

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

27th Legislative Day

March 25, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by the Reverend William Schroeder, Trinity Evangelical Lutheran Church, Springfield, Illinois. Reverend Schroeder.

THE REVEREND WILLIAM SCHROEDER:

(Prayer by the Reverend William Schroeder)

PRESIDENT PHILIP:

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

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Thursday, March 18th, 1999.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

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

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Friday, March 19th; Monday, March 22nd; Tuesday, March 23rd; and Wednesday, March 24th, in the year 1999, be postponed, pending arrival of the printed Journals.

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PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Resolution 52 Be Adopted.

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Joint Resolution 25 Be Adopted.

And Senator Klemm, Chair of the Committee on Executive, reports Senate Resolutions 57 and 64, both Be Adopted.

PRESIDENT PHILIP:

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 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 2, 239, 531, 626, 941, 1116, 1132, 1234, 1244, 1383, 1697, 1771, 1782, 1811 and 1846.

All passed the House, March 24th, 1999.

PRESIDENT PHILIP:

If I may have your attention, we're going right to 3rd Readings. Before we go to 3rd Readings, I've got a bit of great news for you. The great Attorney General from the State of Illinois is out of intensive care. I talked to the family this morning. If he is lucky, he will probably be at home this weekend. So our prayers, of course, have been with him and are with him. Thank you. Senate Bills 3rd Reading, top of -- bottom of page 2. Senate Bill 1. Senator Syverson. Read the bill.

SECRETARY HARRY:

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Senate Bill 1.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 1 is a bill that addresses the current circuit breaker, the Pharmaceutical Assistance Program. We've been having hearings on this, have not reached any final conclusion yet, but what we have put on here is this does make one improvement in regards to when a person is eligible for this program. I know of no opposition. We're going to move this over to the House and continue to work on this legislation.

PRESIDENT PHILIP:

Any further discussion? If not, Senator Syverson, to close. All right. The question is, shall Senate Bill 1 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Has everybody voted who wish? Have you voted who... Take the record. The Ayes are 59; the Nays are 0. Senate Bill 1, having received the constitutional majority, is declared passed. Senate Bill 6. Senator O'Malley. ...the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 6.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill does is permit municipalities - doesn't mandate that they must do it, but authorizes them - to self-assess their

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tax with respect to purchases of electricity within their municipality. We had some discussion about this yesterday. I'd be happy to answer any questions there may be.

PRESIDENT PHILIP:

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

SENATOR O'MALLEY:

I would appreciate the support of the Chamber.

PRESIDENT PHILIP:

All right. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On Senate Bill 6, there are 40 Yeas, 17 Nays. This bill, having received the constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR TROTTER:

On the previous bill, Senate Bill 10 {sic}, I was -- inadvertently pressed the green button. I meant to vote No. I'd like the record to reflect that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comment is well noted. Senator Silverstein, for what purpose do you rise, sir?

SENATOR SILVERSTEIN:

Ms. President, on Senate Bill 6, I inadvertently hit the Yes button. It should be a No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your comment is noted, Senator Silverstein. Senator Demuzio.

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SENATOR DEMUZIO:

Thank you, Madam -- thank you, Madam President. I -- on a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your point of personal privilege, please state it.

SENATOR DEMUZIO:

In the gallery today, I have Kevin Brannan and Nathan Schnettgoecke and Eric Reeves who are visiting with us, from Carrollton, with the 4-H group.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Stand up and be recognized. We're delighted to have you here in the Senate today. Welcome. Let's recognize our folks. On the Order of 3rd Reading, at the bottom of page 2, Senate Bill 11. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 11.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 11, as amended, creates the Certified Capital Company Act. The policy statement within Act -- Section 5 asserts the primary purpose of this Act is "to provide assistance in the formation of new and expansion of existing businesses that create jobs in the State by providing an incentive for insurance companies to invest in certified capital companies." The Act seeks to accomplish this by allowing tax credit to be deducted from the privilege tax liability assessed under Section 409 in the Illinois Insurance Code. The intent of the bill is to encourage Illinois insurance companies to invest their reserves in Illinois businesses through certified capital

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companies. The amendments that were put on provides for a sunset in the year 2015. It also provides that thirty percent of any distributions made to the equity holders of the certified capital company and -- other than qualified distributions, in excess of the amount required to produce a fifteen-percent annual internal rate of return be deposited annually in the State Pension Fund. I ask for your support of Senate Bill 11, as amended.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR CULLERTON:

Senator Peterson, I -- I want to verify something that I believe is in this bill. The bill would provide for a tax credit for insurance companies, and it's to be deducted against their privilege tax liability. And if I understand it, if the credit exceeds the privilege tax liability, then those would be called unused credits, and those unused credits may be carried forward, pursuant to some of your amendments, apparently to the year 2015. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Could we have it a little more quiet? It's hard for the people on this side to hear the people on this side when they're speaking, and to benefit all of you and the people of Illinois, please contain your -- your conversations so I don't hear you. Right now I can hear all of you. May I please have that courtesy returned? Thank you. Go ahead, Senator Peterson.

SENATOR PETERSON:

That's correct, Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Cullerton.

SENATOR CULLERTON:

Okay. So the reason why I'm -- I'm asking this is because last night we had a debate and I was being lobbied, as a matter of fact, by some people from the Governor's Office about this bill that Senator Cronin had dealing with education tax credit, and we passed an amendment to make sure that people didn't get a refund. In other words, if their credit exceeded their tax liabilities, they -- they couldn't get a refund. And I'm just wondering, as we look -- look here at this corporate tax credit, why they should be entitled to carry forward their credit. Why shouldn't their credit -- if it -- if it exceeds their liability, why shouldn't it just be used up? What's the theory behind this? 'Cause I know last night we were talking about the theory and the good tax policy of the State of Illinois, and here we have a corporate tax credit and this can be carried forward for -- well, first it was 2020, then it was 2010, now we've hopped it up to 2015. Why have them carry forward that at all? Just -- if you could just give me the philosophy behind it, I'd appreciate it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Senator, they're only allowed to take ten percent a year up to the hundred percent that they're eligible to take. So that's the philosophy behind it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

I see. In other words, if your tax credits exceed your liability, you can't take 'em all the next year; you can -- you can only take ten percent. So you -- but you do get to take your credit, in the future, against your liability. So I guess we

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should -- we should say on this other bill that we were debating last night, if -- if somebody owes three hundred dollars in taxes but they got a five-hundred-dollar credit, that the -- they can't take -- they don't get a check for the difference, but the next year they could -- they could take that ten percent of the difference off over a period of ten years, just like we've done for these insurance companies. I -- I guess that's what we ought to consider doing when we -- when we debate Senator Cronin's bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Peterson, to close. I'm sorry. Oh, I'm sorry, Senator Obama. I apologize. Now, if we can have it a little more quiet, so we can hear Senator Obama.

SENATOR OBAMA:

Thank you very much, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR OBAMA:

I've listened to the debate of -- of this bill in both subcommittee and in the committee, as well as an amendment that was included. And, overall, I think this is a good concept. I think the notion of creating venture capital funds that are targeted makes sense, and I think the use of tax credits makes sense. But I -- I do want to ask the sponsor how much this bill is going to cost, number one.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

If everyone took advantage of this particular bill, it would be somewhere in the neighborhood of thirty million. But I would also add, if all these venture capital programs went well, the State would make that money back plus additional monies, which

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would go into the State Pension plan.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

And what kind of mechanisms for accountability do we have established to ensure that these are properly being used and not abused?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson. Senator Peterson.

SENATOR PETERSON:

They have to be a certified business with the State.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

I understand they have to be a certified business from the State, but, I guess, does the General Assembly have any ongoing oversight in terms of the application of these credits?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

Well, let -- let me make a -- a broader point, and I don't want to belabor this. Coming out of the Revenue Committee, we've had this tax credit. We're going to have the Governor's economic development credit that -- that Senator Watson's sponsoring -- again, I think it's a good bill, Senate Bill 40. We've got a number of credits that are being voted on today that came out of Revenue Committee. Many of them, I think, are good concepts and I don't object to them, and many of them, I believe, may end up

