bill 1319. Senator Silverstein. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill prohibits a person who -- either a defendant or plaintiff from paying a juror after the verdict was rendered. It comes out of a case in New York where a juror was paid twenty-five hundred dollars for their services. I know we pay a -- a nominal fee for our jurors, but I'm trying to prevent this to happen in the State of Illinois. I'll take any questions. If not, I'd ask for your -- an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1319 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1319, having received the required constitutional majority, is declared passed. Senate Bill 1321. Senator Dillard. Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 1321.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Compensation Review Board {sic} Act by requiring the Compensation Review Board to file its report with us, the Comptroller and the Secretary of State by April 1st of each even-numbered year, rather than May 1st. And this bill is put in to coincide with our earlier adjournment, to make sure that we have the opportunity to act on any Compensation Review Board recommendations. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there... Any discussion? Any discussion? If not, the question is, shall Senate Bill 1321 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1321, having received the required constitutional majority, is declared passed. Moving on to page 13. Top of page 13, we have Senate Bill 1326. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1326.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

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Thank you, Mr. President. Senate Bill 1326 amends the Income Tax Act concerning the rate reduction allowed for foreign insurers. Insurers, foreign and domestic, pay both a premium tax and a corporate tax -- income tax in Illinois. The majority of states only impose a premium tax. Thus, Illinois insurers are subject to retaliation based on the Illinois income tax in those states. Paying these higher taxes means Illinois insurers are at a competitive disadvantage in other states. As a solution, you may remember that we passed Senate Bill 338 last year to solve this problem. The bill would make a permanent -- would make permanent the provisions and -- this bill would make it permanent. Passed by fifty-eight to zero vote. The bill was intended to be permanent solution to the retaliatory problem. It has a sunset on the bill. And we'd like to find a more simplified method. That -- that hasn't been found, so we're asking that the sunset be removed and the bill be passed. I ask for your support of 1326.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President. I, too, rise in support of this bill. And, as Senator Peterson stated, we passed a similar bill last year, Senate Bill 338, and evidently there was a provision left out dealing with mutual insurance companies. And without this law, the State of Illinois would be unattractive to insurers -- insurers to domicile here. This will put us on a more competitive -- playing field, and will allow us to sell many products in this State, and to make sure there's not a retaliatory tax in another state because of us having this -- this policy in place. So, I too, rise in support of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Ronen.

SENATOR RONEN:

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Yeah. Thank you. Will the sponsor yield for several questions?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield. Senator Ronen.

SENATOR RONEN:

As was previously stated, Senate Bill 338 last year left out some companies -- mutual insurance companies and this bill adds them to that, but also removes the sunset. And I'm just wondering, with the sunset deleted, has the Department of Revenue provided what the fiscal impact for this bill will be?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

The Department states somewhere between fifteen and eighteen million. Economic and Fiscal Commission say they can't determine any fiscal impact at all. So we have two variations.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ronen.

SENATOR RONEN:

But it -- the fiscal impact of Senate Bill 338 was eighteen million, in fact, also. So the -- is that correct? Who does this legislation help? Is it geared to large major insurance companies, or small independent ones?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Any company that does business in Illinois that's in the insurance business.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ronen.

SENATOR RONEN:

It would have equal impact on all, you're saying?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ronen.

SENATOR RONEN:

The Department of Revenue opposed this legislation in committee. Why -- what was the basis of their opposition?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

They just felt that they -- this would be undue amount of paperwork and they don't have the forms and everything. You know, one of the reasons that we're coming back with this bill is we thought we might come back with a more simplified way to do it. And that hasn't been reached. That's why we had the sunset on there originally. So that's why we want to eliminate the sunset. What we have now is, I guess, what we're going to go with.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Ronen.

SENATOR RONEN:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Any further discussion? If not, Senator Peterson, to close. The question is, shall Senate Bill 1326 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. There are 57 voting Yes, no voting -- 1 voting No, 1 voting Present. Senate Bill 1326, having received the required constitutional majority, is declared passed. Senate Bill 1329.

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Senator del Valle. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1329.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill amends the U of I Act and the SIU Management Act to require that individuals participating in medical research, human subjects, if they do not speak the English language, then the consent for participation of those individuals has to be obtained from them in writing in a language that they understand. I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1329 pass. All those in favor, vote Aye. Opposed, vote No. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1329, having received the required constitutional majority, is declared passed. Senate Bill 1331. Senator Geo-Karis. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1331.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Chairman -- Mr. President and Ladies and Gentlemen of the Senate -- excuse me, Senate Bill 1331 amends the Transient

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Merchant Act of 1987 by adding a definition of, quote, "new and unused property", end of quote. It also creates a provision requiring transient merchants and itinerant vendors to maintain receipts with specific information regarding the purchase of any, quote, "new and unused property", end of quote. And this is a step in the right direction to cut down on fraudulent deliveries and what have you. And I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. We agree that this is a -- a way to further deter retail theft. And it's a good idea. It's something that should help with what Senator Geo-Karis is trying to do.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, the question is, shall Senate Bill 1331 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1331, having received the required constitutional majority, is declared passed. Senate Bill 1353. Senator Demuzio. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation is a product of the Secretary of State's Office. It does amend the Illinois Identification Card Act and would

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afford all the persons who are issued an ID card who are sixty-five years of age and older to receive that card with no expiration date. The card would be valid for life with no renewal requirements. I know of no opposition. Would ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. Senator, I just have a couple of questions for you, and...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio indicates he'll yield.

SENATOR PARKER:

Okay. The reason why I'm asking these questions, I had served on the Board for the Regional Transportation Authority, and at that time, they had had ID passes that were similar to this, where you didn't have to renew them, and after a certain number of years, we found a lot of fraud. So -- because people would take these. They'd be old, and they would be older people that may have died and we didn't know that. So I'm asking you, the -- with this particular card, are there special privileges involved by having the senior ID?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

No. I think -- it's my understanding that the card is only used for identification, like at -- if you -- if you don't have a valid driver's license, for example, and you're asked, to cash a check or something like that. I think that's what they're -- that's what they're used for. To my knowledge, they don't get any special discounts or anything anywhere.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Parker.

SENATOR PARKER:

So this is just for purposes of identification if they haven't had their driver's license. It doesn't really give them any special privileges as far as discounts or anything that they would be able to get.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

That is correct.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, the question is, shall Senate Bill 1353 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1353, having received the required constitutional majority, is declared passed. Senate Bill 1358. Senator Dillard. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The next several bills are the reenactment of the majority of the Safe Neighborhoods Act, which we were here in Special Session on in December, that was declared unconstitutional under the single-subject rule of our Constitution by our Illinois Supreme

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Court. The first bill, Senate Bill 1358, would reenact the Secure Residential Youth Care Facility Licensing Act, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. Could the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Walsh.

SENATOR L. WALSH:

Senator Dillard, could you just give us a brief description of what this bill will enact?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Sure. It creates the Secure Residential Youth Care Facility Licensing Act to require the Department of Corrections to establish a licensing system for secured residential youth facilities. It also amends the State Finance Act by adding the Secure Residential Fund to a list of special funds. And it also amends the Private Correctional Facilities {sic} (Facility) Moratorium Act to create an exemption from the general prohibition against privately run correctional facilities for juvenile residential facilities. And finally, the bill amends the Code of Corrections in relation to the Section on transfers of juveniles from DCFS to the Illinois Department of Corrections.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Senator, the -- all of this information was included in the Safe Neighborhoods Act for the last five years that that Act was in -- in existence, yet not one time did this -- this piece of

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legislation was used. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

I believe that's correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh. Excuse me.

SENATOR L. WALSH:

And can you tell us, if in five years that that was not in existence -- or, was not used, what is the need of this being put in here in this piece of legislation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Primarily, Mr. President and Senator Walsh, it's because, during the month of December, we heard a lot of rhetoric that a lot of people wanted to reenact the Safe Neighborhoods Law as it was passed, including the Mayor of Chicago, and we're reenacting it here.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR L. WALSH:

Well, thank you, Mr. President. I stand here in opposition of 1358 for two primary reasons. First, I think the language embodied in this bill which would permit the DOC to license private, secure, residential juvenile facilities is apparently not necessary since it's never been used. It is important to note that since the passage of Safe Neighborhoods Act in 1994, DOC has not licensed one single facility under this Act. My second reason for opposition is that the experiences of other states have shown us that privatization of correctional facilities, including juvenile facilities, does not work. It is dangerous to

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communities where private prisons exist, and it's dangerous for the inmates in these facilities. It is also dangerous for the workers in the facilities and it does not deliver the cost saving -- cost savings promised by private correction companies. United States Government Accounting Office spent a full year examining comprehensive studies, comparing the cost of privately and publicly run prisons. The GAO ultimately concluded that privatization did not save money. While they cannot guarantee cost savings, the track record of private juvenile correction facilities reveals a litany of problems. At some of the other states that this has been proposed in and used at: At one private facility in Florida, a -- gladiator-style matches were staged, in which thirteen- and fourteen-year-olds were embodied -- or, were bloodied -- with each other, while inmates and guards watched. These matches became known as the "Main Event". This same company, the Correctional Service(s) Corporation, held juveniles beyond their scheduled release date in order to increase the company's income and they also fraudulently billed the State of Florida for schooling that they never promised -- or, provided to the inmates. While I won't go into extreme detail about the horrible transgressions which have happened in all these facilities, I will say that they range from the death of -- by serious medical neglect of a sixteen-year-old at an Arizona Boys Ranch to youths in South Carolina which were beaten by guards and left to urinate and defecate in cups when they were barred from using a bathroom for as long as twenty-four hours, and denied food and medicine. And the low pay at these facilities does not guarantee a stable workforce. Some of the juvenile correction centers -- in Louisiana, the Department of Public Safety had to take over the facility after guards walked away from their posts to protest the six-dollars-an-hour pay and working conditions. Extremely poor pay for such dangerous jobs has led to a nationwide

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private prison epidemic of high turnover rates. The Tennessee Department of Corrections recently released a report citing an average turnover of ninety-two percent in their private prisons. The national turnover rate for staff at private facilities is forty-one percent. In conclusion, I think the Secure Residential Youth Care Facility Licensing Act is unnecessary, and the private juvenile facilities have a proven track record of mismanagement and incompetence, which is bad for the workers and the juveniles in the facilities and the taxpayers who have fallen on the false promises of better and quality -- better quality at a lower price. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you -- thank you, Mr. President. There was an answer. I didn't write it down. Maybe Senator -- Dillard would care to expand on it, because I don't think he meant it. Because I think there was a question if no facility has been licensed or built in the five years since this was enacted, and I think the question by Senator Walsh was: Well, then, why are we reenacting it? It's not necessary. And I thought the answer was: Well, because some of the people on that side of the aisle and the Mayor of the City of Chicago would want -- wants it reenacted. Okay. Well, I don't remember that. I remember talking about all the criminal sanctions, so I assume the next bill's going to be to reenact the whole Safe Neighborhoods Act. I assume you're not just going to pick out one or two; that we're going to have the whole thing reenacted. And I assume there's got to be some other reason you're bringing this, other than to accommodate the Mayor of the City of Chicago, because if I recall in January and -- and -- and December, and maybe I was in a different Chamber than Senator Dillard was, all we talked about was - and the main reason was -

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the felony or misdemeanor. So I -- I will let him talk about that when I'm finished and I'll just be another minute. We -- you know, obviously this is privatization. We can couch it any way we want, but that's what it is. And I know there's always this move to privatization, and it certainly makes sense at -- in certain ventures. But what we do with juveniles -- if we are ever, ever going to have any type of correctional facility where it really does matter how the inmates are treated, it would be juvenile facilities, 'cause these are the ones that are going to grow up and leave. So here's what we do: We say we're responsible for teaching 'em, and if they do wrong, the State's going to be responsible for arresting them. And if we want to continue, the State's going to be responsible in paying and running the court system, the probation system, the judges, the public defenders. And then, when we sentence 'em, we're going to say, "That's as far as we want to go. The State's not in the business of making sure that they're housed or treated fairly or educated." We're going to turn that over to private individuals? If there's one thing we shouldn't turn over, it's when we get the juvenile justice system. We shouldn't be doing this. This makes no sense, and I urge an Aye -- a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Just want to reiterate - I think I asked the question in committee - there's no compelling reason for us to do this because we haven't done anything with it for five years. The Department, first of all, has no experience in licensing these types of facilities. They haven't made any attempt to learn how to license the facilities. No such facilities are currently licensed under the Act, and it just seems to me that this is not emergency legislation and we ought to vote No.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Dillard, if a for-profit private company gets a contract, isn't there a possibility that they will run the facility for profit over safety?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

I don't know.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

These private companies, do you think they will come in and bid unless they think they can turn a profit? And if so, do you think, when it comes to corrections in this State, we should put profit before the protection of the citizens of Illinois or for rehabilitating these young juveniles?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Senator Hendon, I don't know what kind of profit, if any, these private prisons would -- would make when they oversee juveniles, but I do want to point out, in the bill, there are significant standards, significant things, that have to be met in terms of ensuring that these youth facilities would be well run. And to Senator Walsh: I mean, those instances

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that he listed were in another state. I trust the Illinois Department of Corrections, for the most part, and think that Director Snyder and that Department could promulgate rules that would have minimal safeguards that would make these privately run facilities all right in my book.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Well, I, too, trust the Department of Corrections and I see that they're not in support of this, and I -- if you trust them and you know they're not in support of this, then you should not be pushing the legislation. If you were executive -- chief executive of a corporation, Senator Dillard, and this came before your board, would you recommend that they go for a contract if they could not be guaranteed or pretty assured to make a profit?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

I'm sorry, Mr. President. There was a little bit of noise. I -- I -- I hate to ask him to do this, but could he repeat the question?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Gladly, my friend. If you were the executive director of a corporation and this proposal came before your board as something maybe you-all should do, would you recommend it to your board if you could not make a profit?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Maybe. I mean, having been in government for a while, I know

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that there are corporations that will provide services for a loss if they believe it gives them a competitive advantage; in other states, for example. But, you know, it's a hypothetical question, and I don't know what a CEO of a corporation that would do this would decide.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCH:

Well, thank you, Mr. President. Here we go. Here we go. We're starting to chip away at the Safe Neighborhoods legislation. You know, I supported it originally, as it was introduced, as it was passed. Last fall I supported it as it was introduced, as we tried to reenact it. But here we go. We're starting to chip away at it. We have got nine bills, and this is the first one. I would just remind my colleagues, if you're going to support the reenactment of the Safe Neighborhoods bill, support the whole thing. If you're going to start chipping away at it, don't say you support the Safe Neighborhoods bill. Say "I support part of it, support a portion." But don't say "I support the Safe Neighborhoods legislation. That was working for five years," and -- just let's -- let's be truthful to our voters.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka, further discussion.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR WATSON)

Previous question's been moved. We have five remaining speakers. Senator O'Daniel.

