

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

19th Legislative Day

March 11, 1999

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 91st General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise? Our prayer today will be by the Pastor Kevin Wolfe, Pawnee Christian Church, Pawnee, Illinois. Pastor Wolfe.

PASTOR KEVIN WOLFE:

(Prayer by Pastor Kevin Wolfe)

PRESIDING OFFICER: (SENATOR WEAVER)

Pledge of Allegiance, Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Tuesday, March 9th, and Wednesday, March 10th, in the year 1999, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Myers moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Committee Reports.

SECRETARY HARRY:

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bills 113, 564, 567, 624, 685, 752, 786, 876, 877, 1061, 1071 and 1105 Do Pass; and Senate Bills 360 and 650 Do Pass, as Amended.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bills 517, 550, 980, 993, 1001, 1002, 1003, 1004, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1028, 1036, 1079, 1080, 1081, 1084, 1085, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101,

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1102, 1172, 1183 and 1198 Do Pass; Senate Bills 331, 336, 775, 995 and 1072 Do Pass, as Amended; Senate Resolutions 15 {sic}, 39 and 48 Be Adopted; and Senate Joint Resolution 15 Be Adopted.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bills 46, 111, 128, 214, 233, 666, 799, 892, 893, 929, 1066 and 1170 Do Pass; Senate Bills 43 and 51 Do Pass, as Amended; and Senate Amendment 1 to Senate Bill 110 Be Adopted.

Senator O'Malley, Chair of the Committee on Financial Institutions, reports Senate Bill 1055 Do Pass; and Senate Bill 1026 Do Pass, as Amended; Senate Resolution 42 Be Adopted, as Amended.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Bills 457, 801 and 1130 Do Pass; and Senate Bills 259 and 800 Do Pass, as Amended.

And Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bills 777 and 1039 Do Pass; and Senate Bills 5 {sic} (25), 79 and 773 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Karpziel arise? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I call for a Republican Caucus in Senator Philip's office immediately. Those Members who aren't on the Floor, I hope you can hear this announcement. We are having a Republican Caucus in Senator Philip's office immediately.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Watson arise?

SENATOR WATSON:

Yes. Thank you, Mr. President. Before everybody breaks for caucus, I would like to make an announcement that this is a special day for one of our Members, his forty-ninth birthday. He'll probably have many forty-nine birthdays after this, but anyway, he's forty-nine today, and that's our good friend, Walter

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Dudycz. And he's got cake down here, Shirley's cutting up right now, and all Members, of course, are invited to partake. Happy birthday, Walter.

PRESIDING OFFICER: (SENATOR WEAVER)

Happy birthday, Walter. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Thank you, Senator Watson, but the cake is not for my birthday; it's another milestone. The cake is actually for Senator Petka's birthday, which was yesterday. Senator Petka and I have a lot in common. We were both born in March and one day apart, except there's one big difference: Yesterday Ed Petka was exactly twice my age.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, we'll probably be in caucus for about fifteen or twenty minutes.

SENATOR DEMUZIO:

My -- my inquiry is, what are we going to do after that?

PRESIDING OFFICER: (SENATOR WEAVER)

We'll be going to 2nd Readings and 3rd Readings. We intend to work until around 2 o'clock, 2:30. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I merely would respectfully request that the Democratic Caucus will meet immediately in the Senate -- Emil Jones' office.

PRESIDING OFFICER: (SENATOR WEAVER)

Democratic Caucus immediately in the Minority Leader's office. We will stand at ease for approximately twenty minutes.

(SENATE STANDS AT EASE/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bill 656 Do Pass.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

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

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

House Joint Resolution 2.

Adopted by the House, March 9th, 1999.

Messages from the House by Mr. Rossi, Clerk.

I am -- Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 105, 286, 379, 542, 774, 1109, 1136, 1304, 1763, 2019, 307, 392, 534, 758, 1279, 1443, 1785, 1969, 2016, 2721, 457, 463, 833, 1063, 1196, 1285, 1388, 1825, 1831, 2720, 416, 502, 845, 916, 1188, 1194, 1720, 1881, 2034, 2639, 251, 516, 736, 789, 790, 1152, 1202, 1413, 1766, 2699, 788, 1193 and 2813.

All passed the House, March 10th, 1999.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1228 {sic} (1227), offered by Senator Philip.

(Secretary reads title of bill)

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1st Reading of the bill.

Senate Bill 1225, by Senator Hendon.

(Secretary reads title of bill)

Senate Bill 1226, by Senator Hendon.

(Secretary reads title of bill)

Senate Bill -- the bill previously identified as Senate Bill 1228, by Senator Philip, is Senate Bill 1227.

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 58, offered by Senator Demuzio and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. We'll now go to Executive Session for the purpose of advise and consent. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of February 2nd and -- and February 23rd, 1999.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of February 2nd, 1999, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

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Senator Petka.

SENATOR PETKA:

Mr. President, with respect to the February 2nd, 1999, Message, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate advise and consent:

To be the Commissioner of the Office of Banks and Real Estate for a term ending January 31st, 2000, William A. Darr, Park Ridge.

To be First Deputy Commissioner of the Office of Banks and Real Estate for a term ending January 31st, 2000, David Rodriguez of Chicago.

To be the State Fire Marshal for a term ending January 15, 2001, Thomas Armstead of Springfield.

Mr. President, having read the salaried appointments from the Governor's Message of February 2nd, 1999, I now seek leave to consider the appointments of February 2nd, 1999, on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of February 23rd, 1999, reported the same back with a recommendation that the Senate advise and consent to the following appointments.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Mr. President, with respect to the February 23rd, 1999, Message, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be commissioner of the Civil Service Commission for a term ending March 1st, 2003, Dan Fabrizio of Chicago.

To be the Director of Nuclear Safety for a term ending January 15, 2001, Thomas Ortziger of Springfield.

To be a commissioner of the Illinois Commerce Commission for a term ending January 19th, 2004, Edward C. Hurley of Chicago.

To be a judge of the Illinois Court of Claims for a term ending January 17, 2005, John R. Patchett of Marion.

To be a member of the Illinois Educational Labor Relations Board for a term ending February 1st, 2004, Mary Ann Louderback of Cary.

To be commissioners of the Illinois Human Rights Commission for a term ending January 20th, 2003, Eva Betka of Palatine, Dominic DiFrisco of Chicago, Mary Jeanne Hallstrom of Evanston, Girvena M. LeBlanc of -- of Olympia Fields, Daniel Sprehe of Chicago, and Isiah Thomas of Calumet Park.

Mr. President, having read the salaried appointments from the Governor's Message of February 23rd, 1999, I now seek leave to consider the appointments of February 23rd, 1999, on a single roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made? All those in favor will vote Aye. Opposed will vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary. Senator Petka.

SENATOR PETKA:

Mr. President, with respect to the February 23rd, 1999, Message, I will read the non-salaried appointments of which the Senate Committee on Executive Appointments recommends the Senate advise and consent:

To be appointed as a member of the Capital Development Board for a term ending January 19, 2003, Raymond Mota of Lake Forest.

To be a member of the Illinois State Medical Disciplinary Board for terms ending January 1st, 2002, Lacey Cook of Oswego, Georgia D. Lubben of Chicago.

To be a member of the Illinois State Medical Disciplinary Board for a term ending January 1st, 2003, Michael G. Murphy of Smithton.

The following will be to be members of the Medical Licensing Board for a term ending January 1st, 2000, James Babiar of Elgin, Ronald Johnson of Pittsfield.

To be a member of the Medical Licensing Board for a term ending January 8, 2000, Jane Jackman of Springfield.

To be a member of the Medical Licensing Board for a term ending January 8, 2002, Richard A. Schmidt of Ottawa.

To be members of the Board of Trustees of the University of Illinois for terms ending January 10th, 2005, Jeffrey Gindorf of Crystal Lake, Gerry Shea of Burr Ridge, Kenneth Schmidt of Riverwoods.

To be a member of the Board of Trustees of Southern Illinois University for a term ending January 17, 2005, A.D. Van Meter of

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Springfield.

Mr. President, having read the non-salaried appointments from the Governor's Message of February 23rd, 1999, I now seek leave to consider the appointments of February 23rd, 1999, on a single roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

You have heard the motion. All those in favor, say Aye. Opposed, Nay. The motion carries. If you turn your Calendars to page -- to the top of page 2, in the Order of Senate Bills 2nd Reading. Senate Bill No. 6. Senator O'Malley. Senate Bill 7. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 7.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted two amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 13. Senator Syverson. Senate Bill 19. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 19.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 26. Senator Petka. Senate Bill 29. Senator Parker. Senate Bill 71. Senator Sieben. Senate Bill 32. Senator O'Malley. Senate Bill 71. Senator Sieben. Senate Bill 82. Senator del Valle. Senator del Valle. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 82.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 84. Senator Geo-Karis. Senate Bill 85. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 85.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted one amendment.

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Any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 94. Senator Halvorson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 94.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 110. Senator Clayborne. Senator Obama seeks leave to handle Senate Bill 110 for Senator Clayborne. Hearing no objection, leave is granted. Senator Obama. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 110.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 1, offered by Senator Clayborne.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

...leave, Senator Obama for Senator Clayborne.