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promoting economic growth in the State. I can't help but comment on the fact that the vast majority of these credits the other side of the aisle is going to be voting unanimously on without any objection, and they are no different from the enterprise zone legislation that was introduced, Senate Bill 929. Now, I've got to give Senator Peterson credit, because he originally, at least, voted on that bill - and he let it out of committee - as did eighteen of you. Something happened somewhere along the line that I'm still not clear about. But I do want to point out that the bill that Senator Peterson is presenting right now and some of the other bills that are going to be coming up, the same issues, with respect to accountability, that everybody expressed concern about with respect to my bill exist. The costs to the taxpayers are the same. The argument that it's not going to cost money now because we're going to create jobs and -- and tax revenue in the future so it's going to be a net gain for the State of Illinois, that applies to the enterprise zones, as well. In fact, in the case of the enterprise zones, it's a proven fact those benefits have already been incurred by the State of Illinois. And so I guess I'm concerned about the lack of consistency in terms of how we are approaching these tax credits. I do not understand why we are getting no objection from various Members of the other side of the aisle who objected to my bill on -- because of accountability, but I don't hear a peep out of any of you with respect to Senator Peterson's bill. And I -- I would hate to feel cynical and think that it is only because of partisanship that the enterprise zone legislation has stalled and this bill and other bills that are coming, of the Revenue Committee, have not. And -- and I think that that's something that we should consider in the future. The House bill on enterprise zones is going to be coming out and I'm going to be picking it up, and I would urge all of you on the other side of the aisle to seriously consider whether or not we

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should be treating all the tax credit bills that we have in this State in the same manner and evaluating them in the same process.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Peterson, to close. Senator Peterson, to close.

SENATOR PETERSON:

Thank you, Madam President. Regarding the review...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Oh! I'm sorry. Senator Peterson. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Very briefly? Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. I guess I'd like to point out a couple of things. I have the pleasure of sitting on Revenue Committee with Senator Peterson and Senator Obama, and I would argue that there is a difference between this bill and my concerns that I had about enterprise zones, which I expressed from the beginning. I expressed a great deal of concern with the proponents of Senate Bill 11 and met with them on five separate occasions, where they tried to take me through what they believed were the accountability measures. They modified the bill. They introduced an additional section which says after the -- the capital companies recover their costs and -- and begin to be profitable, that they'll share thirty percent of their profits with the pension funds of the State of Illinois. There is a difference between an exemption to governmental units in an enterprise zone that they already have being blanket extended for an additional ten years, without discussion, and a targeted limited tax credit which is designed to help us develop high-tech companies of the future. I'm not a big spender and I'm not usually comfortable with tax credits. And I had a great deal of discomfort with Senate Bill 11. But I do believe the proponents of this bill are -- are determined to try to make the bill better.

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I -- I understand Senator Obama's concerned and frustrated with our action on -- on enterprise zones, but many of us expressed our concern about enterprise zones from the beginning. Enterprise zones, like TIF districts, turn out to be long-lasting things that we -- over and over again, everybody has to continue to have. And that's not the case in this. The case in Senate Bill 11 is it's time limited. It's capped in the amount. It's got a profit-sharing mechanism and an annual review. So I -- there's -- there's a frustration, I'm sure, but I would not argue that this frustration relates to Senate Bill 11, which the proponents have sought to modify and meet objections, at least my concerns and -- and other people's concerns, on the bill. So I would support its passage.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

I apologize for rising to speak for a second time. I don't think this is, obviously, the appropriate time to -- to necessarily debate my bill. I apologize to Senator Peterson, for taking up your time. I would just want to point out that had any of the opponents to this bill given me the courtesy of the opportunity to amend, that would have occurred as well. And -- and I only want to respond to that, simply because my name was brought up.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator -- any further discussion? Any further discussion?
Senator Welch.

SENATOR WELCH:

Thank you, Madam President. I'd just like to say that I agree with Senator Obama, but I don't think that agreeing with Senator Obama means that we shouldn't support this bill. This is a great opportunity for the State of Illinois. Illinois was the leader in computer technology and has been. Somehow California and the

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Silicon Valley got ahead of us. This is our chance to come back and develop companies here in Illinois. In Champaign-Urbana, there are dozens of start-up companies trying to get access to capital. The same in northern part of Illinois. This is -- bill is going to be good for Illinois. It's going to move Illinois into the 21st century before everyone else gets there, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Peterson, to close.

SENATOR PETERSON:

Thank you, Madam President. I'd just like to add one -- one of the Senators brought up the question about accountability. In Amendment 4, on page 14, it states that DCCA "shall conduct an annual review of each certified capital company to determine if the certified capital company is abiding by the requirements of certification, to advise the certified capital company as to the eligibility status of its qualified investments, and to ensure that no investment has been made in violation of this Act. The cost of the annual review shall be paid by each certified capital company according to a reasonable fee schedule adopted by the Department." I ask for your support on Senate Bill 11, as amended.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The -- the question is, shall Senate Bill 11 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 voting Aye, 2 voting Nay, 1 voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senator Dudycz, for what purpose do you rise, sir?