SENATOR O'DANIEL:

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

PRESIDING OFFICER: (SENATOR WATSON)

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Sponsor will indicate he'll yield. Yes.

SENATOR O'DANIEL:

Senator Dillard, a few years back one of my counties decided to build a -- a private prison down in -- in Wayne County, in fact, till they found out about the liability - who would -- who would take care of the liability. And there was concern that if it -- there was an uprising or a riot or something of that nature and a lot of deaths or something like that, who would be liable. So the cost was going to be prohibitive so they decided against that. Who would be liable for any -- any liability in case -- in cases like this?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Senator O'Daniel, I believe there would have to be some insurance arrangements, but, ultimately, I do believe there may be some liability that would inure to the State of Illinois. And, again, this is something that I think the Department of Corrections and a private vendor would have to negotiate very carefully. But I understand your question, and it's a good issue, and a good one.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

Senator, first of all, you know, we've been very fortunate in this State, but -- when we appointed Donnie Snyder to the Department of Corrections - doing an excellent job there. Why

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would we not want to put this under the Department of Corrections, to have them run the facility, as well as to -- rather than to just get 'em involved in licensure and everything? You know, they're the professionals. They're doing a good job. Donnie's doing a great job with that Department. Why would we not want to continue it in that particular Department?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Jacobs, this leaves it up to Director Snyder and the Department as to whether they want to do this. As it's been pointed out, it hasn't been used in the past, and maybe it'll never be used, but the State of Illinois and public correctional facilities do not have a monopoly on well run or -- or good penitentiary behavior. I mean, we -- we had a number of instances and hearings on the Richard Speck tapes, and just because it's publicly run doesn't necessarily mean it's going to be run better than a private company. And, again, this just leaves it up to Director Snyder if this is something that he wants to do, with many, many minimal safeguards outlined in this Act.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Without -- without debating that particular issue, 'cause I'm not going to get into that, the only other question I have -- and just jog my memory if I -- if I'm wrong on this. Whenever we did the Safe Neighborhoods Act in the Veto Session, at that time, if my memory serves me right, this portion was so important it was not even included in the Veto Session Safe Neighborhoods Act. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

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SENATOR DILLARD:

It was in many versions. It wasn't in some. But basically, Senator Jacobs, it was in many of the bills, or the versions, we voted on.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Well, again, we could debate that issue, whether that's correct or not, and I'm certainly not going to dispute your word 'cause you're too -- too well respected for that. But let me just state that my recollection was that that was always kept on the outside and never brought into the peripheral of the bill, and so I just urge a -- a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there is a need for this now more than ever. Also, if it's done with private source, they're entitled to make a profit as long as they do a good job. And we do have a good Director of Corrections who would look into it that they did do a good job. And where were all these questions when we had the Special Sessions? I mean, let's not kid ourselves, we're getting too political about it, and let's do the thing that would save some money for the taxpayers. Let's give this -- this bill a chance. I'm certainly supporting it. It might be cheaper for the taxpayers, might do a better job than we've done before, and I think it's in the right direction and the need for it is now. So let's support the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I'd just like to clarify a

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few points that was made in relationship to this bill and to some of the bills that we voted on in Special Session. Not one single vote was -- not one single vote was taken on any legislation that included this provision. It was not included in any provisions. And I do appreciate the remarks of the Assistant Majority Leader on your side of the aisle when he talked about chipping away. He should have stood strong on his side of the aisle and directed those remarks to his Leader and you on that side of the aisle in December, when we were here. But to jump up and say he voted for it -- yeah, you voted for it, but as a Leader, you should have led some of those Members over there who wanted to keep the guns in the hands of criminals and so forth. So don't jump on the Floor, talking about chipping away. The vote that we took -- the vote that we took in November, which you voted down, did not include this provision. So let's not play games. If you were genuinely sincere, Senator Dudycz, a Chicago police officer, who are concerned about guns, who are concerned about guns in the hands of criminals, who have -- when the bill was the law, most of these guns were taken off the streets. But I wish you had been more forceful with your Leader on that side of the aisle and those individuals who refused to vote for a law to keep the guns out of hands of criminals. Don't try and lecture this side of the aisle. Lecture the Members on your side of the aisle who refuse to stand up for the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Well, as you recall, we had a motion to -- for the previous question, and now we've got several new lights, one of which was Senator Dudycz, and I believe he should have an opportunity to respond. Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. President. I -- I apologize for standing a second time, but my name had been mentioned in debate, and just

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to respond to the -- the Leader on the other side. Those of us who sit on this side of the aisle, as well as the Mayor of the City of Chicago, as well as the Governor of the State of Illinois, as well as the State's Attorney of Cook County, as well as other law enforcement officials throughout the State of Illinois, do know that I was forcefully for the reenactment, including the felony provisions, including the UUV. I stood next to the Mayor, when he was at the new 1st Police District in the City of Chicago, and the Governor and you, Senator Jones, and we stood side by side in support of reenacting it. So please don't tell me that I was not forceful. The record is clear. I was forceful in private with my colleagues - they'll tell you that; in public - the public will tell you that. So I was forceful. And you know, I'm not being a hypocrite, Senator Jones, and I'm -- I'm -- I'm relaying my opinions to the entire Senate. If you're going to work on reenacting the entire Safe Neighborhoods bill as was law for five years, then do it. But don't say "I support Safe Neighborhoods, except for this provision" or "except for that provision." The -- if you're going to drop the gauntlet now, if you're going to start chipping away at it, do it now, but don't claim that you support the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Larry Walsh, for the second time.

SENATOR L. WALSH:

Thank you, Mr. President. I apologize for the second time, too. But I do want to state unequivocally that my support of Don Snyder, for the Director of DOC, has not changed. I think he has done an excellent job as -- taking over for DOC, and I have complimented him many times on a lot of the new initiatives and things that he has done. And in no way, shape or form were my comments in regards to questioning the integrity or the job that

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Don Snyder is doing in DOC. But in -- in one regard, our last -- our last entry -- the last time we got involved into privatization was with the MSI incident, and that only cost this State and the taxpayers about fifty million dollars. So that's another thing to think about. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President. I'll be very brief. I do want to thank the Minority Leader for correctly pointing out that we have not voted on 3rd Reading on the -- the Safe {sic} (Secure) Residential Youth Care Facility portion of this bill. But I do believe that there is an important provision, excluding the privatization issue of -- of youth correctional facilities, that's important in this bill and I believe we have seen this before us before, back in December, and that is the part of this bill that amends the Code of Corrections in relation to the Section on the transfers of juveniles from DCFS to the Department of Corrections. And should this bill go down, that is a portion of this bill, Senate Bill 1358, that we will definitely have to amend on, somewhere in the process, the remainder of the Safe Neighborhoods Act laws that we will hopefully pass between now and April 14th. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1358 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 22 voting Yes, 37 voting No, no voting Present. Senate Bill 1358, having received the required constitutional -- it did not receive the required constitutional majority and has failed. Senate Bill 1359. Senator Dillard. Mr. Secretary, please read the bill.

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SECRETARY HARRY:

Senate Bill 1359.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This portion of the reenactment of the Safe Neighborhoods bill also may not have physically been before us. I can't recall. But this is the WIC Vendor Management Act and it expands the types of business entities that are subject to civil monetary penalties for violations of either the WIC Act or the WIC program regulations. I don't believe this is controversial and I would hope that this is the beginning of the reenactment of the Safe Neighborhoods Act.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, question is, shall Senate Bill 1359 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1359, having received the required constitutional majority, is declared passed. Senator Bowles, for what purpose do you rise, ma'am?

SENATOR BOWLES:

Thank you, Mr. President. I would like to have the Members of the Senate recognize the presence of Dr. David J. Werner, who is the Chancellor for SIUE, at Edwardsville.

PRESIDING OFFICER: (SENATOR WATSON)

Dr. Werner -- President Werner, glad to have you here. Welcome. Talking about the budget of Southern Illinois University, I'll bet. Senate Bill 1360. Mr. Secretary, please

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read the bill.

SECRETARY HARRY:

Senate Bill 1360.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Act -- or, this portion reenacts Article V of the Juvenile Court Act of 1987 and its subsequent amendments. This is a -- a subject that Senator Carl Hawkinson and a number of people have worked on so long. I don't believe it's controversial and I believe we need to reenact it. And I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator Dillard, maybe I -- I'm not sure which bill I should ask this question. It's kind of a general question though. From what I understand, these series of bills are -- are individual bills which are an attempt to reenact provisions of the Safe Neighborhood Act that had been declared unconstitutional, and these bills were introduced and they went to the Executive Committee. I don't serve on the Executive Committee, so -- I serve on the Judiciary Committee, where you'd think, perhaps, that some of these bills would have gone, but in either case they didn't. And if I understand the -- the scheme, you broke these

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down into individual pieces of legislation. Now, my question is, the -- the subject that we had the Special -- three Special Sessions over, the unlawful use of weapon, whether it should be a felony or misdemeanor, is that addressed in any one of these bills? Is there a compromise or alternative proposal in any one of these bills? Or is that bill still in committee, or what's the status of that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you. While we are just debating Senate Bill 1360, in a nutshell, the last bill of this package of bills that are numbered sequentially is a bill that was a vehicle bill for the unlawful possession of a -- of a weapon. Senator Petka is now its -- its lead sponsor, but there are a number of bills that are floating out throughout the process. We're waiting to have input from the Governor's new Deputy Governor for corrections and criminal matters and public safety. There'll be time to address that. But in this package, Senator Cullerton, the last bill, which I believe is still in committee, is -- is -- is used to address that unlawful possession of a weapon portion. But there are a number of serious discussions taking place in this building on the -- the one little portion of the Safe Neighborhoods Act that I think you're concerned most about.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Okay. Just so I understand then, the -- you said the last bill in this package, but it's not on the Calendar, right? It's in committee? Are we...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

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SENATOR DILLARD:

It's in committee.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 1360 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1360, having received the required constitutional majority, is declared passed. Senate Bill 1361. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1361.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is the aggravated driving under the influence portion of the Safe Neighborhoods package, and I would hope for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1361 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1361, having received the required constitutional majority, is declared passed. Senate Bill 1362, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1362.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is the Right(s) of Crime Victims portion of the reenactment of the Safe Neighborhoods Act, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1362 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 1362, having received the required constitutional majority, is declared passed. 1363. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1363.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This particular bill, in our sequence to reenact the Safe Neighborhoods Act, increases significantly the penalties for the Firearms Owners Identification Card, or FOID Card, Act violations. This is a tough gun-control bill, and I urge a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1363 pass. All those in favor,

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vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1363, having received the required constitutional majority, is declared passed. Senate Bill 1364. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1364.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Again, this is just one more of a number of reenactments of the Safe Neighborhoods bill. It contains a -- a number of provisions, but there is clearly an increase, I believe, in -- in -- in prison or jail time for the disposition Section violations of the FOID Act. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1364 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- Mr. Sponsor, would you like to vote for your bill? Locked it up. ...okay. 58 voting Yes, no voting No, no voting Present. Senate Bill 1364, having received the required constitutional majority, is declared passed. Senate Bill 1365. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1365.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is the last of today's sequence of reenactments of the Safe Neighborhoods law, and I do want to point out, as you pointed out, that I would have loved to have voted for my previous bill, but somehow my switch was not operating properly. We've read that those things do happen around here from time to time, and I sympathize with Senator DeLeo. This -- this bill, Senate Bill 1365, is -- and I'm not going to take up the time of the Body. I have a sheet that can tell you all of the reenactments, but this is really, really a lot of the meat, so to speak, of the reenactment of the Safe Neighborhoods Act, from gunrunning on down. There are approximately eighteen or nineteen increased penalties for a variety of activities. And I think all of us would -- would be well advised to vote Yes on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Senator, I appreciate your earlier answer to my questions concerning the issue of the unlawful use of weapon, whether it be a felony or misdemeanor. You said that there's further discussions concerning that bill. There's a shell bill sponsored by Senator Petka, but it's a Senate bill still in a committee. We're not even sending that shell bill over to the House, so it doesn't seem like a -- a very earnest effort at trying to pass that. I -- I believe that everybody knows that we've had a Special Session. We've had votes on that particular issue. A majority of the Senators have supported it. I've introduced that bill again. It's tied up in the Rules Committee. I even offered

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an amendment to Senator Dudycz' bill the other day that would have made unlawful use of weapon a felony. Senator Dudycz chose not to even come to committee to call the bill. I think what's significant about this bill is what's not in it. I think we should at least be entitled to a vote on whether or not we should have unlawful use of weapon be a felony. This bill does not allow us to have that vote and it's wrong.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Is there any further discussion? If not, question is, shall Senate Bill 1365 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1365, having received the required constitutional majority, is declared passed. Senate Bill 1377. Senator O'Malley. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. -- thank you, Mr. President. Senate Bill 1377 amends the Fire Protection District Act by requiring that whenever the -- whenever a referendum question to consolidate two or more fire protection districts is put before the voters, the rate of taxes for the consolidated district shall also be submitted along with the question of whether to consolidate. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

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Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1377 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 1377, having received the required constitutional majority, is declared passed. We're now at the top of page 14. Senate Bills 3rd Reading. We have Senate Bill 1382. Out of the record. Senate Bill 1387. Senator Hawkinson. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1387.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senate Bill 1387 finishes an effort we started last year in negotiations with the teen court groups around the State of Illinois, with the Bar Association, with the Trial Lawyers and other. And what Senate Bill 1387 does is provide the same immunity for community service assignments and public service work done by offenders through the teen courts as already exists in other community service programs. So, currently, if a court order orders you to perform community service, the groups that use you for that service are given certain limited immunities. This extends that immunity to the teen court volunteers. It's a growing program. It's -- it's a program that many think will have an effect in positively turning young juvenile offenders around, who commit minor crimes the first time around, and we want to make sure that those programs are working by providing for community service sentences. This allows

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that to happen because it provides the same immunity protections that exist in other community service. There are no opponents that I am aware of and I would ask for your support for Senate Bill 1387.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any questions or any discussion? Any discussion at all? If not, the question is, shall Senate Bill 1387 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill -- 1387 -- excuse me, 1387, having received the required constitutional majority, is declared passed. Senate Bill 1388. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1388.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill permits a circuit court to appoint a person deemed competent by that court to investigate adoption petitions. Recently, we -- we took out of a list of appropriate people to be an investigator in these types of situations, we took out probation and court services -- or -- or, probation officers out of here. Subsequent to the enactment of this -- of this new Act, a number of counties - there are sixteen, in fact, one of which is DuPage County, mine - raised concerns because judges regularly use probation officers who are trained sufficiently to investigate adoption petitions. So all this bill does is it allows a court,

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if they believe their adoption people are -- are trained properly, as probation officers, to be used in these types of situations. This has been agreed to by the Probation and Court Services Association, and I don't know of any opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Shaw.