SENATOR OBAMA:

Thank you, Mr. President. Do I need to -- excuse me. Sorry. The -- Senator Clayborne asked me to do this at the last minute. Do I need to actually read the... Yeah. This -- this amendment retains the original bill which grants partners and shareholders of Subchapter S corporations and owners of limited liability companies, if the liability company is treated as a partner for purposes of federal and State income taxation, the research and development credit in accordance with the determination of income and distributive share of income under the Internal Revenue Code.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Obama moves the adoption of Senate Amendment No. -- Floor Amendment No. 1 to Senate Bill 110. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any other amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 121. Senator Cullerton. The top of page 3, in the Order of Senate Bills 2nd Reading, is Senate Bill 171. Senator Klemm. Senator Klemm. Senate Bill 178. Senator Smith. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 178.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 185. Senator Syverson. Senate Bill 188. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 188.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 204. Senator Rauschenberger. Senator Rauschenberger. Senate Bill 206. Senator Radogno. Senator Radogno. Senate Bill 217. Senator Syverson. Senate Bill 223. Senator Halvorson. Senate Bill 234. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 234.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 268. Senator Parker. Senate Bill

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276. Senator Cronin. Senate Bill 282. Senator Cronin. Senate Bill 283. Senator Walsh. Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 283.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Amendment No. 2 corrects a typo on a committee amendment which changed the title of the Act, and I ask for its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, on Floor Amendment No. 2 to Senate Bill 283, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 286. Senator DeLeo. Senate Bill 306. Senator Mahar. Senate Bill 323. Senator Parker. The top of page 4, in the Order of Senate Bills 2nd Reading, is Senate Bill 324. Senator Maitland. Senate Bill 363. Senator Thomas Walsh. Senate Bill 384. Senator Rauschenberger. Mr. Secretary, read the bill.

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Senate Bill 384.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 385. Senator Rauschenberger. Senate Bill 387. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 387.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 400. Senator Philip. Senate Bill 411. Senator Maitland. Senate Bill 418. Senator Robert Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 418.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 419. Senator Robert Madigan. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 419.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 420. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 420.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 421. Senator Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 421.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 430. Senator Bomke. Senate Bill 473. Senator Donahue. Senate Bill 475. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 475.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 496. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 496.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 498. Senator Rauschenberger. Senate -- Senate Bill 527. Senator Dillard. On top of page 5, in the Order of Senate Bills 2nd Reading, is Senate Bill 529. Senator Dillard. Senate Bill 541. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 541.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 563. Senator Radogno. Senate Bill 566. Senator Halvorson. Senate Bill 574. Senator Hawkinson. Senate Bill 578. Senator Sieben. Senate Bill 579. Senator Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 597 {sic} (579).

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 644. Senator Munoz. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 644.

(Secretary reads title of bill)

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

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Is there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 646. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. Senate Bill 658. Senator Peterson. Senate Bill 672. Senator Radogno. Senate Bill 673. Senator Radogno. Senator Radogno. Senate Bill 675. Senator Halvorson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 675.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 721. Senator Bomke. Senator Bomke. The bottom of page 5, in the Order of Senate Bills 2nd Reading, is Senate Bill... On top of page 6, in the Order of Senate Bills 2nd Reading, is Senate Bill 753. Senator Radogno. Senate Bill 756. Senator Cronin. Senator Cronin. Senate Bill 757. Senator Cronin. Senator Cronin. Senate Bill 784. Senator Dillard. Senate Bill 815. Senator Thomas Walsh. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 815.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 820. Senator Watson. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 820.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 823. Senator O'Malley. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 823.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 825. Senator Robert Madigan. Senate Bill 840. Senator Clayborne. Senate Bill 844. Senator Trotter. Senator Trotter. Senate Bill 845. Senator O'Malley. Senate Bill 847. Senator del Valle. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 847.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 851. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

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Senate Bill 851.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 854. Senator Robert Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 854.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 855. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 855.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 7, in the Order of Senate Bills 2nd Reading, is Senate Bill 856. Senator Robert Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 856.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 881. Senator Burzynski. Senate Bill 890. Senator Dillard. Senate Bill 910. Senator Trotter. Senator Trotter. Senate Bill 1044. Senator DeLeo. Senator DeLeo. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1044.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1068. Senator Robert Madigan.
Senator Madigan. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1068.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and
Conservation adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1074. Senator Sieben. Mr.
Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1074.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and
Conservation adopted two amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1076. Senator Geo-Karis. Mr.
Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1076.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1078. Senator Mahar. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1078.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1086. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1086.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1112. Senator Dillard. Senate Bill 1121. Senator Molaro. Senator Molaro. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1121.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

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No other amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1129. Senator Klemm. Senate Bill 1132. Senator Link. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1132.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1153. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1153.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1201. Senator Parker. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1201.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. 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 Education - Senate Bill 1192 and Senate Joint Resolution 19; to the Committee on Executive - Senate Bills 1214 and 1227.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We'll now go to the Order of Senate Bills 3rd Reading. If you turn your regular Calendars to the middle of page 8, we will begin where we left off yesterday. We will begin with Senate Bill 242. Senate Bills on the Order of 3rd Reading, in the middle of page 8, is Senate Bill 242. Senator Cullerton. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 242.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This amends the Condominium Property Act. It amends Section 18.2 of the Act. That's the Section of the Act that requires certain essential documents to be delivered by the developer to the first unit owner board of managers. So after a developer goes condo, once he's sold, I think, seventy-five percent, the developer has to turn over to the unit owner board of managers certain documents. Now, this bill is in response to serious difficulties that arise when the developers fail to -- or refuse to comply with the statute. This bill encompasses a fee recovery provision which will deter

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the developers from failing or refusing to comply and is a consumer protection in the event legal action is necessary to obtain statutory compliance. I amended the bill at the request of the Home Builders with regard to the burden of proof, and I know of no opposition, with the possible exception of former Representative Ellis Levin. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This is an excellent piece of legislation, and I'm just honored to join my esteemed colleague, Senator Cullerton, as a cosponsor and urge your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 242 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 242, having received the required constitutional majority, is declared passed. Senate Bill 248. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 248.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. Speaker {sic}, Ladies and Gentlemen of the Senate. Senate Bill 248 will rename the existing checkoff for breast and cervical cancer research in honor of Penny Severns. It also adds the Susan G. Komen Foundation to the advisory board of

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the Department of Public Health, which assists the Department in determining who receives research grants. Clearly this bill is intended to honor the memory of our very fine colleague, Senator Penny Severns. I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 248 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 248, having received the required constitutional majority, is declared passed. Senate Bill 252. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 252.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Let's see. The -- the Senate Bill 252 gives an employer standing to seek disposal of a case before the Illinois Industrial Commission if the employee involved was convicted of an offense involving a workmen's compensation claim. It passed unanimously out of the Commerce and Industry Committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Halvorson. Senator Halvorson.

SENATOR HALVORSON:

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

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Sponsor indicates he will yield. Senator Halvorson.

SENATOR HALVORSON:

Senator Lauzen, do you know of any fraudulent cases that have been making this necessary?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

I don't have any specific example in -- in case, but I've been told that this is a problem.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Halvorson.

SENATOR HALVORSON:

According to our records, we have two cases that -- that there's two known cases of conviction of fraud. I guess my concern is -- you know, none of us support people who are going to fraudulently make claims, and -- and your bill is good in concept. I guess I just think that the law is already written in such that we can take care of that. And so I just have some -- concerns and would ask for a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Lauzen, is the -- are the Trial Lawyers still against this bill? ...could you tell us why?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Lauzen.

SENATOR LAUZEN:

Yeah -- Senator Hendon, I don't have that in my record here,

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my analysis here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill is -- is supported by the Employment Law Council of Illinois, the Illinois Movers' and Warehousemen's Association, the Illinois Chamber, the Professional Insurance Agents, Fremont Compensation, IMA, the National -- NFIB, Caterpillar, IML, American CHIPS {sic} (AmerenCIPS), Illinois Construction Industry Council {sic} (Committee). And, frankly, the first speaker voted for it in the -- in the committee when the testimony was given. So I think we ought to all be voting Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President -- and Members of the Senate. I'd just like to rise in support of this. We did discuss this. It voted -- it was voted out unanimously out of the Commerce and Industry Commission {sic}. There have been fraudulent cases. The law is necessary, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR HALVORSON:

Thank you, Mr. President. I apologize for rising for a second time, but since my name was used in debate, I would like to say the reason I voted Yes was because nobody wants to support a fraudulent -- anybody making a fraudulent claim. However, since then, or in committee, we did discuss the fact that this is -- the reason that labor has been opposed to this is because they haven't been part of the agreed bill process. They haven't been brought to the table. We just want to make a point that we want a bill that fixes all of the problems. We don't want to keep coming

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at this a little bit at a time. So that's the reason that I had voted Aye, and we did in committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LAUZEN:

Thank you. I just -- I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 252 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 36 Ayes, 3 Nays, 18 voting Present. And Senate Bill 252, having received the required constitutional majority, is declared passed. Bottom of page 8, in the Order of Senate Bills 3rd Reading, is Senate Bill 254. Senator Cullerton. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 254.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This also amends the Condominium Property Act to clarify that condominium -- a condominium board has the authority to obtain and assess cable television on a bulk, equal-cost-per-unit basis. Cable television in some areas of the State offer substantial discounts if the entire condominium subscribes. So as a unit benefits equally from this time of expense, many associations prefer to assess them on this basis, where -- but the Act is presently unclear whether or not that sharing must be in accordance with the percentage of unit

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ownership interest. So, the purpose of this is to clarify that. And in anticipation of a question from Senator Walsh, I have no idea what the position is of former Representative Levin on this one, but it is supported by the Chicago Bar Association and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 254 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 57 Ayes, no Nays, none voting Present. And Senate Bill 254, having received the required constitutional majority, is declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Thank you. I wanted to point out for the record that Senator Clayborne is not here this afternoon. He was here this morning. His father's having some surgery, and that's why his switch is not being voted. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Demuzio. Top of page 9, in the Order of Senate Bills 3rd Reading, is Senate Bill 257. Senator Cullerton, do you wish this bill returned to -- to 2nd Reading for the purpose of -- of an amendment? Senator Cullerton seeks leave of the Body to return Senate Bill 257 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now -- now on the Order of 2nd Reading is Senate Bill 257. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a technical amendment that was reported directly to the Floor from the Rules Committee. It merely -- doesn't change any language. It just moves it from one section to another. It's technical in nature, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 287. Senator Syverson. Senate Bill 288. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the Dental Practice Act. It authorizes the Department of Professional Regs to compel a licensee or applicant to submit to a mental or physical examination. This brings this provision of the bill into the same types of provisions that are in other licensing Acts. Also does several other things, setting forth procedures of due process for a dentist or dental hygienist who's subject of a complaint.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall Senate Bill 288 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. And Senate Bill 288, having received the required constitutional majority, is declared passed. Senate Bill 289. Senator Silverstein. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 289.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This bill deals with a situation who has filed for divorce and then has subsequently been declared disabled by a court. The amendment is to allow the court and the guardian to continue the divorce proceeding and the guardianship proceeding.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski. Is there any discussion? If not, the question is, shall Senate Bill 289 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 289, having received the required constitutional majority, is declared passed. Senate Bill 290. Senator Lauzen. Senator Lightford, what purpose do you rise?