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SENATOR DUDYCZ:

On a -- on a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR DUDYCZ:

Madam President, we have some special guests this morning in the President's Gallery on the Republican side. We have John and Debbie Wrigley. John is the resources director of the National Pork Producers Council. And, Madam President, they -- they are both residents in your district. They're your constituents. I'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome John and Debbie Wrigley to the Senate. Thank you, Senator Dudycz. Senator Smith, for what purpose do you rise? Pardon me?

SENATOR SMITH:

On -- excuse me. Thank you. On the -- the bill, Senate Bill 11, I want to be recorded as Present, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Your -- your request is noted. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Point is personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR DEMUZIO:

Pardon me, I have a cold. I also have a group visiting with us also today from over in Greene County, from White Hall and Roodhouse. Would they stand and be recognized by the Senate?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Stand up and be recognized. Welcome to the Senate today. We're delighted to have you. Senator DeLeo, for what purpose do

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you rise?

SENATOR DeLEO:

Thank you, Madam President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR DeLEO:

Joining us today, on the Democratic side, is the former President of the Northwest Real Estate Board, Connie Tumberello, and her two wonderful grandchildren, Joshua and Stephanie.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome you here to the Senate. Senator Myers. What purpose do you rise, ma'am?

SENATOR MYERS:

Thank you, Madam President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point.

SENATOR MYERS:

In the gallery, behind the Democrat side of the Senate, are some special people from Cissna Park FFA. I'd like to introduce them to the Senate and ask them to rise and be recognized.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will you please rise so you can be recognized? Welcome to the Senate. We're delighted you're here. Next bill is Senate Bill 13. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 13.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you please give the courtesy to the next speaker on the bill? Senate Bill 13. Senate Bill -- Senator Syverson, proceed.

SENATOR SYVERSON:

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Thank you, Madam President. Senate Bill 13 is a bill that will eliminate the triplicate prescription forms in Illinois. This is -- legislation is long overdue and I believe will replace the -- the current system that has not only been a burden to doctors and pharmacists, but has also created much hardship for families, especially those that have loved ones in hospice. Be happy to answer any questions, otherwise just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, Senator Syverson -- the question is, Senate Bill 13, shall it pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. ...this point, I would like to yield the microphone to Senator Demuzio for a special introduction.

SENATOR DEMUZIO:

Ladies and Gentlemen, thank you very much. I know today is a relatively busy day, but since this is Ag Day, we have traditionally around here also had a visit from the county fair queen, the State Fair queen, and she is here with us today. But before I do that, I might also want to make some other introductions. Wendy Bell is with us today. Where's Wendy at? Can't find her. Ladies and Gentlemen, this is Wendy Bell, who is the pageant director, and I think we all owe her a great deal of gratitude because Wendy probably puts on the most premier contest for our young people in Illinois. And, Wendy, we want to say congratulations to you for a fantastic job that you do. And now it's my pleasure to introduce the queen, the Illinois County Fair

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Pageant Queen, 1999. It's Norann Joy Ruppert, and she is from Nokomis, in Montgomery County. Last week we had the Class A girls basketball winners from Nokomis and this week we have the 1999 Illinois County Fair Queen Pageant winner. She is currently attending Lakeland Community College and will attend the University of Illinois and major in ag law and ag communications. Ladies and Gentlemen, join with me in welcoming our new 1999 Illinois County Fair Queen Pageant winner, Norann Ruppert.

ILLINOIS COUNTY FAIR QUEEN NORANN JOY RUPPERT:

(Remarks by Illinois County Fair Queen Norann Joy Ruppert)

SENATOR MAITLAND:

Ladies and Gentlemen, I have a very special privilege this morning, also. I think you've noticed, in the gallery and throughout the Capitol today, all the blue jackets, the Future Farmers of America, that are here today, and I am honored to be able to present to you, once again this year, the State FFA President. He is Parker Bane, and is a member of the Ridgeview FFA Chapter and serves as, of course, the Illinois FFA President. He's the son of -- of Warren and Betty Bane, of Arrowsmith, and he's been a very active FFA member over the years. He was born and raised on the family farm and has helped his father for a number of years, in fact, for all of his years, on that farm. He's been very active in FFA. He's a fine young man, and I would like to ask him to make a few brief comments to you this morning. But before I do that, I want just -- the gentleman behind me, Mr. Joe Hampton, who is the new Director of the Department of Agriculture, is with us today, too. So, Joe, if you'd just wave to the people. They -- some of 'em haven't seen you lately. And now, Ladies and Gentlemen, with your permission, Mr. Parker Bane, the President of the Illinois State FFA. Mr. Bane.