SENATOR SHAW:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Yes, Senator. What does this have to do -- how does this relate to court services or supportive services in Chicago? I...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Senator Shaw, it shouldn't impact them whatsoever. All this bill allows is a judge, if he or she thinks that their probation officers are trained competently, to be able to use them as an investigator. And it shouldn't change the other services in any fashion.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

My point is, is that supportive services in Cook County, there -- there are about -- I think it's thirty-one caseworkers that do the investigative work as it relate to custody and divorce cases now. And I'm trying to see what's the parallel between court services and this new proposal that you have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

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I don't think it -- this affects court services, which is spelled out in -- in the Act and in the law, at all. This just allows in minimal circumstances, to allow a judge to use a person deemed competent by that particular judge as an investigator in adoption proceedings. And -- and in Cook County, I believe, has to use the -- you know, the court services division. So I don't think this will have an impact in Cook County whatsoever.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Dillard, to close.

SENATOR DILLARD:

Just appreciate a favorable roll call. And again, this has been approved by the court and probation people.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1388 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Maitland -- thank you. Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1388, having received the required constitutional majority, is declared passed. Senate Bill 1389. Senator Bowles. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1389.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1389 amends the Nonresident College Trustees Act and the various Acts that are related to the governance of the public universities in Illinois. It requires each member of the

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governing board of each public university appointed by the Governor to be a resident of the State of Illinois. It provides that failure to meet or to maintain this residency requirement constitutes a resignation and it creates a vacancy in the board. Passage of this, effective date would be immediate. This is supported by IEA-NEA and it came out of the Executive Committee unanimously. And I would ask for a favorable vote. Be happy to answer any question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill -- I'm sorry. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Yes. I'm just curious. Is there currently a problem with nonresident trustees of our State universities?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Yes, Senator Burzynski, there is and that is what was the basis for my filing this bill. Because we -- one instance is with SIU University, and the -- one of the members of the board has not been a resident of the State of Illinois for in excess of two years, has established a residency and a voting record in another state, continues to serve on the board. And I feel that -- excuse me. I feel that in order to be aware and up to date on what is happening with the universities in the State of Illinois, it would behoove us to have trustees who are residents and who continue to be residents.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Burzynski.

SENATOR BURZYNSKI:

Can you give me any indication as to how the -- the various universities feel about this particular piece of legislation? Since it went through Executive rather than Education, I'm not that familiar with it, and that's why I ask.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

...have not had one opposition registration from any of the universities or, in fact, none of the trustees. In fact, the Chancellor of SIU here -- was just here, and he was not objecting to it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator -- Senator Bowles, is this a -- have you checked, do other universities have people on their boards that are no longer State residents?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

I -- I can only respond to this extent, Senator Luechtefeld, that this was a blatant instance of a trustee of one of the prestigious universities of this State of not maintaining a residency in the State of Illinois. Even we -- even we, as Members of the General Assembly and of the Senate, have to establish a residency in order to be qualified to be elected and

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to serve in this Body, and I would think that the Governor's appointees should fall in the same category.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, I'm -- I'm aware of the situation that you're talking about. I -- I just am concerned that this might be a knee-jerk reaction to something. You know -- for -- for instance, a person could live very close to the university if the university sits on the borders of the State and be an -- an excellent trustee, maybe better than someone in the State. This will really limit the -- the possibilities of -- of -- of, I think, a lot of good trustees that could, you know -- could be maybe better than the people who live within the State. Is that -- does it make any sense?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

The way I feel about it is this: These people can always be resource people. If they have the ability and have some special talent and have some -- something to offer to the future of the universities in the State of Illinois, they can always be called in as a research person. But I feel that the people who are serving on the board, who are making the decisions about the university and its future and the functions of the university, most certainly the least we can ask of them is that they be residents of the State of Illinois.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. I -- would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

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SENATOR RAUSCHENBERGER:

Senator, I wonder if you would treat friendly an amendment which would require employees and professors at our same universities to be residents of the State of Illinois. You know, I -- I'm concerned, as you are, that -- that decision-makers participate in -- in paying taxes, but I'm a little concerned that, you know, aren't we really heading down a path that -- that may take us someplace we don't want to go, particularly with a number of our institutions very close to the borders of the State.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

I would think that we be -- would be doing ourselves a tremendous disservice to not take advantage of people who are capable and who can be -- can be professors and employees of the universities. However, we're talking about the trustees who are making decisions about the future and the functions of the universities. And it appears to me, in my humble opinion, that the least we can ask of them is to be residents of the great State of Illinois.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I'd just point out to the Body and to the Senator that, under the shared governance models, professors and -- and staff at the university participate in the management and the management planning of the universities. And I just think we need to be consistent. I guess I'm a little concerned in -- in limiting the Governor's discretion in choosing trustees. But I certainly understand her intention in the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dillard.

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SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR DILLARD:

I'm -- I apologize, Senator Bowles, and maybe you -- maybe I just missed it. What's the attendance record of this person at board meetings, who lives out of the State of Illinois?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bowles.

SENATOR BOWLES:

Candidly, pretty good, despite the fact that he lives a considerable distance outside the State of Illinois. He's not on the periphery.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR BOWLES:

Just simply ask for a favorable vote on Senate Bill 1389.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1389 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 49 Ayes, 9 Nays, no Members having voted Present. Senate Bill 1389, having received the required constitutional majority, is declared passed. Senate Bill 1393. Senator O'Malley. Senate Bill 1397. Senator Bowles. Senate Bill 1398. Senator Radogno. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1398.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. As was stated, this amends the Animal Welfare Act so that pet shops that sell reptiles are required to notify individuals purchasing them of proper handling techniques. This is an initiative of the Cook County Department of Public Health, and it's geared to try to reduce the salmonella problem associated with reptiles. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you. I don't have the file. What -- what -- what are -- what are you -- if the Senator would yield, please, for a question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR DEMUZIO:

What -- what do you put on this sign?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Well, what's required is fairly specific in the bill. It's primarily safe-handling practices.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, pet shops shouldn't sell a reptile or offer a reptile as a gift or promotional consideration. What -- what does the store

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put up that says that this is illegal?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

I didn't hear or understand your question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

When -- when you walk into a store, I mean, what does the sign say that you can't buy these, because it's illegal? What -- is there some specific language you have to put up?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator...

SENATOR RADOGNO:

It's not illegal, and the bill gives you two options for notifying people of this risk. You can either provide them with a printed piece of paper that details the safe-handling practices, or they can post a notice, which is available from the Department of Public Health. And I've also been informed that PIJAC, which is the Pet Industry Joint Advisory Council, also has a poster that details those practices.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Trotter. All right. Is there further discussion? If not, Senator Radogno, to close.

SENATOR RADOGNO:

I'm -- just ask for your favorable vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1398 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57

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Ayes, 1 Nay, no Member voting Present. Senate Bill 1398, having received the required constitutional majority, is declared passed. Senate Bill 1400. Senator Klemm. Read the bill, Madam Secretary. ACTING SECRETARY HAWKER:

Senate Bill 1400.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 1400 amends the Emergency Telephone Systems Act. It extends for one year to the year -- through June 30th, 2001, the date by which a bypass provider has to be in compliance with the enhancement of the 9-1-1. As you know, this has been a discussion we've been having some time, and recently the ICC has promulgated some rules that's certainly giving some concern to a number of entities. Such as the problems we're having with the schools, churches, not-for-profit organizations and even governmental entities, we're not really clear whether they had to comply with the 9-1-1 enhancement provision that we had passed several years ago. And just now the ICC has made some determinations and changed definitions, I guess, by expanding them, to include these entities. Now, we're supposed to have it by June of this year and many agencies don't even know whether they have to do it or not. So I think in fairness we need to extend one more year and allow these entities to determine. Plus the -- ICC rules will have to go to JCAR. They have to still determine it. So we still have some unanswered questions. This gives everybody, at least, an opportunity to be able to provide that service if it's necessary, and I do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. As you may recall, we passed a bill last year, Senate Bill 149, and that kind of clarified who was going to have to install this 9-1-1 computer service. All throughout the debate and discussion of this, I was in the understanding that -- that schools were not included. Unfortunately, I did not say that on the Senate Floor and the Illinois Commerce Commission is now interpreting that this law impacts schools. Now, others now have come forward, besides the education people, in concern about this. But I want to make it perfectly clear to those people over at the Illinois Commerce Commission - I hope that they're listening - that that Senate Bill 149 was not to impact the education community in this State. And they're making rules and regulations and that's brought about this -- this bill today, that are promulgating rules and regulations that impact schools and now they're bringing in churches, a lot of other entities that have some concerns about the cost of this. So that's my statement for now, and hopefully we can clarify maybe with some further language in other bills that will exempt schools and others from the implications of what I thought was just a -- a disastrous proposal that was brought forth - I don't know what year it was - but we kept delaying, delaying, delaying the implementation and finally it's, you know, where you've hit the wall here and now we realize what we've done. And we need to go back and -- and revisit this issue, and I appreciate Senator Klemm in his efforts here.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, Senator Klemm, to close.

SENATOR KLEMM:

It's an important bill for many people, and we're trying to resolve some of the definitions, and we do ask for your support.

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PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1400 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, 1 Nay, 1 Member voting Present. Senate Bill 1400, having received the required constitutional majority, is declared passed. Senate Bill 1409. Senator Noland. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 1409 would allow for the emergency use of eavesdropping when there's a situation that involves immediate danger or death to a person. It requires an electronic surveillance officer to be present to intercept it. It essentially is the bill we passed last year, Senate Bill 867, that the Governor had vetoed due to some objections. And I think we've worked it out to where it's -- it's a good issue now, and it's proposed by the Illinois Tacticals Officers Association, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

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Senator, first of all, let me say that I -- I appreciate the fact that -- I've seen the witnesses that you brought from Decatur to committee, both last year, when the bill was up, and this year, and there's no question of their sincerity and -- in trying to pass a bill that's reasonable and not be abused. The -- the problem is that when we pass a law, it's the law for the whole land and not just the county that you're from. And there's -- and I know I supported this in committee, but there's just been some nagging questions. The -- this will allow police to eavesdrop on someone without a court order and this replaces the protection of a neutral judge's use of discretion with the judgment call of a police officer who's caught up in the heat of a moment of an emergency situation. Now, current law does allow eavesdropping in emergency situations after a telephone call to a judge to receive oral approval, and I asked if, in your county, there was a judge on call, like a doctor being on call, and -- and I think the reply was that, yes, but that sometimes you can't get through to the judge. I think that's what the problem was. So here's my problem: If the police use this to eavesdrop on someone without seeking court approval and then they use that information that they discovered to advance their investigation of someone, there doesn't seem to be anything to prevent the police from abusing these emergency eavesdropping powers. And so I'm wondering if you can address that question and see if there might not be a way, if it does pass, that in the House you can see if you can put something in there that would at least allow for a victim of this potential overreaching by a police officer to have some recourse.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

Senator Cullerton, we're not trying to get away -- around judicial review, but the issue is -- it was -- in committee that

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sometimes judges just aren't available within an hour, or within two hours or three hours, and we've got a hostage situation where time is of the essence. And so we're allowing this trained electronic criminal surveillance officer to intercept this without court order, but that person then must get that court order within forty-eight hours. And so I'm -- so there -- we're not getting around it; we're just allowing them to go ahead and act because time -- of the essence, but then we can get a court order -- we must get the court order within forty-eight hours, which I believe is -- is already current law.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Well, maybe you better restate that last part after checking with your counsel with regard to what the current law is. After you go and without getting court approval, you start this -- this eavesdropping between two people who neither of which are consenting, and you -- you listen in, you gain the -- the eavesdropping, what is the procedure and what protections could there be for someone who is the victim of this if they weren't -- if it turns out that they shouldn't have been eavesdropping?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

Within forty-eight hours that electronic criminal surveillance officer must apply for this court order. If it's denied, then that information would not be admissible in -- in court.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Is there a requirement that you go to get that court order after you've first done the eavesdropping?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

It says it must -- you must file an application with the chief judge within forty-eight hours. So you must apply.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

So is it clear then that they cannot use anything that they heard on that eavesdropping, which they -- which they obtained without court order, they could never use that in any proceeding unless they get a subsequent court order that -- that approves it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

That's correct. If the chief judge does not authorize it, it would not be admissible.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Mr. President, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Noland, if I'm using my cell phone and the police are scanning the band with -- that my cell phone or anybody's cell phone is on, what -- do they have to file any documentation with -- with anyone saying that they listened to Senator Welch's cell phone from 2 o'clock to 3 o'clock on the afternoon of February 23rd? Is there any requirement that they file documentation?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

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SENATOR NOLAND:

Senator Welch, this only pertains to an emergency situation. So your cell phone -- your cell call would not apply.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well, if -- if you're saying there's an emergency situation, is this somebody reports a hostage and there is a demand for ransom? Or how do they know it's an emergency situation? Who tips them off? And if the police are tipped off, why can't they immediately call a judge and get preapproval of a -- a search warrant?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

I suppose, Senator Welch, if you were holding me hostage in your car, then I guess that's emergency situation, then we could -- we could then use emergency use of eavesdrop under this provision. We would then have to get a court order within forty-eight hours to allow it. If it was not authorized, it wouldn't be admissible.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

It just seems to me that the -- you know, the police may theorize that there is an emergency situation. They may -- they may see lights on in my house that aren't normally on, and they decide, "Well something must be happening there. All the lights are on in that house. They're usually not there. He's supposed to be somewhere else." Then they listen in to the cell phones. Then -- you know, it seems to me that what this allows is for a fishing expedition by the police that doesn't have to be reported.