SENATOR LIGHTFORD:

I rise to notify you that I would have voted Yes on Senate

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Bill 288.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator. Your -- your intent will be noted. Senate Bill 290. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 290.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

What Senate Bill 290 does is moves the speed bumps out to the year 2004.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. Chairman. In this bill, what we're against is -- and -- is the fact that the UI trust fund balance is expected to be bankrupt by the year 2005, and this is another part of the agreed bill process, that we need to take a look at this. At a time when our economy is as good as it is, it's not the time to start fooling with this, because I can remember there were times where the economy wasn't so good and we were going back looking to bring money into it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LAUZEN:

I would just appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 290 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record. On that question, there are 33 Ayes, 4 Nays and 21 voting Present. And Senate Bill 290, having received the required constitutional majority, is declared passed. Senate Bill 294. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 294.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 294 is a bill that was introduced on behalf of Northern Illinois University that -- in order to protect its business and industry services program. The University provides services to businesses and manufacturers throughout the district on a regular basis, and I would be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 294 pass. All those in favor will vote Aye. Opposed will -- will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 294, having received the required constitutional majority, is declared passed. Senate Bill 315. Senator Link. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

...Bill 315.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This amends the County Codes {sic} (Counties Code) and requires that death certificates list it as a cause of death as domestic violence if the finding is medically justified. Requires that every case in which domestic violence is determined to be a cause of death, the coroner shall report the death to the Department of State Police. This is for statistical matters, and I would appreciate a positive vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 315 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 315, having received the required constitutional majority, is declared passed. Senate Bill 321. Senator Rauschenberger. Senate Bill 351. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Chairman and Ladies and Gentlemen of the Senate, this is a bill -- amends the Intergovernmental Cooperation Act. Provides that agencies created by intergovernmental agreements are not intended to become separate suable -- entities, rather. Provides that this amendatory Act is not intended to create additional

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liability exposure for the individual agencies participating in the agreement. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 351 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 57 Ayes, no Nays, none voting Present. And Senate Bill 351, having received the required constitutional majority, is declared passed. Senate Bill 353. Senator Sieben. Senate Bill 354. Senator Noland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 354.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 354 amends the Motor Fuel Tax (Law) and would provide that railroads that are currently licensed as bulk users of fuel would not have to be a distributor or a supplier in this State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill -- I tried, Duane. Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I don't know whether it was the sponsor's accent

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or what, but I was unable to hear his explanation of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Mr. President, this bill amends the Motor Fuel Tax Law. And currently in this State, railroads are licensed as bulk users, and this bill would require that they would not have to be a distributor or supplier to dispense specialty fuel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Railroads are bulk users of what?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Diesel fuel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Is that in their diesel locomotives or is that in the caboose, or what?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

They would generally refuel the locomotive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Do you know of any instances where they've refueled, other than the locomotive?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

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SENATOR NOLAND:

Not to my knowledge.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Does this have anything to do with farm tractors?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

I'm a little bit confused why you're carrying this piece of legislation if it doesn't include farm vehicles.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Well, as a child I had an HO train set, and I've always had a fascination for railroads. And the railroad industry came to me and asked me to carry this very important piece of legislation that will make -- that will make the railroad industry more competitive and expand jobs, create wealth, eliminate crime in Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, Mr. -- Mr. President, and -- and to the fine sponsor of the bill: Just because you rode on HO train sets as a child and have a fixation on that, I'm not sure if that's a good enough reason for us to -- to support this bill. I -- I have some real reservations about that.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes. I'd, too, like to ask the gentleman a question, if I might.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator, is there a tax increase in this bill somewhere?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

No, there is no change to current law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess we were a little suspect because normally you don't find the staff person for the committee and the legislative liaison for the department standing behind the Senator on the Floor of the Senate, so I thought there must be something surreptitious or latent that was in this bill that we didn't know anything about, and if you got any tough questions, you would refer them to the staff behind you. I suspect -- I assume this is not going to be a pattern for you during your tenure in the Senate, is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Well, I look -- generally look to you, Senator, for -- as a role model -- and a mentor, but in this case, I think these gentlemen over there -- he's with your staff, isn't he?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Demuzio.

SENATOR DEMUZIO:

I don't know whose staff he's with, to tell you the truth. Of course, you guys have been a little -- I won't mention that. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I certainly rise in support of the bill, because it seems to me that this sponsor, having had a railroad set when he was a kid, is probably more qualified to handle this bill than anyone else here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR NOLAND:

I would -- I would appreciate your support. And thank -- thank you for the opportunity.

PRESIDING OFFICER: (SENATOR DUDYCZ)

I'm sorry. I didn't hear that Senator Noland. Did you say take it out of the record? The question is, shall Senate Bill 354 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 354, having been -- having received the required constitutional majority, is declared passed. At the sponsor's request, the following bills will be held: Senate Bill 355, 356, 357 and 358. The bottom of page 9, in the Order of Senate Bills 3rd Reading, is Senate Bill 367. Senator Burzynski. On top of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 368. Senator Burzynski. Senate Bill 372. Senator Rauschenberger. Senate Bill 380. Senator Dillard. Senate Bill 391. Senator

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Dillard. Senate Bill 392. Senator O'Malley. Senate Bill 393.
Senator O'Malley. Senate Bill 394. Senator Parker. Senate Bill
396. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 396.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate -- excuse me -- this bill amends the Sex Offender Management Board Act by providing that the Board must establish procedure for the evaluation and identification of sex offenders and counseling of sex offenders within thirty-six months of July 22, 1997, instead of within eighteen months. And this bill is supported by the Attorney General's Office and is in response to the prior administration's failure to appoint members to this Board in time. The time allotted by the original Act has actually elapsed, so I ask for favorable consideration for this...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 396 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 396, having received the required constitutional majority, is declared passed. Senate Bill 398. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 398.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 398 amends the Unified Code of Corrections by -- or, by mandating a consecutive sentence in -- where a murder is -- has been committed with another forcible felony. This seeks to change a ruling of an appellate court in which an appellate court held that since murder was not a Class X offense, that there could not be a consecutive sentence.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 398 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 398, having received the required constitutional majority, is declared passed. Senate Bill 401. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 401.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill amends the Code of Civil Procedure dealing with special appearances. It is not an initiative of the Illinois State Bar Association but it was suggested by the Bar Association. It's a cleanup. It is designed to prevent an unknowing waiver. When you file a motion in court,

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before you file your special appearance, it allows you to file your special appearance and other motions at the same time. I know of no opposition and would -- and would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 401 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 57 Ayes, no Nays, none voting Present. And Senate Bill 401, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to two bills we just -- just passed inadvertently: Senate Bill 392 and 393. On the Order of Senate Bills 3rd Reading, Senate Bill 392. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. -- Mr. President, Members of the Senate, Senate Bill 392 amends the Solicitation for Charity Act and the Charitable Trust Act. It provides that a circuit court may - currently the law is "shall" - impose a civil penalty upon an organization or trust estate that has failed to file a registration statement with the Attorney General. This represents a follow-up to the general -- the Attorney General's initiative from last year, House Bill 1211. I believe there's agreement about the bill. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any discussion? If not, the question is, shall Senate Bill 392 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 392, having received the required constitutional majority, is declared passed. Senate Bill 393. Senator O'Malley. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Mr. President and Members of the Senate. Senate Bill 393 amends the Criminal Code by amending the Controlled Substances Act. It provides that the enhanced penalties associated with delivery within one thousand feet of specified places, such as schools, occurs anywhere within one thousand feet, just not -- not just in a public way. Be happy to...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 393 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 393, having received the required constitutional majority, is declared passed. We will now return to the regular Order of Senate Bills 3rd Reading. Senate Bill 402. Senator O'Malley. Senate Bill 404. Senator Dillard. Madam

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Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 404.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill came out of the Judiciary Committee on an agreed bill list, and it provides that a third or subsequent conviction for public indecency or disorderly conduct, a Peeping Tom, is a Class 4 felony. So it -- it takes the penalties up for multiple offenses of this type. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shaw.

SENATOR SHAW:

Yes, Senator Dillard, on the -- on the -- what are you saying in -- in relationship to the disorderly conduct? If I've -- if I've been arrested more than once for disorderly conduct, on the second offense I could get charged with a Class 4 felony?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Shaw, this type of disorderly conduct is only for what is commonly referred to as a Peeping Tom. So you could have disorderly conducts before for different conduct. Here you'd have to be a Peeping Tom multiple times.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Shaw.

SENATOR SHAW:

This is -- this -- I just want it clear for the record. This is not a regular disorderly conduct that -- where that a police officer catch you on the street and asks you to move in -- in order to -- for crowd control purposes, let's say. He arrests you for disorderly conduct. It's -- it's -- it's -- am I correct on that? This is not for those type of disorderly conduct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Senator Dillard.

SENATOR DILLARD:

Correct, Senator Shaw. There's about twelve ways to commit disorderly conduct in the statutes today. This bill of mine just deals with what is commonly known as Peeping Toms. So it's just one of those twelve ways.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further discussion? If not, the question is, shall Senate Bill 504 {sic} 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 404, having received the required constitutional majority, is declared passed. Senate Bill 405. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 405.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill was suggested to us by the State's Attorney of DuPage County, Joe Birkett, and it amends the Criminal Code by including in the definition of "sexual conduct" the transfer or transmission of semen by an accused upon any part of the victim for the purpose of sexual gratification or arousal of the victim or the accused. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 405 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 57 Ayes, no Nays, none voting Present. And Senate Bill 405, having received the required constitutional majority, is declared passed. Senate Bill 415. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 415.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Let's try to get back on track here. Senate Bill 415 would exclude full-time students working at a camp from the definition of "employment" used for unemployment insurance. The bill stipulates that a camp is covered if it operates for less than seven months a year, meets certain revenue requirements, and employs the student for less than thirteen weeks a year. A student is full-time if they are enrolled full-time at an educational institution or between academic years where they are enrolled full-time at an educational institution.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 415 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 50 Ayes, 2 Nays, 4 voting Present. And Senate Bill 415, having received the required constitutional majority, is declared passed. Senator Trotter, what purpose do you rise?