ILLINOIS STATE FFA PRESIDENT PARKER BANE:

(Remarks by Illinois State FFA President Parker Bane)

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SENATOR MAITLAND:

Mr. Bane, I have for you a recognition by the Illinois Senate, to you, and I must add that I think your farmland and/or home, where it's located, both Senator Madigan and I are privileged to share you as a -- as a constituent. The recognition says:

(Senator Maitland reads Certificate No. 91-0350)

This has been offered by both Senator Madigan and Senator Maitland. Once again, Mr. Bane, it's a delight to have you here, sir.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Parker, for what purpose do you rise?

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point of personal privilege, ma'am.

SENATOR PARKER:

This is Tech Day and we had a -- some people that were at the Commerce and Industry meeting and there's many people that are touring our Capitol today that -- involved in technology. There is a demonstration outside of Senator Peterson's office, and it is given by an Illinois technology company. They -- they do -- they are doing medical imaging and medical technology, and the demonstration is outside of Senator Peterson's office. And if any of you would like to go out and see it, they would like to show you that. They also have access to Internet. I don't know if that's set up, but they can actually do live tourings of different zoos and different places and -- and locations in Illinois. So that is part of our technology here this -- this day in the State Capitol. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're going to resume 3rd Reading. Senate Bill 20. Senator Rauschenberger. May we please have some order in the Senate? Read

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the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 20.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 20 appropriates ninety-three million dollars to the Capital Development Board to complete the construction of the College of Medicine building at the University of Illinois Chicago Campuses -- Campus. By way of background for Members of the General Assembly, no issue has probably been more closely reviewed by the Approp Committee so far this year. We had the opportunity to go to Chicago and hold a hearing on-site. We were permitted to tour the old College of Medicine. By way of background, I would point out to people that the University of Illinois College of Medicine is the largest public medical school in the nation and produces a -- a preponderance of the doctors who practice in the State of Illinois. I'd be happy to take questions and appreciate -- would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jones.

SENATOR E. JONES:

Recognize -- Senator Smith.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Smith.

SENATOR SMITH:

Thank you, Madam President. I would like to request a respectful -- Democrats would like to have a caucus meeting immediately, if I may, right now, for about one hour...

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

After this -- for one hour?

SENATOR SMITH:

In -- in the chambers of Senator Emil Jones, please. One hour.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...Sieben.

SENATOR SIEBEN:

Yes, Madam President. On a -- a point of personal privilege and then I'll make the caucus announcement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR SIEBEN:

Seated in the gallery behind me, we have Mr. Phil Jordan, President of the Illinois Seed Trade Association, and members and representatives of the Illinois Seed Trade Association, who are here for Ag Day today. I would like the gentlemen to be recognized by the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will our guests arise, in the gallery, and be welcomed here in the Senate?

SENATOR SIEBEN:

Madam President, then I would request...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

...a Republican Caucus.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben requests a Republican Caucus, immediately thereafter. Senator Welch, what purpose do you rise, sir?

SENATOR WELCH:

I was going to speak on the bill, but we wanted the caucus

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before the vote on the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Thank you. The Senate will stand in recess till the hour of noon. It's 11 o'clock now. For one hour. Thank you.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben is here to make an introduction on a point of personal privilege.

SENATOR SIEBEN:

...certainly would appreciate it if our Democratic colleagues could conclude their -- their caucus and join us on the Senate Floor today. It's a real privilege for me to introduce the State Class A Championship Basketball team, the Rock Falls Rockets. They're here with us today. I think they've just been introduced over in the House Chamber by Representative Mitchell, and it's my pleasure to -- today to introduce the team to you. State Champions Class A Basketball and their Head Coach, Thom Sigel, is here, and I'd like to call on the coach to introduce the individual members of this team.