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It allows them to listen into individual people's private lives, and if they don't find any crime being committed, nobody knows about it. But if something does, then they can say, "Oh, yeah, we knew something was going on." It just seems to me that -- you know, this is all based on the constitutional requirement that there has to be -- search and seizures have to be reasonable. We're -- we're entitled not to have our homes or what we do searched illegally by the police. That's as -- just as important, the Fourth Amendment, as the Second Amendment, the right to bear arms, or the First Amendment. The right to be free from unreasonable search and seizure is the basis -- one of the major bases for the bill of rights in this country. And to -- to just start chipping away at this -- to me, this is -- this is giving too much power away on the possibility that at some time there may be harm that is avoided. I -- I think the police can find another way to take care of this problem without eroding our constitutional rights.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR HENDON:

Senator Noland, in -- in -- on my computer, in reading the legislation, it says, in an emergency -- this can take place in an emergency situation if a person's life was in danger or that person was in -- at that moment, in a position of being murdered or something. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

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SENATOR NOLAND:

That is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Well, do you think that the police then have time, if you're about to be shot? What is the purpose, that they're going to catch it on tape? Or shouldn't they, in fact, be in the -- through the door, there to save the victim's life?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

Okay. Senator, we have a hostage situation and you're -- you're a -- you're the tactical assault officer and you're out on the street and you're watching this house and you have no idea what's going on inside. Or it may be that -- that the perpetrator is telling you, "Oh, there's no problem in here. Things are fine." But yet, there -- they are causing bodily harm. So this allows for the emergency use of eavesdropping if a probable cause exists. There has to be a probable cause that there's a danger -- imminent danger to that person. It allows, then, a trained electronic surveillance officer to -- to listen, and at the same time, another officer can listen and time is of the essence, if -- so they can hear that -- hear that conversation back and forth and make a knowledgeable decision whether they should -- whether they should go in and put their life -- their police officer's life at risk, or they should hold back and wait for a situation to -- diffuse. So it's a -- there has to be probable cause and it's emergency situation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

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Can't your officer get an oral order from a judge? They don't even need a written order. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

We addressed that some with Senator Cullerton. The problem is, a judge just may not be available. And so if your -- if your wife or if your mother or your daughter is being held hostage and -- are you willing to wait an hour or two or three because that judge just isn't available? So this allows you to go in immediately, if you have probable cause and it's emergency situation. Then if -- once you're in, you must file that application within forty-eight hours. If the judge denies it, it's been -- it's -- you can't use it. And if -- and if the judge accepts it, then you can use that information and maybe you've saved a life. So time is of the essence. We're not trying to get a way around judicial review; we're just trying to make sure we get in and take care of an -- an explosive situation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Can I -- thank you, Mr. President. I don't want to be long, but I had a situation like that with my daughter with a breaking and entering and I did not want the police waiting any time to try to videotape it or get it on their cassette. You want to go in immediately and resolve the situation. In addition, aren't there -- with all of these subcircuits, can't the police go to any judge? Is there only one judge they can go to? Can't they put 'em on speed dial and if one judge is busy or -- or not available, they can hit that speed dial these days and get another judge? Won't any judge do?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is that a question? Senator Noland.

SENATOR NOLAND:

Senator Hendon, it may shock you, but some counties only have one judge, and so if that judge isn't available immediately, you're -- you're -- you're willing to risk -- if you're willing to risk somebody's life to find a -- a judge, I mean, I guess that's fine. But we're wanting to make it available. There is a judge -- yes, there's a judge on call, but it may not be as easy as you're making it sound.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Senator Noland, couldn't it be any judge in that circuit, in -- in your -- in your -- in your area?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

I -- I think the correct answer is, there is -- if there's more than one judge, there's somebody who's designated as being on call, a judge that's on call. So if you have a circuit with five judges or three judges or ten, there's somebody designated "on call".

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'll close by saying this, Senator Noland: I understand what you're trying to do is noble, but some of us live in another reality when it comes to the criminal justice system. I don't know if you saw recently what's happening in Los Angeles, with that particular police department, where the entire police department is -- is -- is -- is under review, where the mayor has set aside one -- over one hundred million dollars to

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settle lawsuits against that police department. I don't know if you've been watching what's going on in Mt. Prospect and in -- in Highland Park, and in Melrose Park, but, believe me, my friend, there are abuses out here, and they are -- it is way too far -- widespread. It makes the good law enforcement officers like Senator Munoz and Dudycz look bad when other officers violate the law in this way and -- and -- in any way. So we should not give them any additional power to abuse the -- the rights of the citizens of this State, which is a very conservative and Republican thought, which is the freedom of the people of this State. So I don't think we should take away any of those freedoms that are guaranteed under the Constitution.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Maybe we ought to read the bill, always a good place to start. Last year we all voted for a bill that was much broader than this. Last year's bill had no requirement that you ever go to a judge. It set out the exceptions in the bill and you didn't have to go to the judge at all if one of those exceptions applied. We all voted for that. This bill is much more narrowly drawn. It wouldn't apply to your cell phone overhear. That would still be illegal under current Illinois law. Only -- excuse me -- only, and I'm going directly to the bill, where there's probable cause to believe that there exists immediate danger of death or serious physical injury -- immediate. No cell phone overhears. No spying into houses. There has to be probable cause, a legal standard. Who makes this determination? Not just any officer on the street can make this determination. You have to be qualified through the program. You have to be a -- a qualified ESOC officer has to be present for this to happen, specially trained. The bill this year, as opposed

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to last year, specifically has to meet the federal requirements of the trained officer, and also the federal law requires that within forty-eight hours, you have to go to the judge, you have to get approval. If you don't get approval, if the judge finds there wasn't probable cause or any other reason for the approval being denied, none of the evidence is admissible. The tapes have to be retained, the tapes have to be presented to the -- to the court, and then afterwards they have to be disclosed to anybody who has been overheard. The problem comes in the following situation: You've got a hostage situation. Who's there to consent? You can't get in to get the hostage to consent, and certainly the person taking the hostage isn't going to consent. And it's immediate danger of death. What do you do? In some of our counties -- and this was my experience: Even though we always had four or five judges and there was always somebody on call, when you call the State's attorney to go get a search warrant or arrest warrant or something, it's always going to take an hour or two, at the very least. What we're talking about is an immediate danger of death or serious bodily harm where there isn't that practical time to get the approval. There may not be a judge readily available. This bill says you've got to have a qualified officer that meets the federal requirements and, contrary to last year's bill, you have to then, within forty-eight hours, go before a judge, turn over all the tapes, get the approval, establish the probable cause. And if you fail to do so, nothing is admissible in court and, furthermore, everything has to be disclosed to the people who've been overheard. I think it's a reasonable approach to a very serious potential problem.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. I rise in support of this bill, but

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I also commend the questions that my colleagues on this side have brought up, the concerns that it would be abusive to the average citizen in the State of Illinois. But, as Senator Hawkinson stated, this bill, if enacted, during this time when there's imminent danger that can occur, if it can save a life, we should all be for it. You can never know when that happens in a situation in the State of Illinois or especially in the City of Chicago, where we have a lot of these problems that do arise. The only thing I can tell you, the experience that I have, and I'm sure Shadid and my other colleague, Senator Dudycz, can tell you, if you're working on the midnights, you're working on a holiday, it's not easy to get ahold of a judge in certain circumstances. And it's not their fault, but if it's 3 or 4 o'clock in the morning, you can't expect a judge to be there. And I would ask for your support on this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. Senator Noland, if it is determined, after the surveillance has taken place and the conversation's been intercepted, that there's no immediate -- immediate danger of -- of death or serious bodily harm but, however, some other crime is being committed, is that -- can that be used?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

No, it could not be used.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

Now where -- where does that exist in -- in the bill, Senator Noland?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

The -- Senator Clayborne, the bill is narrowly drawn to say the judge must -- must -- must think that there is probable cause to believe the situation exists. So it's a -- it's a specific situation and couldn't apply to other -- other instances.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

So, I guess legislative intent is that this only applies in which an emergency -- in -- in a situation where there is an emergency involving immediate danger of death or seriously -- serious bodily harm to an individual. And when they go to apply forty-eight hours afterwards, and if something else has been discovered and -- and there was no -- it turned out that there was no immediate danger of death or seriously {sic} bodily harm, then these records would be permanently sealed, unless the person who was intercepted wanted to file a civil suit against that law enforcement agency?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

Senator, I believe the -- the language and intent's very clear that it's for -- it's for a situation of probable cause where there is immediate danger or {sic} (of) death or serious physical injury to any person. So if -- if we taped Senator Welch on his

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cell phone plotting something with Senator Demuzio, we couldn't do -- we couldn't use that, because it didn't -- it didn't refer to the probable cause of the situation. So Senator Welch would be off the hook in this case.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

And -- and probable cause is being determined by the police officer, in the first instance, in the beginning?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

You're correct. It'd be -- it'd be determined by the police officer but then confirmed, reviewed, by the chief judge. That -- we're not trying to get away -- judicial review; we're just trying to make sure we can react when we need to in a hostage -- hostage situation. Judicial review is still there.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you well know, we're a two-party State. In other words, you need permission of both parties, not just one. We're one of the states where Linda Tripp actually could be prosecuted because she didn't have consent of the other party. So that means we're kind of like protecting rights. We're more stringent than a lot of states are. So now, if I get this right, what this bill does, the current law, after the veto, is basically where if there's emergency circumstances that what we have to do is instead of going to court, because that's a pain in the neck - we have to fill out the affidavit, everything else - all it says is that you have to call a judge. Get a judge on the phone. Now, the only

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thing this bill does -- and -- and then even if you call the judge, I think you have to go to court within forty-eight hours with a petition, just like this bill. So the only thing this takes away is the phone call. That's all this does really. Takes away the phone call. So in other words, instead of a judge deciding whether there's probable cause, reasonable grounds, whatever the standard is, we're going to give it to a police officer. Now, the idea that we go to a judge is very simple: someone independent. That's the only reason we go to a judge. If we're going to let the police or someone that the city or the police pay - no matter how much we train 'em, they're paying 'em - they're not independent. So we're going to take away the independency and leave it to a police officer, and the reason is not because we think it should be that way; the reason is we might not be able to get ahold of a judge. So I think the better way to do this is instead of passing a law saying, well, forget about that independency, forget about going to a judge, maybe we should pass a law making it mandatory that the circuit court have a judge available. Because you can go to any judge; you don't just have to go to the duty judge. You could go to any judge in the circuit and get this permission. So what we're doing is we're saying there was a problem somewhere in Decatur and we could come up with any scenario that paints that we need this emergency status. We need this right away. Life or liberty is at stake. So what we're going to do is, because we couldn't get that judge in that ten minutes, hour, whatever it may be, we're going to change the whole law of the land. We're going to take away the independency; we're going to take away what this State has stood for, for many, many, many years, because there might be an instance - might be, because we know this isn't going to be used very often - there might be an instance where we feel we have to get it fast and there might be an instance that we're going to call these two judges, one judges,

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twenty judges, whatever it is in the circuit, and we're not going to be able to get ahold of anybody and in that thing, here's what we're going to do: We're going to make a police officer in charge. Now, if we do that, that opens up a couple questions and I'll get to the questions. It was stated that we're not trying to get around judicial oversight. Well, right now you have to have judicial oversight before you drop the eavesdropping device. This gets around judicial oversight. The only thing it says is that in two days if you don't get the judge's approval, then you can't use it as evidence. Right now the law is you can't even go in there without judicial oversight. So now we're saying we're going to be able to go in there without judicial oversight. Now, my question is this: If you do not decide to use it in court -- one of the Senators stated that you must turn it over to the person being eavesdropped upon. Now here's the question: I don't see that. The only thing I see in the law, it says that it goes to a judge and a judge impounds it. I think it was Senator Hawkinson or maybe it was yourself, Senator Noland, that says it gets turned over to the person who was eavesdropped. Now, if it gets turned over, say I was the person eavesdropped, me and say Senator -- Senator del Valle, does it automatically come to us, all the tapes? Do we get everything that was gathered if you decide not to use it?

PRESIDING OFFICER: (SENATOR MAITLAND)

Before Senator Noland answers the question, we've been pretty good this morning, Ladies and Gentlemen, let me urge you that if you want to speak to someone else, that you go over and speak to them in somewhat close proximity. Let's not shout across a couple of aisles, if you would, please. Thank you. Senator Noland.