SENATOR TROTTER:

Yes. Mr. President, on Senate Bill 405, I was distracted when the roll call came around. I would like the record to reflect that I would have voted for the bill if I'd...

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record shall so reflect, Senator. In the Order of Senate Bills 3rd Reading is Senate Bill 441. Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 441.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill passed out of Education Committee unanimously, with no opposition. It simply clarifies that contractual nontenured faculty at community colleges are not considered to be included as faculty seeking tenure. This is consistent with a court opinion from the Illinois Supreme Court involving a case at College of DuPage. The Illinois Education Association, which was involved, is supportive of this position and supportive of this bill. Ask

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for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 441 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 441, having received the required constitutional majority, is declared passed. Senate Bill 447. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 447.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 447 amends the Banking Act. Provides for the confidentiality of all reports of regulatory examinations and related items, except for disclosure of the reports to other State or federal regulatory authorities or law enforcement personnel and all documents and records prepared or obtained in connection with or relating to the examination, visitation or investigation. I'd be happy to answer questions that you may have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you. I'd like to ask the Senator a question, if I may.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

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Senator, I just would like to ask: Why we -- why we are -- why are we doing this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

This -- this, Senator, is a request from the Community Bankers. The bill is broadening the confidential umbrella that exists already to include reports of regulatory visitation and investigation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Having not read the bill, but the synopsis indicates that the -- the documents -- classifies the documents, records -- records, examination, visitations, and investigations of a bank prepared by the Commissioner of Banks is confidential supervisory information and designates such information as property of the Commissioner. What does that mean?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley. Senator Demuzio.

SENATOR DEMUZIO:

What does that mean?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

We're only dealing with confidential reports, and -- and, as you probably recall, the reason they have any confidentiality at all is to maintain the relationship between the regulators and the Commissioner and -- and avoid a chilling effect on the communications that they have between themselves.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

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SENATOR DEMUZIO:

Well, on page six of your bill, at the bottom, it says, notwithstanding any provisions of this Act or any other law, "confidential supervisory information shall be the property of the Commissioner and shall be privileged from disclosure to any person except as provided in this Section." Who -- this -- this is -- isn't this unusual? Property of the Commissioner? Disclosure is privileged? How do you...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Demuzio, as far as it being property, that -- that -- that provision basically defines that that information does belong to them, but for purposes of it belonging to them, it is to remain confidential. However, that information may be disclosed to other regulatory agencies that they need to deal with.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Why is it not public information?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I -- I explained earlier that -- and I -- and I think you're familiar with this concept of -- of confidentiality under these circumstances, but we want to maintain as open a dialogue as we possibly can between the regulators here in the State and the agencies that they -- that they regulate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Doesn't tell me why the information is not made public.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Well, the information is purely informational and may be -- frankly, could be taken out of context, but we -- again, we don't want to chill that relationship between the regulator and the -- the entity being regulated, to make sure that we have as open and -- and clear discussion as we possibly can.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, since this came from the banks, what -- what's the regulators' position with respect to this? Because I also notice that no -- no person in possession of confidential supervisory information may disclose that reason for any reason or any -- or any circumstances. What's the -- what is the -- the Commissioner of Banks position with respect to this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, the Commissioner took no position.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, maybe that's what we should do. We should take no position and vote Present. I mean, what Commissioner of Banks was this? The old Commissioner, the new Commissioner, or -- or which? I mean, if they're not taking any position with respect to this, I mean, and this coming from the banks itself, it seems to me that the regulatory -- the Director of the Department ought -- ought to have some position with respect to this material. I mean, this is confidential material that we are making, now, property of the

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Commissioner.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

First of all, I take that's a question or -- you're looking for an additional response. This is confidential supervisory information. It doesn't deal with the business records. None of the business records would be confidential. I hope that clarifies it for everybody. And as far as the -- you know, the -- the Community Bankers bringing this forward as an initiative and -- and -- and the -- the current supervisor or -- the current Commissioner not having a -- a position, I can't speak to that, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I think I don't have a position either. If the Commissioner doesn't have one, I don't either. I think I'm going to be voting Present. I mean, this seems to me to be a tremendous departure from previous practice, and it just seems to me that if we can't get the regulatory department to make a -- some declaration or position with respect to this bill, why should we?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator O'Malley, is there any intention or intent on your part to make this a privileged communication so that it's not

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discoverable in -- in a lawsuit, for instance?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Welch, I understand that under current practice that this information would not be privileged in the event a subpoena were issued. So it is certainly not my intent to change that practice.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

So not just a subpoena, but if there's a lawsuit and there's interrogatories or there's discovery or a notice to produce, the bank has to produce this study, this confidential study. That's the -- apparently the only way to get ahold of it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Welch, the -- the -- the Commissioner would have the opportunity to make the decision, on their own, whether or not, in the case of an interrogatory, they would -- they would share that information.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

But what about the bank? The bank has -- has -- has to answer the interrogatory or refer us to the Commissioner. The bank has to answer the interrogatories.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Welch, that's correct.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

And they have to produce the study if there's a lawsuit, in court, if there's a notice to produce that -- all documents relating to -- to the lawsuit.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

If the court were to order them to do so, yes, sir, they would.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, that -- that doesn't make sense to me. If -- if the bank doesn't -- let's say the bank does not make themselves compliant with the Y2K issue and they screw up all my bank records and I lose money, and I file a lawsuit against them, you're saying to me that I have to ask -- well, your answer was that I would have to get a court order telling them to turn over those documents that reviewed their Y2K compliance to me instead of, in the normal course of a lawsuit, me asking their lawyer to have the bank turn them over. Now, is that not correct? They have to turn over the documents?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Welch, that is not what I said. What I -- what I indicated is that this -- this applies to supervisory information, not to the business records. Your business records that are related to -- to what your -- your business interactions at that bank would certainly be discoverable and, frankly, without a court

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order. Be subject to the normal rules of -- of -- of the court.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, can you tell us what you mean by supervisory information?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

It's a report of examination, visitation or investigation prepared by the Commissioner or the Commissioner's office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

So it doesn't refer to information conveyed by the bank but, rather, to information compiled by the -- the inspector? Or could the information compiled by the inspector be a reporting of information gained from the bank officers and employees?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

I believe that that information could be, but if it's available in a different manner, it certainly wouldn't be held confidential.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

To piggyback on Senator Welch's questions, if this bill makes

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that the property of the Commissioner and the bank is deposited or has -- is asked to produce, can the bank produce it? Will the bank also have a copy of that document that they produce, or will they be able to say, "No, we can't because that is the property of the Commissioner"?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

I -- I believe, Senator, that -- that they -- they would -- they wouldn't... They would not necessarily have that information. This is information compiled by the Commissioner or their -- their staff members.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DEMUZIO:

...for a second time, but on page 7 it says that any request - starting around line 15 - for discovery or disclosure of the confidential supervisory information, whether by subpoena, order, or other judicial or administrative process, shall be made to the Commissioner, and the Commissioner shall determine within fifteen days whether to disclose the information pursuant to procedures and standards of the Commissioner -- that the Commissioner shall establish by rule. If the Commissioner determines that such information will not be disclosed, the Commissioner's decision shall be subjected -- subject to judicial review under the provisions of the Administrative Review Law, and venue shall be in either Sangamon or Cook County. Any court order that compels disclosure of confidential supervisory information may be immediately appealed by the Commissioner, and the order shall be automatically stayed pending the outcome of the appeal. Wow. Isn't that something? I'm not an attorney, but, I mean, wow. I mean, a court makes a decision and it's automatically -- the

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decision is automatically stayed pending the outcome of the appeal of the Commissioner? Wow. Why are we doing that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Again, Senator, this is supervisory information that is compiled in the Commissioner's office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

I know what information it is. Why are we doing this? Why are we putting in the statute that any court order that compels disclosure of this confidential supervisory information shall immediately be appealed by the Commissioner and the order shall be automatically stayed pending the outcome of the appeal? Is there ever going to be any closure to this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

This is not, Senator Demuzio, a departure from current practice. This is what's going on right now. What this is intended to do is -- is address the public policy associated with maintaining a good, open working relationship between a regulator and the regulated entity.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

It is a departure from previous practices. I mean, if you allow the -- the court to make a decision and if the court decision isn't the same as the Commissioner would -- would deem, then it's automatically appealed. Automatically. Automatically stayed pending an appeal. Never heard of such a thing. I think

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you ought to take this thing out of the record till we fully understand what we're doing here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Yes. Thank you for the questions. I do want to tell you that as we were having this discussion, the legislative liaison from the Office of Banks and Real Estate sent in a card saying, "We are neutral." I don't know if that's much different than saying that we don't have a position, but I'm sharing that information with you. I'd be -- I would request your support for this, and I can assure you that the concerns that Senator Demuzio has expressed here, which he tends to express on this type of legislation, will continue to be discussed right through to -- through the House, should it be -- should it go to the House.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 447 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 38 Ayes, 8 Nays, and 10 voting Present. And Senate Bill 447, having received the required constitutional majority, is declared passed. For the information of the Membership, there are forty-six bills left on the Calendar. It is the intent of the Chair to go through the rest of the Calendar before we conclude the business of the day. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

I just rise to tell you that I'm not going to seek verification of the roll call on that one. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon, what purpose do you rise?