COACH THOM SIGEL:

(Remarks and Introductions by Coach Thom Sigel)

SENATOR SIEBEN:

Thank you, Coach. And just for the information of the Members, I think it's a very unique day in the Illinois State Senate that, in just a few minutes, Senator Walsh will be introducing the AA State Champion, and following this introduction, the two teams are going to have lunch together today here in Springfield over at Baur's, compliments of State Farm, who is a great sponsor of the State Basketball Tournament in Illinois.

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So we don't know if we can put up a couple of hoops in the parking lot over at Baur's, but we think it'd make for a great game if we could have the two teams together. But I want to thank these gentlemen for their contribution that they've made to Illinois history and commend each one of them for their character and their integrity and their perseverance in working so hard. I know Geneseo, where I live, is in the same conference as Rock Falls, and they kicked our butt, to tell you the truth. They're -- they're a great team and great State Champions. It's a pleasure to have 'em in Springfield today. Thank you, gentlemen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The hour is 12:08. And we are reconvening the Senate. This time we're going to introduce Senator Thomas Walsh, so that he can -- so that he can introduce the winning basketball team, St. Joseph's. Senator Walsh.

SENATOR T. WALSH:

...wait till the champs get in place here. You tell us where you want everyone to go. Here they are.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...request to film the proceedings. Hearing no objection, leave is granted.

SENATOR T. WALSH:

Well, thank you very much. And this a great honor for me today, to have the opportunity to introduce to you the Class AA Basketball Champions, the St. Joseph Chargers. Today I'm -- I am joined by -- I'm joined by Representative Durkin. St. Joe's is actually about a quarter of a mile down the street from Representative Durkin's and my office. And the Comptroller is here, Dan Hynes, also, to congratulate the -- the team. This is a great, proud day for all of us in the City of Westchester and in the western suburbs. This team did a tremendous job in Peoria and we are all very, very proud of them. The person that I would like

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to introduce to you now is truly a legend in our area, Coach Gene Pingatore. Gene has -- Gene's going to introduce the team. Gene has been the Head Coach of the St. Joseph Chargers for thirty years now. And Gene has had a Second, Gene has had a Third, and Gene has had a Fourth Place win at the State Championships. And this is his first First Place win. It was also his six hundred and twenty-fourth win as Head Coach of the St. Joseph Chargers. He's truly a legend in our area. He's a great guy and I'm happy to introduce Gene Pingatore, the Head Coach of the St. Joseph Chargers and the Coach of the Championship Team.

COACH GENE PINGATORE:

(Remarks and Introductions by Coach Gene Pingatore)

SENATOR T. WALSH:

Thank you, Gene. Thank you, all.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I congratulate the St. Joseph's team. They beat the team from my district, the Warren Township High School. You did a great job. We're ready to continue with the -- with Senator Rauschenberger on Senate Bill 20, where we left off before we caucused. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we have your attention, please? Senate Bill 20.

SENATOR RAUSCHENBERGER:

Thank you, Madam -- Madam President, Ladies and Gentlemen of the Senate. I appreciate the opportunity to remind everybody we're on Senate Bill 20, which is Capital Development Board funding for the University of Illinois at Chicago's Medical School. As I pointed out earlier, it's the largest public medical school in the United States. The facility they're in is -- is over seventy years old. No one -- no single piece of -- of policy has been

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further researched this year than -- than this was. The Senate Appropriation Committee convened in Chicago, had the opportunity to tour this building. We've had extensive discussions with the University of Illinois. The majority of Illinois doctors are graduated from the University of Illinois program. I think what this bill represents is our commitment to making sure that we have a supply of primary care physicians, that we're making an effort to make sure that we have physicians in all hundred and two counties of the State of Illinois. I'd appreciate favorable consideration. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Just -- I'm sorry. Madam President, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JACOBS:

Senator, I don't have any qualms with what you're doing here. You know, I think it's great, but, at the same time, we're going to be doing a ninety-three-million-dollar appropriation to construct a new College of Medicine, which I'm sure we need. My only opposition to the bill is that we have a lot of high schools and a lot of grade schools that I think could use this money more. And it's just something that -- that I feel that we could have taken this bonded money and put it to high schools and grade schools, rather than to give it to the College of Medicine.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger. Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Madam President. I've got two things. First, I'd like a point of personal privilege.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point.

SENATOR WELCH:

I'd like to announce that we have the State Comptroller, Dan Hynes, on the Floor right here in front of me, visiting us today. If we could give him a round of applause.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome the State Comptroller.