SENATOR NOLAND:

Senator Molaro, you're asking me to respond to a statement I didn't make. I believe Senator Hawkinson made that comment. So,

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I didn't make that statement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

I'll ask you or one of the staffers. Right now, you go in and a police officer -- the police department goes in and they do this eavesdrop without consent of the judge. You gather information. Let's assume, for the sake of argument, the police department wants to keep that information secret, they want to use it further on, so they decide they're not going to use it in a subsequent trial. Therefore, they don't go to a judge for the consent because they're not going to use it as evidence in a trial. Now, Senator Hawkinson, I thought, stated -- and it doesn't really matter what he stated. This is a question of you as the sponsor. The police department decides not to go to the judge. Right now, no where in this State can you eavesdrop without a judge knowing about it. Now we're going to allow people to eavesdrop without a judge knowing about it. They gather information; they decide not to use it. Do I, if they're gathering it -- my conversation with Senator del Valle, do we - sorry to pick on you - do we, then, get this information given to us? Is it by operation of law? Am I going to see the tapes? Am I going to see -- get it? And if it says that, where does it state it and do I have to do anything affirmatively to get it or is it just handed over to me by operation of law?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Noland.

SENATOR NOLAND:

We aren't able to find the Statute. I'd like to cite to you, but I can't find the -- I can't locate it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

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SENATOR MOLARO:

Well, let -- let me say to this, I mean -- you know, I'm not going to ask -- I never ask anybody to take anything out of the record. Each sponsor do what -- does whatever they want to do. But I -- I think it would be -- I think -- and I won't speak for anybody else -- I would like to know what that means, because what we do right now is this: You cannot eavesdrop without a judge's order. We've been standing for that for a hundred and forty years, how long -- long we've been a State. As a matter of fact, we're a two-party State. So we believe in the fact that you have to go get a judge. Now we're coming up and saying, "Hey, you don't have to get a judge." And then I'm saying, well, all right. If then if in two days you decide not to use it and decide -- at least me and del Valle will know that there was a -- there was a nonconsensual overhear. At least we get that. We get to know what we said, who okayed it, what police officer said it was good. When I read the Statute, I would have to file a civil rights action before I'd find this out, and that's not fair. That's not right. So I think we've got to put somewhere in the law that if the police officer decides not to use this information, that myself and del Valle would automatically get what we said, would automatically know what was going on, would automatically be told that there was a nonconsensual overhear. And I think that's only fair, if we're going to take it out of the judge's hands. I don't want it where police officers could willy-nilly go out there and do this, decide not to use it as evidence in a case and, therefore, not have to tell whoever was being heard that they were being heard, without us having to file a civil rights action. So until we get that information, I would urge a No vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

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SENATOR NOLAND:

We've had a great discussion. I am not trying, in any way, to get around judicial oversight. Illinois has some of the most restrictive eavesdropping laws in the nation and we're just making a small incremental change in an emergency situation where there's bodily harm. So if my wife or my daughter is being held hostage, I don't want to take weeks and days and hours to wait for a judge. I'd like to have -- to be able to eavesdrop right now to save the life of one of my loved ones and I think you would too. Please vote Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1409 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 39 Ayes, 17 Nays, 1 Member voting Present. Senate Bill 1409, having received the required constitutional majority, is declared passed. Senate Bill 1411. Senator Watson. Senate Bill 1425. Senator Dudycz. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1425.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1425 is a clean-up bill originally requested by the Chicago Park District. The original language contained two provisions. Number one was deleting language that made it a petty offense for a commissioner to have a pecuniary interest in any contract or work connected with the park interest -- district. This, I was reliably informed, is a

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technical change only since the Public Officer Prohibited Activities Act currently applies to these interests held by local elected officials. The second change would just change the title of the superintendent of employment to the Director of Human Services. And then at the request of the Park District, we added an amendment that would require that the Chicago museums be free to the public at least fifty-two days each year, rather than one day a week for fifty-two weeks. This is -- this gives them the flexibility to adjust their schedule on attendance, much like we gave the Brookfield Zoo similar authority a few years ago.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1425 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1425, having received the required constitutional majority, is declared passed. Senator Dillard, for what purpose do you arise, sir?

SENATOR DILLARD:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR DILLARD:

I just would like to welcome back to Springfield - she is now my congresswoman - a former Majority Leader of the Illinois House, Congresswoman Judy Biggert, right here to my left.

PRESIDING OFFICER: (SENATOR MAITLAND)

Congresswoman, welcome back. Nice to have you here today. Senate Bill 1427. Senator Sullivan. Read the bill, Madam Secretary.

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Senate Bill 1427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1427 simply amends the Emergency Medical Services Systems Act to add one neurosurgeon to the State Trauma Advisory Council. This is a non-salaried position. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1427 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members having voted Present. Senate Bill 1427, having received the required constitutional majority, is declared passed. Senate Bill 1428. Senator del Valle. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1428.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill was requested by the Illinois State Police and it's necessary in order to address a Supreme -- State Supreme Court decision that struck a -- a part of this -- this Statute. What this bill does is that it will treat individuals and business advertising the same, as the Supreme Court said we have to do.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1428 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. Senate Bill 1428, having received the required constitutional majority, is declared passed. Senate Bill 1434. Senator Smith. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1434.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1434 - in cooperation with the Department of Aging or any other appropriate federal, State or local agency, the Department of Health must develop specialized training and experience criteria for individuals who are providing health or home care to victims of Alzheimer's disease or other dementia-related disorders. This is -- approval of the Illinois Alzheimer's Disease Association and also the Department of Public Health. And I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1434 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1434, having received the required

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constitutional majority, is declared passed. Senate Bill 1442.
Senator Cullerton. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1442.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill applies to Cook County and what it would do is to reduce the filing fees, the State filing fees, for appealing a city parking ticket when you want to appeal a parking ticket to the Circuit Court of Cook County. So, right now, you could be contesting a thirty-dollar parking ticket and it costs you as much as two hundred and ten dollars to appeal it. This bill reduces it to twenty-five dollars. So it makes it easier for people who are contesting a parking ticket in Cook County to go to court, if you -- if you wish to appeal a ruling that would be heard at the administrative hearings level. Be happy to answer any questions and urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1442 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1442, having received the required constitutional majority, is declared passed. Top of page 15 is Senate Bill 1451. Senator Radogno. Read the bill, Madam Secretary.

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Senate Bill 1451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. Last year we passed a number of reforms to both the TIF legislation as well as the Industrial Jobs Recovery Act. Those had been negotiated over a long period of time and had all been agreed to. The reporting requirements, however, were inadvertently left out of the Industrial Jobs Recovery Act, and this simply restores those provisions, which we should have included last year. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1451 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1451, having received the required constitutional majority, is declared passed. Senate Bill 1474. Senator O'Daniel. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you -- thank you, Mr. President, Members of the Senate. Senate Bill 1474 amends the Illinois Vehicle Code related to

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school bus emergency exits. What it really does, it delays from June 1 to August 1, 2000, the date by which all school bus emergency exits must be outlined with reflective tape. Last year, Senator Philip and Senator Fawell passed legislation that would -- required by June 1. This extends it till August 1. So I -- attempt to answer any questions. If not, I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1474 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 1474, having received the required constitutional majority, is declared passed. Senate Bill 1477. Senator Mitchell. Out of the record. Senate Bill 1498. Senator Burzynski. Senate Bill 1503. Senator -- Senator Bomke. Read the -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1503.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1503 is nothing more than a shell bill instigated as a result of some problems with the Secretary of State's Office having confiscated motorcycles that have -- allegedly have stolen parts. Motorcycles have been kept months at a time before being returned to the owners, without any charges having been filed. We hope to continue negotiations with the Secretary of State's

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Office, passing this shell bill to the House, and I'm confident we'll be able to consummate an amiable resolution to the concern.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1503 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 1503, having received the required constitutional majority, is declared passed. Senate Bill 1507. Senator Donahue. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1507.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Members of the Committee -- or, Members of the Senate. This piece of legislation does four things. It changes from the Illinois Commission on Community Services, it changes that Commission's name to Illinois Commission on Volunteerism and Community Service. It moves the Commission from the Department of Commerce and Community Affairs to the Department of Human Services, which we think it'll be better placed. Thirdly, it allows the Department of Human Services' Director to appoint the Director of the Commission. And lastly, it allows the commissioners to serve -- the existing commissioners to serve until the new commissioners are appointed, in order to have a continuation. I know of no opposition. It is a -- Lieutenant Governor Wood's proposal and I would ask for your support.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1507 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1507, having received the required constitutional majority, is declared passed. Senate Bill 1511. Senator Robert Madigan. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1511.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1511 is the result of a Department of Insurance ruling that the legislation that we passed last year dealing with the prompt payment of medical bills by insurance companies did not affect group health policies as we intended in that original legislation that was signed into law. Senate Bill 1511 corrects that situation. I know of no opposition to Senate Bill 1511 and would ask for its approval.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there -- discussion? Senator Tom Walsh. I'm sorry, Senator. Your light was on. Is there discussion? If not, the question is, shall Senate Bill 1511 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no

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Nays, no Members voting Present. Senate Bill 1511, having received the required constitutional majority, is declared passed. Senate Bill 1514. Senator Dillard. Out of the record. Senator -- 1524. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Senate Bill 1524 deals with -- as a follow-up to Public Act 91-459, which was Senate Bill 167 last Session. Under that bill, we agreed to convey 1.5 acres from the Department of Human Services to UCP, United Cerebral Palsy Association of Greater Chicago, and additional land to the Village of Tinley Park. And the -- the reason we need this legislation is that the attorneys for the estate of Arthur Rubloff have raised some questions about the language in the original bill, that it may jeopardize the investment that that estate wishes to make in the development of this property for the United Cerebral Palsy Association. I'd be happy to answer any questions you may have, but needless to say, this is language that has been suggested by the Arthur Rubloff family, or the estate of Arthur Rubloff. And we would seek your support, but happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 1524 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting

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Present. Senate Bill 1524, having received the required constitutional majority, is declared passed. Senate Bill 1533. Senator Parker. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1533.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A recent Second District case drew into question the ability of parties to a custody case to present their own opinion witnesses to contest the opinion of the court-appointed expert on the issue of custody. What Senate Bill 1533 does is provide that in a proceeding for custody, visitation, or removal of a child from Illinois, a party may file a motion requesting and the court may order an evaluation concerning the best interest of the child as it relates to custody, visitation, or removal. I would request a favorable vote and answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1533 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1533, having received the required constitutional majority, is declared passed. Senate Bill 1537. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1537.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much, Mr. President. One of the better things we've done here in the Senate and -- for the State of Illinois is the College Illinois! program administered by the Illinois Student Assistance Commission which allows for -- prepaid tuition benefits for our young people. It's been an excellent program. It's exceeded all the expectations of the -- of the Student Assistance Commission and it's very well -- well done. This provides some changes to that program, and it would exempt the Illinois Prepaid Tuition Program from the sunset provision of the Illinois Income Tax Act and it provides that an Illinois prepaid tuition contract shall be considered an investment, which was authorized by the General Assembly. And the Illinois Student Assistance Commission states that statutorily defining a prepaid tuition contract as an investment will allow a ward -- a ward's money - a ward, like a ward of the State - money received through a suit, estate, whatever, to be invested in a prepaid tuition program. Currently, they do not have that benefit and this allows that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1537 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, 1 Nay, no Members voting Present. Senate Bill 1537, having received the required constitutional majority, is declared passed. Senate Bill 1538. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 1538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much, Mr. President. This is another piece of legislation dealing with the Illinois Student Assistance Commission. This increases the maximum Monetary Award Program grant for a full-time undergraduate student to four thousand seven hundred and forty dollars. This is an increase of about two hundred and ten dollars over last year, or 4.6 percent. And it also increases for part-time undergraduate students to two thousand three hundred and seventy dollars, which is an increase of roughly half of what the full-time student would be, and that's a hundred and five dollars. This is in the Governor's budget and I'd ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah, question -- couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Senator Watson, inasmuch as this is related to the budget, do you know what happens if, for example, you raise the grant and we, in our wisdom sometime later in the Session, don't appropriate the same level the Governor anticipated?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Fewer students would be eligible.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's my understanding that -- today that the Consumer Price Index over the last year or year and a half has been about 1.6 percent. These increases are between 4.4 and 4.8 percent. Do you -- is there any special reason we need to be driving MAP grants faster than the rate of inflation? Some people even argue that that's a -- an enticement for universities to raise tuitions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Well, I would obviously think this is not an enticement to raise tuition, and I know that there are some universities who have maybe raised their tuition fees greater than the Consumer Price Index. And obviously, private schools in this State, in many cases, their tuition is considerably higher than what it would be at a public university. So those benefits would be made available to them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Watson, do you think there's any truth to the analysis that what -- what ISAC does is essentially takes their gross appropriation and divides the potential scholarship applicants into it to come up with their grant? I mean, is this -- is this basically, this -- this monetary award number, is that a derivative number based on an appropriation assumption?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

This is the Board of Higher Education policy established by

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its Committee to Study Affordability. The Monetary Award Program maximum award should increase annually at a rate that is consistent with reasonable increases in student tuition and fees. In making its annual recommendation for the maximum award, the -- the Board of Higher Education should consider public and private tuition and fee increases, trends in institutional costs, and factors associated with students' ability to pay.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah, I -- I think that you answered my question. I -- I think it's a derivation number and I guess you know that I've been frustrated for years that this is not an approp bill because it materially affects what we can do in higher education once we pass the substantive action. So I guess one of two things I would -- I would suggest is, perhaps the sponsor might consider taking this out of the record and request an extended deadline until we're sure what we're doing on the approp side, or otherwise I -- I thought maybe we could send Higher Education a message that maybe their -- their MAP program ought to be more broadly discussed with us, rather than an appropriation derivative, and maybe people ought to vote Present or No. But, I mean, that's certainly up to the sponsor and I respect his intentions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

My intentions are to proceed with the legislation, and if there's no other questions, I'll be glad to close.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Lightford.