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SENATOR HENDON:

Just a point of information. There are - at the start of the day - ninety-nine bills sponsored by Republicans on 3rd Reading and only eight by Democrats.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Bottom of page 10, the Order of Senate Bills 3rd Reading, Senate Bill 448. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 448 creates a Heritage Trust Fund which will allow the Landmarks Preservation Council of Illinois to make grants for historic and landmark properties. It also allows them to require matching funds for these grants. I would answer any questions and respectfully request an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 448 pass. All those in favor -- favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 448, having received the required constitutional majority, is declared passed. Top of page 11, the Order of Senate Bills 3rd Reading, is Senate Bill 451. Senator Berman. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 451.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 451 deals with the process of bringing up the warrant books in Cook County up to date. This has been requested by the Cook County Clerk and what it does is provide greater flexibility in carrying out the transactions and -- and amends the completion date from 2000 to 2005 for the bringing up to date of uncollectible warrants -- uncollectible tax entries in the warrant books. It came out of the committee on an agreed bill list. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 451 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 451, having received the required constitutional majority, is declared passed. Senate Bill 452. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill does is eliminate a double fee that's currently in

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the -- the statute.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lightford.

SENATOR LIGHTFORD:

Please notate that my button is stuck and I would have voted Aye on the last bill, 451.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator. Is there any discussion? If not, the question is, shall Senate Bill 452 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 452, having received the required constitutional majority, is declared passed. Senate Bill 458. Senator Syverson. Senate Bill 459. Senator Silverstein. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 459.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This is a matter that was referred to me by the Chicago Bar Association. It's just a simple procedural amendment that each complaint or countercomplaint state a prayer for relief to make it more easy on the litigants and the judge and all parties. Would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Yeah. Thank you, Mr. President. Will sponsor yield for a

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question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, we didn't really debate this in -- in committee, but, right now, if you have a three count complaint - say, count one is breach of contract, count two is a breach of warranty, et cetera - are you saying that at the end of each count there has to be a separate prayer for relief, as opposed to perhaps current practice which have prayer for relief at the end of the complaint? And, if so, what problem are you trying to correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

That's correct, Senator. I think the problem we're trying to correct is to simplify the pleadings in this respect, because when this thing does go to trial, we can assess damages whether it's a breach of warranty, whether it's a breach of contract. So it's more of a way to simplify the -- the pleadings process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 459 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 459, having received the required constitutional majority, is declared passed. Senate Bill 461. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 461.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. Senate Bill 461 is an initiative from the Chicago Bar Association. They, through one of their committees, did some research and found out that the only accounts in Illinois that for some reason were not subject to garnishment are capital accounts of savings and loan associations. For lack of a better description, a -- a capital account would be similar, I suppose, to either a savings or checking account, but it happens to be at a savings and loan association. Again, this is an initiative of the Chicago Bar Association and is an intent and -- and -- it's intention is to make sure that there are no special -- such special accounts in Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 461 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 461, having received the required constitutional majority, is declared passed. Senate Bill 462. Senator Watson. Senator Watson. Senate Bill 463. Senator Watson. Senator {sic} 464. Senator Watson. Senator -- Senate Bill 465. Senator Berman. Senator Berman. Senate Bill 466. Senator Sullivan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 466.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 466 amends the Civil Administration {sic} (Administrative) Code relating to the Department of Public Health. It requires the Department to promote the cancer information services relating to ovarian cancer. There's no known opposition. It passed unanimously in committee, and I respectfully ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor is indicating he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

I understand the sponsor said there's no opposition. I'd be curious as to the cost of this program?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Cost is minimal. They already provide this service for other cancers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Senator, how do you define minimum?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Printing -- printing some pamphlets.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Burzynski.

SENATOR BURZYNSKI:

And, Senator Sullivan, do you have any idea how much that will cost? Because pamphlets, depending on whether or not they're glossy, whether they're four color, whether they're black and white, whatever, can vary.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

The Department has indicated that it is within their budget.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

You said, if it's within their budget?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

That it is within their budget.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Could you tell me what Public Health's budget is, the amount?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski. {sic}.

SENATOR SULLIVAN:

I don't think we've voted on their budget yet.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Can you tell me what it was last year?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

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SENATOR SULLIVAN:

I would -- I would defer to the Appropriations Chairman on that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I -- I think this is a -- a laudable bill that you have here. I -- I've got a question. Did you consider perhaps a checkoff on the State income tax forms to -- to help fund this and help pay for it? You know, usually, when we have bills like this that do merit our good consideration that we would like to help fund, we find a way to provide for the funding of that. Have you sought that out, Senator?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

The Department indicates they can handle the funding.

PRESIDING OFFICER: (SENATOR DUDYCZ)

So many lights here. I don't know if -- if my board is broken. Senator Burzynski.

SENATOR BURZYNSKI:

Just one more question. I notice Senator Sullivan sits by Senator Parker, over on the Floor, and I just wondered if he would like to pass sponsorship of this bill to Senator Parker because normally she carries women's health issues.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I couldn't sleep last night, so I started going through the bills that were going to be called, and, you know, I think you're getting off pretty easy today, than I had. I want to commend the sponsor for this piece of legislation,

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and I hope everyone in the Body supports him, and good luck to you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hendon, for rebuttal.

SENATOR HENDON:

Thank you, Mr. Chairman. I was about to support you, Senator Sullivan, till I heard the comments of -- of your new ally over here and it just brought some concerns to me. It seems like you were trying to evade Senator Burzynski's questions. You seem timid about this bill. Is there some reason you're not passionate about this? I mean, you seem reluctant, you seem timid. Can you explain that to -- to us here?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

I'm a fairly reserved Senator, Senator Hendon. I am -- I am passionate about this legislation and there are other -- other legislators who are cosponsoring this with me whose families have been personally affected by this cancer. So it is a very important cause.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

The -- Senator Burzynski asked you about the -- the pamphlets, and it seems like you were saying that this bill really doesn't do anything. Is this some more useless legislation or -- I mean, you don't seem like it -- it really does anything. You say print up a few pamphlets. You could do that on your Xerox machine, couldn't you?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

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No, there's an eight hundred number, there's a lot of promotional activity that the Department will do with this, as they do with other cancers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, my colleague on the other side questions Senator Silverstein's support. Well, that's because he knows better than you do, Senator. And -- and he's doing the right thing. And, furthermore, talking about passionate, can you see this good-looking gentleman, full of good health, not being passionate? Of course, he's passionate about the bill, and I urge support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, this particular bill deals with a particular cancer. I think it's ovarian cancer, is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

That is correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

So ovarian cancer would be, obviously, dealing with women's health issues. I understand that the Department also has in place a breast and cervical research fund. But you indicated that the

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Department deals with other cancers as well, and I've -- I've got the statute that you're trying to amend here and I don't see anything in here about cancer that affects men. So -- like prostate cancer. So as you have this bill drafted right now, it doesn't -- it doesn't in any -- any way help disseminate information about prostate cancer, for example. I'm wondering if you wouldn't mind -- would you have any objection to an amendment that would add prostate cancer to this particular bill? Would you have any objection to that, sir?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Senator Cullerton, yesterday in State Government Committee, your colleague, our colleague, Senator Trotter, got a bill passed out dealing with prostate cancer.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

But, I think it would be safer for all of us here to know that your bill, before we pass it, also contains that -- that material, because, you know, Senator Trotter's bill hasn't passed yet. And -- and it may be that Senator Trotter, he has a bad arm, he may not be here, he may forget to call it. If you have it included right in your bill, then we wouldn't have to worry about it. So all I'm asking is just take it out of the record, we do an amendment, and then you can pass it next -- next -- next Monday or Tuesday. Would that be okay?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Just one quick question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Syverson.

SENATOR SYVERSON:

Senator Sullivan, you had mentioned the fact that there would be a minimal cost to this. I'm looking at the Sun-Times from two weeks ago and in there you were quoted as saying that George Ryan's budget had minimal increase over last year. Now, I'm not sure what your definition of minimal is. Could you explain to us what minimal means?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

That might be a quote from you. I'm not sure what quote you're referring to. And -- in response to Senator Cullerton, it might violate the single subject rule.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. I'd like to rise in support of this bill because I am one of the sponsors of this. But, Senator, it says in here that there's a toll-free number to call for the cancer information center. What is that toll-free number, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

That number is 1-800-4-cancer. 1-800-422-6237.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR HENDON:

Well, Mr. President, I apologize for rising a second time, but now I feel like a jilted lover. Senator Geo-Karis has been mine ever since I got here, Senator. I don't think he's more handsome than me, but - whatever - but quit putting the moves on my lady.

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All right?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis, for a second time.

SENATOR GEO-KARIS:

Well, I do admit I like 'em tall, dark and handsome.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SULLIVAN:

Thank -- thank you for the -- thank you, Members of the Senate, for your questions and I respectfully ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 466 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that -- on that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 466, having received the required constitutional majority, is declared passed. For the information of the Membership, we still have thirty-five bills to go. Senate Bill 474. Senator O'Daniel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. Senate Bill 474 amends the the Fish and Aquatic Life Code and -- and the Wildlife Code and provides that agents designated by the Department of Natural Resources to sell licenses, stamps and permits for hunting or fishing or both -- that are increased to --

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from fifty cents to -- to one dollar. You know, the -- the fee for this hasn't -- hasn't changed since the mid-sixties. It was fifty cents and it's -- it's getting very hard to -- to get vendors to -- to issue these things. And, you know, if -- I'd appreciate a favorable roll call. If there's any questions, I'll attempt to answer 'em.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Question -- is there any discussion? If not, the question is, shall Senate Bill 474 pass. All those in favor, 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 45 Ayes, 12 Nays, 1 voting Present. And Senate Bill 474, having received the required constitutional majority, is declared passed. Senate Bill 480. Senator O'Malley. Senate Bill 481. Senator Petka. Madam Secretary, read the bill. Senator Petka, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Petka seeks leave of the Body to return Senate Bill 481 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 481. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. The amendment is technical in nature and I'd -- I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Any further

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Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill -- 485. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 485.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the Senate. This legislation would permit the -- the imposition of -- or, excuse me, it would take away any type of good time credit that would be used in a county jail. When a person who has been sentenced to probation for a felony in the past would have been eligible for day-for-day good time credit, the person will not have it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 485 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, and 2 voting Present. Senate Bill 485, having received the required constitutional majority, is declared passed. Bottom of page -- Senator Obama, what purpose do you rise?