SENATOR WELCH:

And second, I'd like to ask Senator Rauschenberger a question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR WELCH:

Senator Rauschenberger, when we visited the University of Illinois, Senator Maitland asked a question about the University using the graduates of the Medical School, the doctors throughout the State of Illinois, have them raise money to contribute towards building a new medical school. Your bill is -- is ninety-three million dollars in bonding from the State of Illinois. Why haven't you pursued the suggestion of -- of having fund-raisers from some of the wealthiest individuals in Illinois to raise money to help fund a portion of the school?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, I'm glad you raise that question. You may or may not recall the information the University of Illinois provided us with, involving two things: Number one, the molecular biology building, in which the State of Illinois participated in construction of the shell, and the build-out and the equipment is coming directly from sharing in the physicians' earnings that relate to that -- the scientists' earnings. In the case of the

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medical science building, the ninety-three million dollars completes the shell and furnishes three quarters of the space, leaving one quarter of the built-out space unfurnished. They've committed to continue to work internally and through fund-raising to complete that. The fundamental question here is, is graduate medical education - in other words, producing doctors - either we're committed to this process or -- or we're not. To say that -- that we ought to wait until they have a ninety-three-million-dollar bake sale, it's either the State of Illinois' number-one priority to have a -- a first-class medical education program or it's not. I think that's what this roll call is about.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Will the speaker yield? Senator Rauschenberger, I just want to know, why did -- why are we doing this on its own, as a single bill, instead of adding it to the CDB list for projects -- of projects?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm glad you asked that, Senator Trotter, because, in my opinion, a commitment to the Medical School in Chicago, in the medical district up where we have our graduate medical education, within sight of Cook County Hospital, their new construction, is the number-one priority we should have on the capital list. I think other things that -- that are occurring, you know, building at a community college here, a new science addition there, somebody's library expansion at NIU is important, as well, but, clearly, the priority that I hope we send over to the other Chamber and to the Governor's Office is that we're committed.

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We're committed to Cook County. We're committed to the City of Chicago. We're committed to our urban university, the University of Illinois at Chicago, and that we believe in graduate medical education, and we know that we have to make medical school, to the extent we can, affordable so that we have a -- a wide variety of physicians available.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Trotter? Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

...you. Thank you, Madam President, Ladies and Gentlemen of the Senate. Let me just say, I think what we are doing here starts a -- a very dangerous precedent. This is a departure from all of the previous practices that we have done here. We have normally taken the -- the CDB list and we've gone right down the line. In this particular instance, all of a sudden, this project is jumping out of nowhere and, all of a sudden, it's -- is it number twenty? Number twenty. It's now being moved up to be number one. And I think, you know, this is -- what does this say to the rest of the university system in Illinois? What does it say to the rest of the Members of this Senate that we can move a project that rapidly and that quickly and that -- with that kind of a full amount? I think this is a departure. This is a precedent, and I think it ought not to happen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

SENATOR HENDON:

Senator Rauschenberger, you know, I -- I went on the tour with you and with the University. This project is in Senator Margaret

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Smith's and my district and we -- we're committed to -- to supporting it. However, for the record, I just agree with my colleagues that the way that you're going about this is wrong. And you are my dear and sincere friend, and I support the project, but there is no way that I can vote for this with it being presented in this way. And I -- I -- I just feel that -- that the disrespect that's being shown to our Leader on Appropriations and the entire Appropriations Committee is truly, truly getting out of hand. It makes no sense whatsoever, because if you went about it the other way, you could clearly have votes on this side. It's very rare that a Member would vote against a ninety-three-million-dollar project for their area, but you're giving us no choice, Senator Rauschenberger, and I'm -- I'm -- I'm concerned with that. And I just have to ask you: Why are you doing it this way instead of doing it in a way where we could all be for some legislation that you know we support, but now we can't support?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I guess I'm -- I'm very confused, and -- and I'm sorry if I've offended some sensibilities on your side of the aisle, but there's nothing sneaky about this bill. It's been on the Calendar for twelve weeks. We took the Appropriation Committee, both sides - Republicans and Democrats - to Chicago. We toured this facility. I've talked all along about my intention and interest in making this a high priority in the process. This is -- I didn't pop this on a Calendar. This isn't an amendment that slid out of committee yesterday. I mean, this is a clear need for the City of Chicago, for -- for the Cook County area. It's a clear need for the State of Illinois. So, I apologize if some people have taken umbrage or think I should have done something different, but the

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way I understood this stuff is we put it on the Calendar, we hold hearings on it, we review the process and we take it to roll call vote. This is not different than we have done other things in the past.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon.