SENATOR LIGHTFORD:

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

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I rise in support of this legislation. It's a mere increase that will help many individuals with the cost of living of education increases and family member involvement as well. And I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR WATSON:

Yes, thank you, Mr. President. Well, I understand the -- the frustrations and the concern of our esteemed Chairman of the Appropriations Committee, but it seems as though everything we do -- around here has something to do with appropriations. Anything that we pass generally impacts the budget in some way or another. This is just another one of those measures. But it does help young people, and I appreciate Senator Lightford's comments in regard to this legislation because it's helping those people -- young people, who really are needing the help, and that's -- that's what this is all about. Appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 1538 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, 3 Nays, no Members voting Present. Senate Bill 1538, having received the required constitutional majority, is declared passed. Bottom of page 15 is Senate Bill 1555. Senator Munoz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1555.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President and Members of the Senate. This bill requires the Department of Public Health to prepare and publish the summary of advance directives law in Illinois that is required by the federal Patient Self-Determination Act. Requires the Department to adopt and publish in Spanish the summary in various statutory advance directive forms. Permits publication to be limited to the World Wide Web. It also permits the Department to contract for the preparation and publication of the materials. Proponents of the bill are the Department of Public Health, of course, and the Illinois State Med Society. There's no known opposition at this time. I will attempt to answer any questions, if any.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1555 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 1555, having received the required constitutional majority, is declared passed. Top of page 16 is Senate Bill 1559. Senator O'Malley. Read the bill, Madam -- Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1559.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Senate Bill 1559 is legislation

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that would permit school districts, under very limited circumstances and with very narrow scope, to make transfers from the Tort Immunity Fund and the Transportation Fund to another fund, where certain circumstances are met. And those circumstances would limit it to -- to a Cook County school district having a population base of fifty thousand -- fifty thousand persons or less, where seventy-five percent or more of the property tax base is residential, and where the -- where they have issued tax anticipation warrants within the last three years, at least one time. I'll be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Senator O'Malley, is there any provision in this bill to -- to allow repayment of that transfer?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

There is not a requirement or a mandate, but it would permit it if -- it would allow it, but that would be up to the local school board to make that decision.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Just real briefly. Do you think it'd be a better bill if there was some provision stating that -- it -- it seems to me it'd

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be more palatable to -- to some, maybe on our side of the aisle even, if there is some system to -- to ensure that this money is repaid to the fund.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Jacobs, I would certainly -- should we be able to have the support we had last spring where forty-eight of us supported this concept in a broader presentation and sent it to the House, if that were to happen, I would certainly recommend it to the House sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Madigan.

SENATOR L. MADIGAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Madigan.

SENATOR L. MADIGAN:

Senator O'Malley, you indicated when you were describing the bill that this would apply to school districts, but I believe that during the Education Committee debate on this, that you indicated that it actually had been drafted because there was a specific problem that this dealt with. Can you tell us what that problem was?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Madigan, the -- the school district that I know of that would be impacted by this is School District 118, which is my home elementary school district. Our elementary school district has widely discussed this particular issue and I believe, based as a resident of the district and a voter and somebody who has

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participated in discussions with school board members and people within our community, that this is a consensus about what they want to do with their own resources.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR L. MADIGAN:

I think it was also my understanding that you had described to us a situation where you were unable to pass a referendum in your -- in that district?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

I believe what you mean, Senator, is that the -- that the school district was unable to pass a referendum and that's true. And -- and part of the discussion that they had in the process of -- of considering the referendum, one of the issues that came up, was the -- was the amount of resources available in the other funds, and what they intended to do was consider abating those dollars back should the referendum pass. And, of course, the voters' attitude was we would prefer -- I think the consensus of the voters in the district - this is my interpretation of what occurred - was that -- that -- that they would prefer to see something like this done so they knew that this was going to happen, rather than have a tax increase through the referendum.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR L. MADIGAN:

Under the School Code currently, there are provisions that allow a transfer from the Tort Immunity Fund in certain circumstances. Is there a reason that the district cannot avail itself of one of those provisions?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator O'Malley.

SENATOR O'MALLEY:

I have to tell you, Senator, that I don't know the specific details. Had I known you were going to ask that question, I'd certainly have been prepared to respond to it. And I can certainly get that answer to you more specifically. In fact, that legislation is legislation that I personally worked on before.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR L. MADIGAN:

In terms of the Section, I believe it is 105 ILCS 5/17-2C -- and let me ask you a few more questions. Are you aware of any other school district that this would apply to?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Madigan, I'm not aware of another school district that would be -- find itself in a position to take advantage of this. So that is correct. I -- I don't know of one. I also don't know that -- that -- for sure, that no others would be able to take advantage of it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR L. MADIGAN:

Thank you, Senator O'Malley. I guess I would like to indicate that there are a number of concerns that I have regarding this bill. Arguably, this is special legislation, in that it is intended only to apply to Palos District 118, although there may be others -- other districts that it would apply to. And, as I indicated, the School Code does currently provide for these situations, when there's a financially distressed district, to actually transfer money from the Tort Immunity Fund. And last

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year, the Senate unanimously passed Senate Bill 941, which allows for the use of Tort Immunity funds and that this bill would actually run counter to our intent when we passed that bill. Also, if there is a circumstance where the district would need that money in the Tort Immunity Fund, as Senator Jacobs has pointed out, because there is no provision to replace that money, there is a concern about how the district would handle that because it would apparently have difficulty in replacing those monies. And finally, the concern of -- the passage of this bill presents is that it opens the door for school districts throughout the State of Illinois to come to the Legislature seeking individual special legislation, which I believe to be bad public policy. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President. Here we go again. One piece of special legislation for one school district in Illinois. It seems to me that we've got enough problems with the School Aid Formula as it is. It seems to me if we're going to be making public policy with respect to school districts, it ought to be for all school districts in Illinois and not for one school district, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR O'MALLEY:

Thank you, Madam President. Just very briefly, this is not special legislation. Is one school district probably going to be able to take advantage of it? Will others be able to? I don't know the answer to the second question; I do know the answer to the first question, and that is the consensus of the people within

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my own elementary school district and -- and the voters who have widely debated this issue. This is what they would like to see. This is what the local school board would like to see. And it's up to the local school board to make that decision by action of the school board. And we're not, with this action, looking to our -- to -- to the State to do things for us. And as for special legislation, one of the pieces of legislation that we worked the hardest on down here was the Chicago school reform package of 1995. And one of the key ingredients of that was collapsing funds and allowing the -- the Chicago public school system to more wisely use its resources. That took local leadership and that local leadership is held accountable for what they do with those resources. There's no difference here, Ladies and Gentlemen. I would seek your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 1559 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 23 Nays, 2 voting Present. Senate Bill 1559, having received the required constitutional majority, is declared passed. A verification has been requested. Will all Senators please be in their seats? And will -- the Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Dillard, Donahue, Dudycz, Geo-Karis, Hawkinson, Jacobs, Wendell Jones, Karpel, Lauzen, Luechtefeld, Robert Madigan, Mahar, Maitland, Munoz, Myers, Noland, O'Daniel, O'Malley, Parker, Peterson, Petka, Radogno, Rauschenberger, Roskam, Sieben, Syverson, Tom Walsh, Watson, Weaver and Mr. President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, do you question the presence of any Member?

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SENATOR DEMUZIO:

Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin. Senator Cronin. Strike his name.

SENATOR DEMUZIO:

Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson is in Senator Maitland's chair.

SENATOR DEMUZIO:

Senator Munoz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Munoz. Strike his name. Senator Cronin has just walked on the Floor.

SENATOR DEMUZIO:

Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Yes, please restore Senator Cronin to the roll call.

SENATOR DEMUZIO:

Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland. Senator Maitland. Strike his name.

SENATOR DEMUZIO:

Senator Silverstein.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator who?

SENATOR DEMUZIO:

Well, Silverstein. I think that's what we call him here.

PRESIDING OFFICER: (SENATOR DONAHUE)

I don't believe Senator Silverstein is on the affirmative...

SENATOR DEMUZIO:

All right. Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

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...roll call. Senator Dillard is back here in the back of the Chamber, Senator Demuzio. Is that it, Senator Demuzio? On an affirmative...

SENATOR DEMUZIO:

Senator Jones on the Floor?

PRESIDING OFFICER: (SENATOR DONAHUE)

On a verified roll call, the Ayes are 30, the Nays are 23, 2 Present. Senate Bill -- and the bill, having received a constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Commerce and Industry - House Bill 3260; to the Committee on Education - Senate Amendment 1 to Senate Bill 1446, Amendment 2 {sic} (1) to Senate Bill 1447, Amendment 1 to Senate Bill 1888; to the Committee on Environment and Energy - Senate Amendment 1 to Senate Bill 1288, Amendment 2 to Senate Bill 1391, Amendment 2 to Senate Bill 1653; to the Committee on Executive - Senate Amendment 2 to Senate Bill 807, Amendment 2 to Senate Bill -- 1281, Amendment 1 to Senate Bill -- 1338, Amendment 1 to Senate Bill 1388, Amendment 1 to Senate Bill 1613, Amendment 1 to Senate Bill 1672, Amendment 1 to Senate Bill 1680, Amendment 1 to Senate Bill 1852, Amendment 2 to Senate Bill 1923, House Bill 135, House Joint Resolution 40 and Senate Resolution 296; to the Committee on Financial Institutions - Senate Amendment 6 to Senate Bill 1275; to the Committee on Judiciary - Senate Amendment 2 to House -- or, to Senate Bill 1231, Amendment 1 to Senate Bill 1382, Amendment 2 to Senate Bill 1540, Amendment 2 to Senate Bill 1567, House Bill 477 and House Bill 478; to the Committee on Licensed Activities - Senate Amendment 2 to Senate Bill 1339; to the Committee on Local Government - Senate Amendment 1 to Senate Bill 1302, Amendment 2 to Senate Bill 1513, Amendments 1 and 2 to Senate Bill 1550,

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Amendment 3 to Senate Bill 1577, and House Bill 390; to the Committee on Public Health and Welfare - House Bill 486, Senate Joint Resolution 53 and Senate Resolution 273; to the Committee on Revenue - House Bills 1324 and 1991; to the Committee on State Government Operations - Senate Amendments 1 and 2 to Senate Bill 1841; to the Committee on Transportation - Senate Amendment 2 to Senate Bill 1393, Amendment 2 to Senate Bill 1588, Senate Resolution 295; and Be Approved for Consideration - Senate Amendment 2 to Senate Bill 334, Amendment 2 to Senate Bill 742, Amendment 1 to Senate Bill 1276, Amendment 3 to Senate Bill 1439, Amendment 1 to Senate Bill 1440, Amendment 1 to Senate Bill 1477, Amendment 1 to Senate Bill 1504, Amendment 2 to Senate Bill 1510, Amendment 1 to Senate Bill 1541, Amendment 2 to Senate Bill 1626, Amendment 2 to Senate Bill 1642, Amendment 2 to Senate Bill 1658, Amendment 1 to Senate Bill -- or, 1674, Amendment 2 to Senate Bill 1733 and Amendment 2 to Senate Bill 1844.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. We will continue with Senate Bill 1571. Senator Petka. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1571.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President and Members of the Senate. Senate Bill 1571 would amend the Illinois Municipal Code to provide that elected officials, such as mayors, aldermen, trustees and commissioners of municipalities, shall not -- be deemed to be peace officers, police officers or law enforcement officers and, thus, would not enjoy an exemption that is currently enjoyed under

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the unlawful use of a weapon section found under the Criminal Code. It just -- it seems to me, during my research dealing with firearms, over the Christmas holidays, it came to my attention that this -- this exemption existed. It appears that there is no good reason for this exemption. Ordinary citizens who've become elected officials should not, by reason of the fact that they have been -- been made an elected official, have rights and privileges and immunities different from ordinary citizens. And I urge the adoption of this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Senator Petka, can you identify anybody that would have this exemption? Is there -- is this being granted now to any particular group and could you tell us who that might be?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

It -- it -- it currently belongs to any mayor, any alderman, any trustee of any municipality in the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Watson.

SENATOR WATSON:

Would you be more specific in what alderman or mayor, or the -- the exemptions -- would you be specific in your response, maybe as to one particular community that has granted this exemption?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

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SENATOR PETKA:

Senator, I would not be speaking from personal knowledge, only from hearsay, that a -- a city located in a county of more than five million people.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Senator Petka, I was called outside when your bill was first called, so I didn't hear exactly what it did. But am I to assume that this bill removed the -- take the police powers from aldermans or mayors or something of that nature?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator, that -- that is not true. They would still maintain police powers; however, they would not be able to exercise those police powers by enjoying the exemption that they currently have under the -- under unlawful use of a weapon section.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

And -- and this is just from -- informational. In smaller communities where sometime the mayors act as chief of police, what happens in those cases?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator, they have the opportunity, if they choose, to

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exercise the same rights as any citizen of the State in a so-called citizen's arrest.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Am I to understand that the small communities where now the mayor acts as, basically, the chief of police, they would have to go out and hire a chief of police?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

If -- Senator, directly to answer your question, if there -- the person is a peace officer and has gone through the requisite firearm training, he is in a -- has a different status than a person who is an elected official who is not a peace officer other than by virtue of the exemption that we granted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

The -- the -- what does this -- let me -- let me ask this question: What does this do to those mayors that have served as chief of police and went on to become the mayor? What does this legislation do -- do to them?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

If they no longer are police chiefs, if they no longer are a law enforcement officer in this State, what this bill does is, would place that mayor in the same position as any other citizen of the State. In other words, he would have the power to arrest, but he would not have the power to arrest while armed.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Shaw.

SENATOR SHAW:

But the -- the fact is that -- and let me understand this. This former chief of police came up through the ranks, have been through all of the training and now he decides to -- he or she decides to run for mayor, and because of the fact that they are elected the mayor, notwithstanding the training that they've had, they would just become an ordinary citizen and would not have any -- you're taking the exemption away from 'em?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

You are correct. That is exactly what the bill does and that's exactly what the bill is designed to do.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

I don't want to -- I don't want to prolong this, but in the small communities around Illinois, what is that going to do for small towns where these mayors act as police chiefs in some cases?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator, they can be -- if they want to be a mayor and they want to be the police chief, they will exercise their power as police chiefs and as a mayor. But if they are exercising their power as a peace officer solely because they were elected as either a mayor or commissioner or trustee or alderman, then they will not be able to carry a firearm in the execution of their duties. They will still have the requisite power to effectuate arrests, but they cannot do it by -- while armed.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Shaw.