SENATOR OBAMA:

For purpose of correction. I pressed the wrong bottom on that. I wanted to vote Yes.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Record shall reflect your intent, Senator Obama. The bottom of page 11, in the Order of Senate Bills 3rd Reading, is Senate Bill 504. Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 504 amends the Code of Corrections to provide that a court may impose an extended term sentence upon an offender at least seventeen years of age convicted of predatory criminal sexual assault of a child. This is legislation proposed by my state's attorney, DuPage County State's Attorney Joe Birkett, and the intention is to correct what appears to be a legislative oversight, and there's no known opposition. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 504 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 504, having received the required constitutional majority, is declared passed. Turn your calendars to the top of page 12. In the Order of Senate Bills 3rd Reading is Senate Bill 536. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill -- Senate Bill 536.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I can get my -- could you pass me 'cause I -- I can't get my computer...

PRESIDING OFFICER: (SENATOR DUDYCZ)

With leave of the Body, we will return to Senate Bill 536. Senate Bill 537. Senator Geo-Karis. With leave of the Body, we will return to 537, also. Senate Bill 542. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 542.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill comes from the Illinois Hospital Association and makes two minor changes to the date rape series of bills that we passed last year. And it allows a physician to be a designated individual, if that physician agrees to do it, to be the individual who talks to the victim of the -- of the -- the assault or the alleged assault. And it also allows the drawing of blood and other things by physician assistants as it's allowed in law today. It appeared to some that the law required only physicians to actually be doing some of the testing, and if there's current law today that allows somebody other than a physician to do it, we allow that to happen. Two minor changes just to clean up last year's date rape series of bills, and I'd be happy to answer any

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questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 542 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 542, having received the required constitutional majority, is declared passed. Senate Bill 536. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 536.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill has an amendment to authorize any county, pursuant to a plan approved by the Board of Higher Education, to make appropriations and transfer money into a not-for-profit corporation for the purpose of purchasing land and erecting buildings for a county university center. And we are one of the communities being considered by the Board -- Board of Higher Education and I ask for favorable consideration. It's approved by my county board.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Link.

SENATOR LINK:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Link.

SENATOR LINK:

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I stand here in strong support of what Senator Geo-Karis is trying to do here, because Lake County is, as she indicated, one of the finalists and it's been long overdue that the third-largest county in the State of Illinois be recognized with a multi-university. I think it's a concept that will work. It will help a lot of kids in the area, but it also will help a lot of our businesses who are retooling and redesigning and -- with their new technology, and I stand and I hope that all my colleagues here will give us a positive vote on this. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I must have missed this in Education Committee. I -- I don't recall this. But, what are we -- we're actually establishing another university in our State, or what -- explain this a little further, if you would, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, this came through the Local Government Committee and what -- what we're doing here is -- they may establish a -- a university center in my county. And we're asking for support of this bill to -- to allow the -- the county to make appropriations as well.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Well, I'd just like to echo Senator Watson's comment. This did not come through Senate Education Committee. Those of us that have to deal with other institutions of higher education, community colleges, et cetera, we don't know what the fiscal -- potential fiscal impact could be on any of those. And in fact, I

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don't have a staff analysis on my computer either at this time. It's listed as a shell bill, I believe.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This amends the County Code and permits the county, if it wishes to do it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I, too, have some concerns. I was hoping that the Board of Higher Education would do a little bit more background with Members of the General Assembly. Initially, as I understood it, the discussion was not to be for bricks and mortar, but it was actually supposed to be a consortium that work together. And now, as I understand it, in the Governor's suggested appropriation bill, BHE has designated, I think, two million dollars for planning and engineering. So, I'm a little concerned about it as well and -- and just think Members ought to be alert that we're -- we're starting down a path and we need to be sure that it's where we want to go.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hendon.

SENATOR HENDON:

Well, I just rise in support of this legislation, and, remember, we're talking about education here, and we can never get enough education in the State of Illinois for our children.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Parker.

SENATOR PARKER:

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

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legislation also. Lake County is a large, growing area. There certainly is the population for it, and there certainly is wide support in the county region.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Burzynski, for a second time.

SENATOR BURZYNSKI:

Again, and I hate to -- to beat this again, but the fact remains I have not been contacted by the Board of Higher Education. I don't know of anyone else in this Chamber that has, other than perhaps somebody on Local Government. And this does create some concern for me, and -- and with all due respect to the sponsor - I have a tremendous amount of respect for her - I would request a Present vote until we have a chance to review the total cost of this program to the State and other budgets.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, let's talk about the next bill. 537's a vehicle. Were you looking for a sales tax or something on -- on this next bill that's going to be amended to come back to fund this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, there's been some -- misunderstanding of this bill. All this does is allow the counties to transfer money to a not-for-profit corporation for the purpose of purchasing land and erecting buildings for a county university center if they should get one. That's all it does. And as far as the other bill, that's not the same bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Trotter.

SENATOR TROTTER:

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Thank you very much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The sponsor indicates she will yield. Senator Trotter.

SENATOR TROTTER:

Senator Geo-Karis, looking at our analysis, I see here that this isn't site specific. Can any county do this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Trotter.

SENATOR TROTTER:

I -- I, too, have the apprehensions of -- of my other colleagues. I just feel that at this point in time the dollars aren't there, because -- and -- and also in allowing all the counties to do this. So we're talking about - what? - a hundred and two counties throughout the State can certainly start its own program. I have a lot of unreadiness and also ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill makes -- it allows -- allows the counties to make appropriations, as I said, to transfer money to a not-for-profit corporation for the purpose of purchasing land and erecting buildings for a county university center. We are one of the counties that's been considered by the Board of Higher Education. We're trying to improve education for working people. And I -- I ask for a favorable vote because we're not hurting anyone, for heaven's sake, and it's a good thing. And we stress education, let's do

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something about it, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 536 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 2 Nays, 8 voting Present. And Senate Bill 536, having received the required constitutional majority, is declared passed. Senate Bill 537. Madam -- Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 537.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies -- Ladies and Gentlemen of the Senate, excuse me, Senate Bill 537 is a vehicle bill to see if we can get some funding for our -- for our road projects in -- in our county and what have you. And all I'm asking is that we pass this and send it over to the House and see what they can do. And if there is going to be any -- any taxing, it'll be by front-door referendum.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 537 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 2 Nays, 12 voting Present. And Senate Bill 537, having received the required constitutional majority, is declared passed. Senate Bill 544. Senator Syverson. Senate Bill 547. Senator Lauzen. Senate Bill 549. Senator

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Trotter. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 549.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Senate Bill 549 is an initiative that was submitted to me by the CEO of the Cook -- Chicago public schools. It allows the Chicago public schools to pay its obligations using either checks or warrants. Presently they can only use warrants. The checks have to have five signatures to 'em, and it just helps them expedite their purchasing process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 549 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 549, having received the required constitutional majority, is declared passed. Senate Bill 565. Senator Obama. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 565.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. This is a bill that was initiated

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by the Secretary of State's Office. As many of you know, limited liability companies are an increasingly preferred form of business organization. There were some sections that were ambiguous or had some unnecessary or burdensome requirements in them. The recommendation of a task force that was put together was that we do some clean-up language on this -- this Act. There is no opposition to this bill, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 565 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 565, having received the required constitutional majority, is declared passed. Senate Bill 570. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 570.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill is an initiative of the Mothers Against Drunk Driving. One of the problems that we have in -- in dealing with drunk driving cases is the lack of resources, particularly at the local level and the county prosecutor level. In -- in many of our smaller counties, particularly if you have only one state's attorney or a state's attorney and one assistant, sometimes the more serious cases take precedent and there just aren't the resources available to

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prosecute drunk driving and other alcohol-related traffic cases. This initiative would apply State funds to -- to pay for assistant state's attorneys in the counties that wish to avail themselves of it. The smaller counties would get one; some of those over a hundred thousand would get two, and so forth. It is permissive. The counties can choose to do it. If all the counties avail themselves of this program, it would have roughly a six-million-dollar annual budget impact. I know of no opposition, but it does have a significant budget impact, and I would ask for your support. Be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 570 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 570, having received the required constitutional majority, is declared passed. Senate Bill 572. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Senate Bill 572 amends the Criminal Code by creating the offense of aiming a laser pointer at a peace officer, which is a Class A misdemeanor. It amends the Code of Corrections to include committing an offense using a fire arm with a laser sight attached as the basis for imposing an extended term sentence. Be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 572 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 572, having received the required constitutional majority, is declared passed. Senate Bill 643. Senator Munoz. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 643.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President and Members of the Senate. Senate Bill 643 amends the Code of Corrections relating to restitution. Complete restitution shall be paid in as short time as possible. A defendant has five years to make complete restitution, but the court shall ensure that it's been paid in a short time -- period as possible based on the defendant's ability to pay. This bill eliminates what would be a difficult and expensive job for a prosecutor to investigate the financial circumstances of a defendant who has been sentenced to or has agreed to restitution but now cannot pay. Then the defendant has the opportunity to rebut the presumption that has facts established at trial or plea agreement have materially changed. For example, the defendant testifies to a loss of a job. At this time, I open for any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski.

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SENATOR BURZYNSKI:

Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Senator, I'm looking in here and the short title in today's Calendar says, "Amends the Unified Code of Corrections relative to paying restitution." What relative is to pay restitution?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

It's for the -- Senator, that's for the defendants to pay restitution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

In other words, it's not for the relatives. It's for the defendants but not for the relatives, and that's not relative to the debate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

No, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Just -- just one last question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion?