SENATOR SHAW:

My final question, I guess, is that even though that you have been through the training as a police chief, a police officer rising through the ranks, you've been through all of the things that a police officer had gone through, and now just because you are the mayor -- well, let's take Senator Dudycz for an example. He's a trained police officer. He gets himself elected mayor and -- and are you telling us that people in his shoes can -- would not be authorized to carry a firearm?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

For the third time, I'm telling you that's exactly what the bill does. When Senator Dudycz retires honorably from the Chicago police force, he's not going to be able to carry a firearm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the Senator yield for a -- couple questions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Number one, just procedurally, Senator, this does preempt home rule. We'll need thirty-six votes, is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is that -- that should be directed at me, Senator Jacobs. Pursuant to subsection (h) of the -- Section 6 of Article VII of the Illinois Constitution, this bill preempts home rule reserved -- reserving to the State the exclusive power to regulate in this area. Therefore, the bill requires thirty votes for passage.

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Senator Jacobs.

SENATOR JACOBS:

Just to -- to the bill then, 'cause I want to make sure I vote right on this, Senator. If I vote Yes on this bill, is that going to be counted as a vote against right to carry?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator, it is not a right-to-carry piece of legislation. It is an exemption from the current Statute dealing with certain elected officials enjoying a protected status that, in my opinion, is unwarranted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Just -- in closing, just a comment, I guess, or a question, whichever way you want to look at it. Isn't this, then, the first erosion of the attempt to get right to carry?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

The -- the first erosion, Senator, to use your phraseology, started a long, long time ago.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. I believe most of my questions have been answered. The main question I had was, this does include the Chicago aldermen and Mayor. They will not be able to carry a gun. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

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SENATOR PETKA:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank...

PRESIDING OFFICER: (SENATOR DONAHUE)

Oh. Sorry, Senator Shadid, just put your light on. Senator Shadid.

SENATOR SHADID:

I just had a statement to make. As a former policeman and sheriff, for about forty years, about four years ago or so I put a bill in to allow retired policemen to be able to carry a gun with the proper annual training. That never even got out of committee. So I fully support your bill. They have no business carrying guns. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro. Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President and Members of the General Assembly. I rise in support of the "2000 legislative gun control agenda" by Senator Petka. But in all seriousness, I -- I don't know why Senator Watson was -- was toying - let's -- let's tell it like it is - and Senator Shadid helped us out. This will definitely stop Chicago aldermen and the Mayor of the City of Chicago from carrying guns. I think that anybody, whether it be this side of the aisle, that side of the aisle -- we were voting and we -- and we got caught on whether or not if you carry a gun on your person, we were caught on whether it should be a misdemeanor or a felony, but everybody in the Chamber agreed it should be a crime. Now, one of the calls of the people who were against this in my district, the calls I would get would be to

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say, "However, Senator, if I'm afraid, I need a gun with me. I don't want it to be a crime. I want to be able to carry a gun." Well, all of a sudden, it says, well, unfortunately, if you don't have the adequate training, if you're not a sworn peace officer, you don't get to carry it. Now when Senator Petka put this bill in, I was actually amazed because I actually thought that we voted to stop Chicago aldermen in Chicago and the Mayor of Chicago from carrying guns about six, seven years ago. I didn't realize it was still on the books that would allow an untrained -- or, a person who was elected to go vote city ordinances, that with that election, you get to carry a gun and you're not even trained to carry this gun. That makes no sense. I think it would be disingenuous on our part to say that ordinary citizens who have fears, it would be a crime for them to carry a gun, but it's not a crime for Chicago untrained aldermen to carry a gun. So I think it's high time - we should have did this six years ago - that we should state right here and now that a Chicago alderman and the Mayor of the City of Chicago, if they're not trained, if they're not peace officers, should not be allowed to carry a gun. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. I -- I guess I need a little bit of clarification from the sponsor on -- on the current law versus what he's proposing. Currently, we do know that the City Council in Chicago, I don't know about any other city council, but in Chicago, they allowed -- they gave themselves permission to carry weapons all the time, for themselves and the Mayor. I doubt whether the Mayor carries a gun. I don't think he needs it. He has -- he has armed police officers with him all the time. I don't know of any alderman that does carry a gun off duty, but then,

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maybe my -- maybe my alderman's the only one that doesn't, because he's my alderman. I don't know, but -- but, Senator Petka, what -- what requirement, if any, is there -- we know that Senator Munoz and myself and other law enforcement officers in the State of Illinois, we are required to go through training, firearms training, annually, Chapter 38, or the -- the current chapter -- laws of the State, regarding, you know, search and seizure and all these other matters. What requirements are put upon the aldermen? By the way, this is not just aldermen of Chicago. It's my understanding that -- that -- my analysis says that the Illinois Municipal League opposes this legislation and they represent all the municipalities, not just the City of Chicago. So if they oppose it, then maybe all the aldermen, all the city council members and maybe all the mayors in the State are carrying guns. We don't know. But what requirements are they -- are they being put through right now so they can carry weapons?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Senator. In my research, I was able to uncover that there is a minimal amount on training for them in connection with being peace officers per se, understanding the difference between when they may arrest and may not arrest. In terms of firearms training, the -- the Statute that authorizes them to be peace officers is devoid of any language. So I -- I believe that they are not required to have this training.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Well, do you know whether there are any city council members in any city council in the State that are required to go through any training? Are you aware of any?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

I'll answer that in -- in two ways. First of all, in terms of those who -- who choose to, under current law, be -- be described as conservators of the peace, there is a training program. It's a nominal training program that they're -- they should go to. In terms of them being armed, there is -- there is no program that I'm aware of that they are required to undergo.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Well, thank you, Madam President. I stand in support of this legislation. Up until the time that -- that the city council members of the city councils in our State and the mayors are required to go through the same training of gun training and other training that other law -- other peace officers in our State undergo, until that time comes where they are required to go through that, I don't think they should be authorized to carry a -- a handgun or any type of weapon. They should be treated just as equally as every other citizen in our State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Mitchell.

SENATOR MITCHELL:

Yes, Madam President. I would like to report I'll have a conflict of interest on this matter and will be voting my conscience.

PRESIDING OFFICER: (SENATOR DONAHUE)

Be so noted. Further discussion? Further discussion? Seeing none, Senator Petka, to close.

SENATOR PETKA:

Thank you, Madam President and Members of the Senate. I -- I

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certainly do appreciate the -- the questions. I appreciate the comments of support in connection with this legislation. Very candidly, it -- it's a piece of legislation which slipped through the cracks a number of years back. And at one time, there may have been a very humane reason for having this type of an exemption, but currently I see no rational reason why a distinction should be made between ordinary citizens and individuals who are -- who are elected to serve those ordinary citizens. So for that reason, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Yes, Madam President. I might have a conflict of interest, being a mayor, but certainly I plan to vote my conscience.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate pass Senate Bill 1571. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 2 voting Present. Senate Bill 1571, having received the required constitutional majority, is declared passed. Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

Thank you, Madam President. Purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your...

SENATOR HAWKINSON:

On -- on your desk, Members of the Judiciary will -- will note that the Judiciary Committee is meeting at 3:15 p.m. or immediately upon adjournment, if it's later than that, in Room 400.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Weaver, for what purpose do you seek recognition?

SENATOR WEAVER:

The same thing, Madam President. Tomorrow's schedule for committees will begin at 8 o'clock. I think you've just received a notice: Commerce and Industry at 8 o'clock, Financial Institutions and Licensed Activities; 8:30, Public Health and Welfare and Local Government; 9 o'clock, Education, Environment and Energy and Transportation; and at 9:30, Executive, Revenue and State Government. And the Session will begin at 10:30.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further questions? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I rise for purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR RAUSCHENBERGER:

I'd like to urge the Members -- the hardworking Members of the Senate Appropriation Committee to make their way as quickly as possible to Room 212 following Session. We have the entire agenda from Tuesday to try to work our way through. We're going to begin with the Department of Human Services followed by the Department of Corrections. I'd appreciate everybody's cooperation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Don't anybody go anywhere. We're just making these announcements so you can plan for future need. So it's about 3:00. We're still going to continue to work here. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Just on a point of personal privilege. On Senate Bill 1571, I had failed to vote. I was meaning to press the Yes button. I pressed the speak button instead.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Madam President. Public Health and Welfare will not meet tomorrow - will not meet. We have no work to do, so no need to meet.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. Next on our Calendar is Senator O'Malley with Senate Bill 1577. Out of the record. Senator Judith Myers and Senate Bill 1582. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1582.

(Secretary reads title of bill)

3rd Reading of the bill.

SENATOR MYERS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This bill amends the Counties Code in regard to recording fees. And it authorizes the county board of any county which maintains a countywide map by means of a GIS, or a Geographic Information System, to provide for an additional charge of three dollars for filing every instrument, paper, or notice in the recorder's office. Such charge shall be deposited into a special fund to defray the cost of maintaining the GIS system and be used solely to provide equipment, materials and necessary expenses incurred. This is a good bill, in that it does help the assessing process to be as accurate as could be and the recording information as accurate as possible. It also is a help to the users of a 9-1-1 system. So I would be happy to answer any questions. Would ask that you favorably consider this legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Jacobs.

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SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I just stand in strong support of this legislation. It -- it's something that's long overdue. We have parcels that are on the books that -- that have been overlooked for years. This is a way to make sure that they get on the books and that they're taxed properly, and I just ask everyone for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Madam President and Members of the Senate. I, too, stand in support of this bill. I think Senator Myers has done a good job of putting this piece of legislation together. She's done a good job of implementing the fee structure, and knowing that she has dealt with a lot of the issues that Senator Jacobs had in his previous legislation, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR MYERS:

I would like to thank my hyphenated cosponsor, Senator Jacobs, who did a lot of work on this bill and appreciate the support just expressed, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall Senate Bill 1582 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. Senate Bill 1582, having received the required constitutional majority, is declared passed. Senator Sullivan, on Senate Bill 1586. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1586.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1586 deals -- Senate Bill 1586 deals with the Unclaimed Property Act and it states that if the State Treasurer, who oversees unclaimed property, comes upon a firearm, she will turn that over to the Illinois State Police if the owner cannot be located or if the owner may not lawfully possess that firearm. And then it further stipulates that the State Police can keep that gun if it was used in a crime, for laboratory use, or they can turn it over to the State Museum if it has historical value, or they can destroy the firearm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1586 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1586, having received the required constitutional majority, is declared passed. Senator Shaw, on Senate Bill 1591. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1591.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

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Thank you, Madam President. This is -- this makes technical changes in the -- in the -- in the Revisory Act. And this is -- this is offered by the -- by the LRB, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1591 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1591, having received the required constitutional majority, is declared passed. Senator Shaw, on Senate Bill 1592. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1592.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Thank you, again. This does the same thing as the previous bill. It just makes technical changes and -- and combines certain Statutes where that it would make it easier for -- to deal with the Compiled Statutes, and I ask -- I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito, for what...

SENATOR VIVERITO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR VIVERITO:

I'd like to introduce a very dear friend of all of ours. Arline Fantin, past Representative for many years, doing a great

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job with the Assessor's Office. Arline Fantin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Representative, welcome. Nice to have you in Springfield. Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1592 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1592, having received the required constitutional majority, is declared passed. Senator Lightford, on Senate Bill 1609. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1609.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Members of the Senate. Senate Bill 1609 amends the Emergency Medical Services System(s) Act regarding smoking. This bill prohibits any emergency medical services personnel, patient, or person accompanying a patient in a emergency vehicle from smoking in the vehicle. It also permits the Department of Public Health to levy a fine of one hundred dollars against the individual who violates this Act.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there...

SENATOR LIGHTFORD:

No problem. I know of no opponents. I request a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Geo-Karis. Is there any

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discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1609 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1609, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Madam President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR GEO-KARIS:

We are honored to have with us, studying the Senate today, the daughter-in-law of Pat -- Senator Patrick O'Malley, namely, Elizabeth O'Malley, who's right behind us. We'd like you to welcome her here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome, Nadine {sic}. Welcome to Springfield. Senator Jacobs, on Senate Bill 1617. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1617 requires automobile insurance policies issued or renewed after the effective date of this Act to include coverage for the replacement of a child restraint system that was in use by a child during an accident to which coverage is

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applicable. This bill is endorsed by all the insurance groups, as well as the American Academy of Pediatrics, Voice for Illinois Children, Citizens Action. I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 1617 pass. Those in favor will vote Aye. Opposed, No. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1617, having received the required constitutional majority, is declared passed. Senator Judy Myers, on Senate Bill 1634. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1634.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers.

SENATOR MYERS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill amends the Family -- Illinois Family Farmer Support Act to require the Cooperative Development Board to inform farmers interested in creating cooperatives of the existence of the State Treasurer's low-interest agricultural loan financing program. It's just another effort to help the farm community in these times which are so difficult for them. So I would be happy to answer questions and would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 1634 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. Senate Bill 1634, having received the required constitutional majority, is declared passed. Senator Noland, on Senate Bill 1638. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1638.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers -- or, Senator Noland. Excuse me.

SENATOR NOLAND:

I've been called Senator Sieben, but never Myers. Senate Bill 1638 is in response to the difficulties we've had with our State Distribution Unit, with child support. Because of delays and the lack of payment of child support, some people have had their credit ratings adversely affected. This would require the Department of Public Aid, upon request, to submit a letter to the recipient who could place in the file of a credit reporting agency detailing difficulties they had receiving child support payments and why -- and how it impacted their credit reporting -- credit rating.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Noland, recently you had a resolution that commanded these various interest groups and companies to have some compassion with respect to these people on child support. Can you report to us how successful that resolution has been?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

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I can only respond to Illinois Power Company, in my district, that did show compassion. I cannot -- I cannot state how -- the results from other companies.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, there's a State law requiring you can't somebody -- shut somebody off in the wintertime. Any -- any other suggestions as to how you -- your -- your resolution may have -- may have helped and the need for this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

With all due respect, Senator, this is Senate Bill 1638, and you're referring to a resolution I passed last Session? That's what your question's in reference to, a past resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio. Are...

SENATOR NOLAND:

The resolution from last year was -- was extremely successful.