SENATOR BURZYNSKI:

I -- I see that Senator DeLeo's giving expert counsel. Is that

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legal counsel? We could have a problem here. A bill -- you're billing him already, okay. Is he the relative? No. No further questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Munoz, in -- in what way does this have -- relate to the Monica Lewinsky scandal? Is that related to your legislation? Is it five years before she does her book deal, or -- I don't understand. You lost me here somewhere.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Senator, it's to my knowledge, Ms. Lewinsky doesn't have anything to do with this, at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Well, Senator, this is your first bill, isn't it, that you're -- have made it to 3rd Reading with in the -- in the Legislature? Is that -- is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

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SENATOR HENDON:

You're a police officer by -- by trade, other than being a Senator, is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Careful, Rickey. Senator -- Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

This doesn't give you any additional power for police brutality or anything like that where they wouldn't have to pay -- the City would have to pay the lawsuit against you for five years, is that in there anywhere?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

No, Senator, it doesn't give me any additional powers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I -- I follow the lead of my colleague, Senator Silverstein, and I rise in support of this bill and commend the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Petka.

SENATOR PETKA:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Petka.

SENATOR PETKA:

I'm asking this question in the place of our -- our esteemed

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coach, Frank Watson. You replaced Cheech Garcia. Are you capable of playing left field?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

It's to my understanding, Senator, Mr. Garcia's a very good ballplayer. I -- I've not played left field in a long time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Do you wish to take this out of the record, Senator? Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, let's put it this way. He can play ball. I'm for it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR MUNOZ:

Members of the Senate, I know of no opposition to this bill at this time. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 643 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are -- there are 58 Ayes, no Nays, none voting Present. Senate Bill 643, having received the required constitutional majority, is declared passed. Senator Watson, what purpose do you rise?

SENATOR WATSON:

Yes, just a point of information for the Members. No, nothing to do with softball. I understand there was a guy in the House, yesterday, that passed his first bill. The only thing unusual about it, it was in his second term.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 659. Senator Peterson. Madam Secretary, read

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the bill.

ACTING SECRETARY HAWKER:

Senate Bill 659.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 659 deals with prepaid calling cards. The cards are subject to tax currently in Illinois and this bill changes the place of taxation from the usage of the card to the point of sale and reduces the telecommunications tax on this type of card from seven percent to a sales tax of six and a quarter cents. All the states surrounding Illinois have the point of -- of sale for these phone cards: Missouri, Iowa, Wisconsin, Michigan, Indiana, Ohio, Minnesota. The bill simplifies the tax collection by charging the tax up front when the card is purchased, instead of on each individual call, which then has to be calculated from each particular municipality, or if it's out of state, we don't get any tax at all. I ask for your support of Senate Bill 659.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 659 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 659, having received the required constitutional majority, is declared passed. Senate Bill 665. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 665.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 665 codifies the existing tax treatment of reciprocal insurers and their attorney-in-fact. No change to the current practice is contained in this bill. The language in Senate Bill 665 tracks both the federal language and the National Association of Insurance Commissioners' model act and taxes reciprocal insurers similarly to mutual and stock insurance organization. It causes no loss of revenue to the State. The Department of Revenue chose the language for Senate Bill 665, and there is no known opposition to the bill. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 665 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 665, having received the required constitutional majority, is declared passed. Senate Bill 667. Senator Cronin. Senator Cronin. Senate Bill 678. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 678.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

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Thank you, Mr. President. This legislation was introduced on behalf of the Department of Agriculture. Updates the Illinois Grain Code. I know of no opposition to the bill. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 678 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 57 Ayes, no Nays, none voting Present. And Senate Bill 678, having received the required constitutional majority, is declared passed. Senate Bill 725. Senator Luechtefeld. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 725.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Senate Bill 725 amends the Civil Administrative Code of Illinois and the Agricultural {sic} (Aquaculture) Development Act to provide that the Department of Agriculture shall make grants to the Agriculture {sic} (Aquaculture) Cooperative, which is under the rules of the Agriculture Co-Operative Act. Last year, we, in this Body, furnished funds to start a fish processing center at the Pinckneyville prison. This is kind of the second part of -- of that plan to create some fish farming. I think it -- I really think it -- it will help in that area. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 725

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pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. And Senate Bill 725, having received the required constitutional majority, is declared passed. Senate Bill 730. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 730.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill changes the word "the" to the word "a". It's in the Juvenile Court Act. It deals with abused and neglected kids and it comes to us out of Peoria County. It is a significant piece of legislation, however. There was no opposition in committee. But what the bill does is this: In abuse and neglect cases, right now under current law, if the victim of abuse or neglect by a parent or stepparent has given a prior statement, that statement may be introduced. It may not form the sole basis for the finding of abuse or neglect. In many cases, there are siblings in the family who have been abused or neglected. Under current law, their prior statements are not so admissible. This would allow the other siblings or minors in the family who have been abused by the same offender to be admitted under the same circumstances.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 730 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 730, having received the required constitutional majority, is declared passed. Bottom of page 12, in the Order of Senate Bills 3rd Reading, is Senate Bill 731. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 731.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 731 amends the Criminal Code by reenacting the WIC Fraud Article. WIC fraud is fraud that is perpetrated upon the special supplemental food program for women, infants and children. That -- that law, which was -- which was part of Public Act 88-680, was declared unconstitutional for -- for violating the single subject rule. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 731 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 731, having received the required constitutional majority, is declared passed. Top of page 13 of your regular Calendar, in the Order of Senate Bills 3rd Reading, is Senate Bill 740. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 740.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a few minutes ago, we heard Senator Hawkinson present Senate Bill 570, talking about the lack of resources for prosecution of DUIs and that that bill would help. I think this bill will assist him even greater in that process. Senate Bill 740 calls for an additional fine of one hundred dollars for the conviction of a DUI to go to the local arresting jurisdiction for the purchase of technology and equipment to assist in the apprehension and conviction of DUI offenders. What we've seen over the last few years is that people that have this type of technology are able to move the -- move the process along quickly and we have less cases appearing in court. People are pleading guilty. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

This is for people who are found guilty of driving under the influence. Would it cover people who are given supervision for the offense in their first offense?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

The answer to that is, I don't know, Senator. I'm not sure at

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this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, do you know how the dollar amount of one hundred dollars was chosen and how much money is expected to be raised statewide?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Yes. Let me address the -- the dollar amount. Senator, what we looked at was the number of DUI arrests that have been made over -- and convictions, I should say, that have been made over the last year. And in 1997 alone, there was forty-seven thousand DUI convictions by Illinois State Police. In Winnebago County, my county, it's thirteen hundred and eighty-nine. Ogle County, two hundred and sixty-two. Boone County, two hundred and ninety-two. What we tried to do, in looking at this -- this bill came to me from one of my constituents who lost not only a daughter, but her grandmother, in a head-on collision with a -- with a drunk. And so what they were trying to do is find a way to provide for a cost for local officials to -- to purchase equipment. The hundred-dollar fine is just a number that we thought was adequate, that would help provide for a considerable amount of dollars back to local jurisdictions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, thank you, Mr. President, and thank you for that answer. Obviously I'm going to support the bill, but I would make a couple recommendations for possibly your House sponsor. First of all, you got to clarify whether it covers people who are typically first offenders and they get supervision. They lose their

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driver's license because they didn't take the Breathalyzer or they blew over .08, but they usually don't get an actual conviction. And that question then would be as to how much money is raised. You've indicated forty-five thousand convictions. That would be four and a half million dollars. It may be that a particular jurisdiction may need a little more flexibility in -- in the use of this money. It may be that some county just bought all the Breathalyzer machines and laser guns that they -- that they needed and now they're going to get this influx of new money and the bill may be drafted such that they're limited as to where they can get it. So I would make those two recommendations, not having been on the committee that this came through, but I would make those recommendations for the proverbial "I'll amend it in the House."

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Shadid.

SENATOR SHADID:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shadid.

SENATOR SHADID:

Senator Burzynski, in the committee, I believe I asked you if this money was going to be used for personnel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

No. The funds are not to be used for personnel. This is narrowly defined for the technology and for the training of people to utilize the technology to aid in the apprehension and conviction.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

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I -- I don't -- I think that you were going to put an amendment on or to clarify that or...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

I think that the bill pretty well speaks for itself, Senator. Any time that you have that type of equipment, you're going to better be capable of -- of apprehending or convicting a person who's DUI. Let me give you a little bit of -- of an example of that. When we started talking about that in committee, what we wanted to do was initiate something that provided technology. The couple that brought this bill to me, who had lost members of their family, have provided over three hundred and fifty-one thousand of their own dollars into project programs in four counties in Illinois, as well as in Wisconsin and for the State Police. So, they have assisted by providing technology and really thought this was a way to -- to draft the bill so that it does go strictly to technology and not personnel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Yes, Senator Burzynski, I support what you're trying to do. I just wanted to make it very clear that this money would not be used to hire additional personnel or use it for clerks and stuff like that. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator -- Senator Petka.

SENATOR PETKA:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Petka.

SENATOR PETKA:

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Senator Burzynski, the language that you have in this amendment speaks in terms of a person being found guilty. Just by way of information, perhaps looking towards having this bill amended in the House, you ought to clarify that you're either talking about a conviction or, in the alternative, court supervision, because court supervision is not a conviction. So, I would just suggest that. I plan on supporting your legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR BURZYNSKI:

Thank you. And -- and those are good suggestions. Thank you, Senator Cullerton, Senator Petka. Senator Shadid, I do believe that we've covered that. In one section here it says "shall be used to purchase law enforcement equipment..." It doesn't say anything about personnel. It's very specific. Again, I appreciate a Yes vote on this. It's something very near and dear to many individuals in my district and I think in all of our districts. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 740 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 740, having received the required constitutional majority, is declared passed. Senate Bill 741. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 741.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

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SENATOR FAWELL:

Thank you very much. This bill came at the request of the DuPage Railroad Safety Council. It prohibits -- that a driver will not enter a highway or -- or rail grade crossing unless there is sufficient space on the other side of the crossing to accommodate the vehicle without obstructing the passage of the train. Makes it four -- a Class 4 felony to change or deface any part of the locomotive or freight car. Prohibits a person from entering the railroad property or riding on the outside of a train without the rail carrier's consent.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question -- Senator Demuzio.

SENATOR DEMUZIO:

Thank you. I'd like to -- if the Senator will yield, I would like to pose a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Demuzio.

SENATOR DEMUZIO:

Madam Sponsor, am I reading this right? No driver shall enter a highway rail grade crossing unless there's sufficient space on the other side of the highway. How do you know whether there's sufficient space on the other side of the highway once you get into it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Well, if a train comes by and you're hit, I guess there wasn't sufficient...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 741 pass. All those in favor will vote Aye. Opposed will

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vote Nay -- 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 53 Ayes, no Nays, none voting Present. And Senate Bill 741, having received the required constitutional majority, is declared passed. Senate Bill 745. Senator Shaw. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 745.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Yes, thank you, Mr. President. This 745 just makes technical changes. This is an LRB bill combining certain statutes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 745 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 745, having received the required constitutional majority, is declared passed. Senate Bill 746. Senator Shaw. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 746.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Yes. This is also a LRB bill. It's a vehicle bill, probably,

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for later on next fall of the year for -- to combine certain statutes, and I'd ask for its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 746 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 746, having received the required constitutional majority, is declared passed. Senate Bill 751. Senator Maitland. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 751.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 751 creates a new definition for hedge fence to be any boundary formed by a dense row of shrubs, trees, or other vegetative matter. The Illinois Fence Law, of course, goes back forever, and we used to have hedge fences, the true hedge, frankly, between every forty acres. Those fences are all gone now and many fences that have vegetation are -- are something other than hedge. The Fence Law goes on to suggest -- it does not suggest, it says that -- that it's mandatory that that hedge fence be kept trimmed to a height of four feet and a width of two feet. This will allow, then, some jurisdiction over some of the fences that have -- fence lines that have gotten out of control. I would appreciate the support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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There any discussion? If not, the question is, shall Senate Bill 751 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 751, having received the required constitutional majority, is declared passed. Senate Bill 762. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 762.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 762 extends the validity of health care arbitration agreement from one year to two years. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 762 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 762, having received the required constitutional majority, is declared passed. Senate Bill 770. Senator -- Senator Rea. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 770.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This re-creates the Illinois Forestry Development Council. The -- was signed into law after the sunset date. So this goes back and makes a correction which establishes the sunset date as of December 31st, 2008. The Department of Natural Resources are in favor. I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 770 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 770, having received the required constitutional majority, is declared passed. Senate Bill 804. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 804.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill provides that municipalities may self-insure for group insurance through an intergovernmental joint self-insurance pool. I would answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Can't they do that today?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Senator Hawkinson, there was a decision from the Attorney General's Office, an opinion, that because they are nonhome rule units, that they cannot do that. So what they're afraid of is that this opinion could jeopardize nonhome rule municipalities' participation in joint self-insurance pools. So this corrects that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 804 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 804, having received the required constitutional majority, is declared passed. Senate Bill 879. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 879.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 879 is an example of the value of getting reelected. You know, I get a chance to

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correct an oversight from my first term. Three years ago, we provided sixteen-percent unemployment insurance tax relief for every employer in the State of Illinois, and for everyone but the folks who hold onto their employees the longest, it was a forever sixteen-percent decrease. Unfortunately, a group of -- the fifty-two percent of Illinois employers who have the lowest rate possible only enjoyed their sixteen-percent decrease for one year. And so this -- this bill attempts to correct that oversight. And, yes, Senator Halvorson, you voted No in committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Halvorson.

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Halvorson.

SENATOR HALVORSON:

Senator Lauzen, has the Department of Employment Security been able to provide an analysis of the impact that this would have on the Unemployment Insurance Trust Fund?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

The approximate number that was used in the Senate debate given to us by AFL-CIO was approximately thirty to forty million dollars, which represents about one and a half percent on a two-billion-dollar fund.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. I still stand in opposition to this, if nothing else but because of the process. This is just another instance where the agreed process -- or, the agreed bill

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process is not being abided by. And these issues need to be discussed together and changes need to be made to the entire bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LAUZEN:

Thank you, Mr. President. You know, I think some sort of record has been set here today. Senator Halvorson, let's see, in one day you've objected to reducing fraud in worker compensation, you've objected to avoiding a decrease in projected benefits for those laid off through no fault of their own, you've objected to avoiding an increase in the tax on every employer in the State, you've used grossly inaccurate projections of -- where the Fund is 1.5 billion. I'm glad that you did not object to the employees of summer camp. I think that it's important that rather than taking the political position on these, I would ask all of us to consider the merits of the bill. This certainly is the correct direction to go to help those -- those who have done the very best at employing the citizens of Illinois. So I'd ask for a Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 879 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 17 none -- Noes, and 7 voting Present. And Senate Bill 879, having received the required constitutional majority, is declared passed. Senate Bill -- Senate Bill 932. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 932.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a merely bill. This bill goes in and merely corrects bond issue notice requirements and clarifies - clarifies - the way notice has to be given for local bond referendums. It's an effort to seek to correct the problem that we -- in Veto Session, where we had to go back and -- and do legislation so that improper notice was accepted. I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does your bill remove the current requirement of publication?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No, it does not. In one section of the statutes, special assessment units have their own notice requirements and it removes a cross-reference and makes a correction.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 932 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. And Senate Bill 932, having received the required constitutional majority, is declared passed. Senate Bill 939.

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Senator Maitland. Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

For the purposes of an announcement. I want to remind the hardworking and diligent Appropriation Committee that on Monday we're going to assemble here in Springfield for an 11 o'clock hearing. We're going to hear higher education bills and I think the -- the Board of Higher Education. One day, in the Calendar, it was incorrectly printed as 1 o'clock; it is 11, as we announced in committee, and I just wanted to remind everybody. I really appreciate all the time that the Approp Committee Members have been giving to -- to the process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue, what purpose do you rise?

SENATOR DONAHUE:

For the purpose of tabling a bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

What's the bill number, Senator?

SENATOR DONAHUE:

I'd like to request permission to -- or, leave of the Body to table Senate Bill 755.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue moves to table Senate Bill 755. Hearing no objection, Senate Bill 755 is hereby tabled. Senator Shaw, what purpose do you rise?

SENATOR SHAW:

Yes. I rise on a point of personal privilege...

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SHAW:

The previous speaker, as it related to Senate Bill 879 -- or, 779 -- 879, certainly I think that was inappropriate for the

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sponsor of the legislation to get up and talk about what Senator Halvorson was against, and -- because she didn't say that at all. Senator Halvorson only opposed the bill because she agreed with the bill -- with the agreed process, and she wanted everybody at the table to deal with this one issue. That's what Senator Halvorson was opposing, the way it was done. And certainly I think the -- for the record, the Senator should have made note of that, and I think it's unfortunate that he would point out -- castigating a Member as though that they were for raising taxes, against the process as a whole. That is not what she was against. And I think we've always had the agreed bill process around here, and I think it should be no different in your legislation or over in the House legislation. And I think it's wrong for you to get up and do that to a Member.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Shaw. For the Membership's information, we have gone through fifty-four bills on 3rd Reading today. You should congratulate yourselves. It was a very productive day. Resolutions.

SECRETARY HARRY:

Senate Resolution 59, offered by Senator Clayborne and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 23, offered by Senator Donahue.

(Secretary reads SJR No. 23)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 2323 {sic}. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Now Senator Donahue moves for the adoption of Senate Joint Resolution 2323 {sic}. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 154, 157, 1079, 1622, 1648, 1681, 1900, 1915, 2698 and 2836.

All passed the House, March 11th, 1999.

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House Bills 1st Reading.

SECRETARY HARRY:

House Bill 230, offered by Senator Karpiel.

(Secretary reads title of bill)

Senate Bill -- or, House Bill 251, by Senator Bomke.

(Secretary reads title of bill)

House Bill 252, Senator Tom Walsh.

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(Secretary reads title of bill)

House Bill 329, offered by Senator Cullerton.

(Secretary reads title of bill)

Senator Mahar offers Senate {sic} Bill 379.

(Secretary reads title of bill)

House Bill 392, Senator Karpiel.

(Secretary reads title of bill)

House Bill 457, by Senator Molaro.

(Secretary reads title of bill)

Senator Demuzio offers House Bill 516.

(Secretary reads title of bill)

House Bill 518, Senator Sieben.

(Secretary reads title of bill)

House Bill 541, by Senator Noland.

(Secretary reads title of bill)

House Bill 542, Senators Radogno and Lauzen.

(Secretary reads title of bill)

House Bill 607, by Senator Demuzio.

(Secretary reads title of bill)

House Bill 736, Senator Karpiel.

(Secretary reads title of bill)

House Bill 845, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1136, by Senator Lightford.

(Secretary reads title of bill)

House Bill 1152, Senator Peterson.

(Secretary reads title of bill)

Senator Rauschenberger presents House Bill 1202.

(Secretary reads title of bill)

House Bill 1279, Senator Noland.

(Secretary reads title of bill)

House Bill 1443, Senator Mahar.

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(Secretary reads title of bill)

House Bill 1509, Senator Obama.

(Secretary reads title of bill)

Senator Syverson offers House Bill 1720.

(Secretary reads title of bill)

House Bill 1763, Senator Dillard.

(Secretary reads title of bill)

House Bill 1766, by Senator Weaver.

(Secretary reads title of bill)

Senator Sieben offers House Bill 1825.

(Secretary reads title of bill)

House Bill 1969, offered by Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 2016, Senator Trotter.

(Secretary reads title of bill)

House Bill 2218, presented by Senator Cronin.

(Secretary reads title of bill)

House Bill 2351, Senator Munoz.

(Secretary reads title of bill)

Senator Klemm presents House Bill 2617.

(Secretary reads title of bill)

House Bill 2639, by Senator Donahue.

(Secretary reads title of bill)

And House Bill 2720, by Senators Donahue and Robert Madigan.

(Secretary reads title of bill)

Also, House Bill 235, presented by Senator Fawell.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator O'Malley moves that the Senate stand adjourned until the hour of noon,

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