PRESIDING OFFICER: (SENATOR DONAHUE)

We're talking about Senate Bill 1638, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Do you have any idea how successful?

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR NOLAND:

Thank you for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall Senate Bill 1638 pass. Those in favor will

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vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1638, having received the required constitutional majority, is declared passed. Senator Smith, do you wish to have this bill recalled to the Order of 2nd Reading? On the Order... Senator Smith seeks leave of the Body to return Senate Bill 1642 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 1642. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith, on Amendment No. 2.

SENATOR SMITH:

...you. Thank you. The amendment is the recommendation of the Department of Public Health. According to the Department, they can include information about this Act in existing reports.

PRESIDING OFFICER: (SENATOR DONAHUE)

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?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Maitland, on Senate Bill 1646. Senator Maitland? Out of the record. Senator Rauschenberger, on Senate Bill 1648? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1648.

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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, Ladies and Gentlemen of the Senate. This bill reauthorizes the transfer of Road funds to the Illinois EPA to pay for the vehicle -- enhanced Vehicle Inspection Program in the testing stations in the non-attainment areas throughout the State of Illinois. It also includes a five-year sunset so that we can revisit this issue as the quality of our air continues to be forefront in our mind.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 1648 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1648, having received the required constitutional majority, is declared passed. Senator Watson, on Senate Bill 1650. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1650.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. Senate Bill 1650 does exactly what the Calendar says. It comes to us from the Department of Agriculture in regard to an audit finding that they've had over the last several years, and this just corrects --

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puts into language the correction that's needed. And it amends the Illinois Fertilizer Act of 1961 to provide that monies appropriated from the Fertilizer Control Fund for the Fertilizer Research and Education Program may be used for council expenses, peer review and contracts, and it deletes a provision that those monies may be used for grants, and provides that the Department of Agriculture shall receive three percent of the annual amount deposited in the Fund.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1650 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 1650, having received the required constitutional majority, is declared passed. Top of page 17, in the Order of Senate Bills 3rd Reading, is Senate Bill 1652. Senator Donahue. Senator Petka, what purpose do you rise?

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PETKA:

In the Chambers, at this time, on the Republican side, standing next to -- or, to Senator Roskam, is the Congressman from the 11th Congressional District, former State Representative Jerry Weller. Like to welcome...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome -- welcome to the Senate, Congressman Weller. Top of page 17, in the Order of Senate Bills 3rd Reading, is Senate Bill 1652. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

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Senate Bill 1652.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. Members of the Senate, Senate Bill 1652 does one thing, basically. If you remember, back in 1998 we changed our Procurement Code and we allowed contracts to be entered into for ten years. Right now, under State law, the State Employees Group Insurance Act actually limits CMS to contracting for periods of no more than five years. So what we are doing with this bill is to allow CMS to enter into contracts for no more than ten years. I know of really no opposition to this, feel that it could be very beneficial in many ways, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all -- the question is, shall Senate Bill 1652 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 1652, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, Lisa Madigan, do you wish to recall Senate Bill -- oh! It's Robert Madigan. Excuse me. Senator Robert Madigan. Do you wish to have -- Senator Madigan seeks leave of the Body to return Senate Bill 1658 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1658. Mr. Secretary, are there any Floor amendments approved for

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consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President and Members of the Senate. Senate Floor Amendment No. 2 to Senate Bill 1658 clarifies that the language in 1658 dealing with self-insured workmen's comp pools does not apply to government self-insurance pools. I would answer any questions on Floor Amendment No. 2 to Senate Bill 1658 and otherwise would ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. If I could have your attention for a minute. We've been doing very good today. We've moved a lot of bills, but we're getting a little noisy, so let's keep our voices down and take our conferences off the Floor. Next, Senator Cullerton, on Senate Bill 1690. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1690.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Madam President, Members of the Senate. This bill was on the Agreed List in Judiciary, and it comes to us as -- from the Chicago Bar Association. It's kind of technical in nature. It amends the Principal and Income Act. Expands the list of -- list of estate-related expenses which can be paid out of the principal and interest of the decedent's estate. Under current law, unless the decedent's will expressly provides for it or grants the executor broad discretion in the payment of estate-related expenses, expenses for disposal of the decedent's remains, fees charged by accountants and fiduciaries and estate management expenses cannot be paid out of the principal of a decedent's estate without court authorization. This will allow normal expenses in the estate of intestate persons - people without wills - to be administered in the same way that they are already for people with wills. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield for a quick question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does the income have to be exhausted first before the principal's invaded to pay these expenses?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- or, Senator Cullerton.

SENATOR CULLERTON:

Could you specify which expenses you're talking about?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

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SENATOR HAWKINSON:

As I understand it, the main ones were the expenses of operating an ongoing business.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

The answer depends on which expenses, so I have to refer to the bill to try to answer your question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Which expenses can be taken out of principal when there's existing income to satisfy them?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Interest on estate, inheritance and generation-skipping transfer taxes and depreciation will be apportioned to the trust, and one-half of the interest on any penalties for those taxes will be charged against the income. So, those are split.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Cullerton, to close. The question is, shall Senate Bill 1690 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1690, having received the required constitutional majority, is declared passed. Senator Bowles, on Senate Bill 1695. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1695.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles, just one second, please. Senator Viverito, for what purpose do you seek recognition?

SENATOR VIVERITO:

...Chairman, on personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR VIVERITO:

We have a number of township officials up here tonight -- today. They're all in town. And a couple of very special ladies: Donna Gallagher and Wanda Jensen, from my own township. How about a nice round of applause for them?

PRESIDING OFFICER: (SENATOR DONAHUE)

Would you please rise and be recognized by the Illinois Senate? Welcome, to all the township officials. Thank you, Senator Bowles. Continue.

SENATOR BOWLES:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The -- Senate Bill 1695 addresses the methamphetamine synthesis, and under the current law, it's illegal to possess a controlled substance, to possess the ingredients to make a controlled substance with the intent of making that controlled substance, or to possess a compound that a controlled substance can be -- from which a controlled substance can be distilled with the intent of creating that controlled substance. Under the current law, it's -- to -- illegal to possess methamphetamines, to possess the ingredients to make amphetamines with the intent of making methamphetamines; however, due to the current law, it is not illegal to possess a compound that methamphetamines from -- from which methamphetamines can be distilled with the intent of

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creating methamphetamines. This is a problem, as the most common method of creating methamphetamines is through distilling it from other compounds. Most commonly, Sudafed and other pharmaceuticals containing ephedrine. This bill addresses the problem, bringing methamphetamines under the same restrictions which apply to all other controlled substances. It's a correction bill, and it was an agreed bill out of committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Bowles asks the question that -- shall Senate Bill 1695 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1695, having received the required constitutional majority, is declared passed. Senator Madigan, Robert Madigan, on Senate Bill 1701. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1701.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 1701 says exactly what it says on the board. It clarifies that the Illinois Insurance Exchange is not a State-owned agency but a private -- private concern, and that's all that Senate Bill 1701 does. I'd be happy to answer any questions on Senate Bill 1701. I know of no opposition; would otherwise ask for favorable consideration of the...

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1701 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1701, having received the required constitutional majority, is declared passed. Senator Obama, on Senate Bill -- 1712. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1712.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Obama.

SENATOR OBAMA:

...Madam President. Before I begin, in my eagerness to stand up, I forgot to vote for the previous bill. Could you record me as having desired to vote for the previous bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect, Senator Obama.

SENATOR OBAMA:

Thank you very much. Senate Bill 1712 deals with the issue of domestic violence. As many of you are aware, we've been making great strides in the State in attempting to transition people from welfare to work, and it turns out that one of the biggest inhibitors for people making that transition is the issue of domestic violence. This bill would simply require the Department of Human Services to develop and implement a domestic violence training curriculum for Department employees who are serving applicants for and recipients of TANF. There is no opposition to the bill. The Department supports the bill. I would ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1712 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1712, having received the required constitutional majority, is declared passed. Senator Radogno, do you seek leave of the Body to return Senate Bill 1844 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 1844. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This amendment accomplishes two things we discussed in committee. It adds discharge planning to the list of things that need to be included, and it also asks the Department of Public Health to do the same thing that the Department of Public Aid is doing.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Bomke, on Senate Bill 1861. Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1861.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you -- thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1861 simply shifts the oversight responsibility from the Department of Public Aid to the Illinois State Police for DUI-related functions regarding chemical analysis of blood, breath or urine, certification of breath-testing equipment, and oversight procedures in personnel conducting the testing and analysis. An interview -- or, internal review of each Department operation indicates that consolidating these two programs will significantly improve them, be more cost-effective. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 1861 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1861, having received the required constitutional majority, is declared passed. Senator Watson, on Senate Bill 1862. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1862.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. This is legislation brought to us by Treasurer Judy Topinka, and it involves the College Savings Pool that we established for her office this past year, another means by which young people in this State can hopefully afford to save to go to college. It establishes the College Savings Pool in the Office of the State Treasurer to supplement and enhance the investment opportunities otherwise available to purchase -- otherwise available to persons seeking to finance the cost of higher education. This particular -- the -- it was amended in the committee, and it establishes an exemption for State taxation and it also says that the accrued earnings on investment once disbursed on behalf of a designated beneficiary shall have a similar exemption from State taxation, as long as they qualify for expenses. Flew out of committee, and I'd ask for the Membership's support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 1862 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1862, having received the required constitutional majority, is declared passed. Senator Mahar, on Senate Bill 1881. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1881.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

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SENATOR MAHAR:

Thank you, Madam President. What this bill does is allow a hundred and thirty-six homeowners in my district to -- put in the infrastructure so that they can annex to the Metropolitan Water Reclamation District. There is no opposition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1881 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill -- 1881, having received the required constitutional majority, is declared passed. If I could have the Body's attention, we are going to back through the Calendar of 3rd Readings for the purposes of recalls. Senator Burzynski seeks leave of the Body to return Senate Bill 334 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 334. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, filed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski, on Amendment No. 2.

SENATOR BURZYNSKI:

Thank you, Madam President. Basically what this bill does is restore important economic development incentives that was removed from the statutes with the passage of utility dereg bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

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amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpziel seeks leave of the Body to return Senate Bill 742 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 742. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel, on Amendment No. 2.

SENATOR KARPIEL:

Thank you, Madam President. Senate Amendment No. 2 to Senate Bill 742 is pretty much a technical bill. It puts in the proper name of the advisory council. We had left out a word in the original bill. And it -- it defines what -- what treatment is -- is -- is available under this bill. The Department felt that treatment might mean medical treatment when, in fact, we are just talking about services to the present people.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR BOWLES:

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Thank you, Madam President. I -- for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR BOWLES:

I have two township officials who are from my district: Barbara McCalley, from Wood River, and Judith Whitaker from Granite City, and they're in the gallery.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you all please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Mitchell, do you wish to return to the Order of 2nd Reading Senate Bill 1477? Seeing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1477. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Mitchell.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mitchell, on Amendment No. 1.

SENATOR MITCHELL:

This amends the Shawneetown Regional Port District Act, and it adds an immediate effective date, is all the amendment does.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Maitland, do you -- seeks leave of the Body to return Senate Bill 1541 to the Order of 2nd Reading for

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the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1541. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on Amendment No. 1.

SENATOR MAITLAND:

Thank you -- thank you very much, Madam President, Members of the Senate. This really is a technical amendment, one we thought we should add to the bill. It clarifies that provisions of the bill shall not in any way diminish or replace other civil or administrative remedies available to a customer or class of customers under the Public Utilities Act, and it changes the word "tree trimming" to "vegetation management" in order to keep it consistent with the terminology throughout the bill. And I would move for the adoption, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Environment and Energy Committee - Senate Amendment No. 1 to Senate Bill 1553.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Just for an announcement. For the convenience of the people who serve -- the Senators who serve on the Commerce and Industry Committee, there's an 8 o'clock meeting scheduled in 212, but because there's only a House bill to be considered, we'll defer that business to another meeting. So, there is no Commerce and Industry Committee tomorrow at 8 a.m.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh, Larry Walsh, for what purpose do you seek recognition?

SENATOR L. WALSH:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR L. WALSH:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Two individuals here today, also from -- for township officials. Our Lockport -- from my area, Lockport Township Town Clerk George Mushro and Highway Commissioner Jack -- Jack Waxweiler, down for -- visiting Springfield. They're in the gallery behind the Senate Dems.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you both please rise and be recognized by the Illinois Senate? And we welcome you to Springfield, gentlemen. Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

For the purpose of an announcement, Madam President. The Senate Environment and Energy Committee will be meeting -- 9 a.m., in Room 400, tomorrow.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Also for an -- purposes of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your announcement.

SENATOR DILLARD:

The Senate Local Government Committee, which is going to meet at 8:30 tomorrow morning, will not meet in Room A-1. It will meet in Room 212. So, we can all stay here in the Capitol Building. Room 212, Local Government, 8:30 a.m.

PRESIDING OFFICER: (SENATOR DONAHUE)

With leave of the Body, we're going to go back to page 3, on the Order of 2nd Reading, for the purposes of moving a bill on a request. Senate Bill 1332. Senator DeLeo. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1332.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Introduction of -- ooh! Just a second. Senator Shadid, for what purpose do you seek recognition?

SENATOR SHADID:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR SHADID:

Madam Chairman, we have some gentlemen here from the township officials that would like to have you give them a big welcome: Mr. Dean Penn, Gary Hand, Jim Banish, Ed Phelan, Cicciarelli, and Jack Benisch.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Will you all please rise and be welcomed by the Illinois Senate? We welcome you to Springfield. Introduction of Bills.

ACTING SECRETARY HAWKER:

Senate Bill 1947, offered by Senator Cullerton.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 2949, offered by Senator Demuzio.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Page 5. On the Order of 2nd Reading is Senate Bill -- 1613. Senator Petka. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1613.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. If there's -- any further business to come before the Senate? The Senate will stand adjourned until the hour of 10:30 a.m., Thursday, February 24th. That's 10:30, Ladies and Gentlemen. The Senate stands adjourned.

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