SENATOR HENDON:

Senator Rauschenberger, Steve, this does call for an additional - what? - fifty-one million dollars above the -- the Governor's request. And -- and -- and don't get me wrong. I mean, I've -- I've committed to the -- to the School of Medicine, you know I -- I did, that I -- I would support it. And -- and these -- it's -- it's -- it's something that I -- I have an agreement on with them. Everybody knows it. But it's just, why the additional fifty-one million? Where's -- where's that coming from? I did not recall, when we took the tour, that they were even -- would be seeking - and, matter of fact, I asked that question, and you were there - the entire ninety-three million dollars from -- from us.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you for asking that question, Senator Hendon. The - and one of the reasons this bill is introduced - the original proposal from the Board of Higher Education called for half funding this building and misleading this General Assembly, in some ways, and the State of Illinois in others, that the cost of this building was somehow half as much. And then they basically suggested that the University of Illinois could defer some of its federal income funds, which they normally have to use for operations, into a fund to pay for the other half of the building. They were going to use kind of a "voodoo economics" method of paying for this. I think you and the Members of this Chamber have the right to know what

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this building costs to construct. It'll be spent over three years. It's a -- I mean, there's -- this is just a clear, honest way to do it. I don't like the idea of encouraging universities to take things off budget and not tell us about their income so they can pay part of capital. You know, I'm just being real square with you. This -- this bill is clear on its face.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Welch, for a second time.

SENATOR WELCH:

Thank you, Madam President. I really don't think this is a second time, because I got cut off after the first question I asked and my light was lit. But let me follow up on Senator Rauschenberger's response to my question. I said that the University of Illinois could raise up to fifty million dollars, as they have on other projects. His response was: What do you expect 'em to do, hold bake sales? I think that's kind of a -- a facetious and -- and absurd response. They have raised two hundred and fifty million dollars for other parts of the University. I don't know if they did it with bake sales, but they must be quite good at baking, if that's the case. Seems to me that what we're doing is we're -- we're throwing everything we can into this bond bill, this one-year program, when they could come up with the money. They've done it for the Krannert Art Center. They had somebody come up with funds and had us match 'em, or they wouldn't get it. They've done this time and time again. To rush pell-mell into giving them ninety-three million dollars without investigating, that possibility, to me, is irresponsible budgeting. So I would urge a Present vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. I wasn't going to rise and speak on this, even though I'm a cosponsor, but I'm a little stunned at the debate and -- and sort of surprised. This project for the University of Illinois College of Medicine has been on the burner for years, and it's been in discussion stages at not only the University of Illinois budget level, but also the BHE level, and then in the General Assembly. My God, the law -- or, the Medical School is seventy years old. It is seventy years old. I am surprised, I guess, at some of my colleagues from Chicago, especially minority Members from Chicago. This College of Medicine produces more minority doctors than any other medical school in the United States of America. One in six physicians. So if you're Senator Luechtefeld and you're sitting in deep southern Illinois, one in six doctors who touch you or your children or your family, one in six doctors in this State is educated at this Medical School. And with respect to the Board of Higher Education and the budget process, look, this General Assembly over the last ten years has gone out of the sequence and has tinkered with the pristine Board of Higher Education capital list. We did it for Northern Illinois University when we built a law school up there. So other universities represented by other Members of the General Assembly -- and Senator Rauschenberger lives in Elgin; he doesn't live in the City of Chicago -- they've gone out of their way to take things out of the Board of Higher Education list. And we all know that the BHE does play games with the capital list. They know this is a high priority of the Illinois General Assembly, or it should be, so they sink it down on the list so we'll fund more things above it. And I guess I'm just quite stunned that the City of Chicago legislators wouldn't want this new medical school in their district for all of the public health reasons, but also a hundred-million-dollar project, all of the construction, all of the union labor jobs that will come with building this new medical

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school. There are a whole gamut of reasons to be for this thing, and I guess I'm just very surprised at some of the recalcitrant Members on the other side who ought to be helping their City, their constituency, but, above all, making sure that Illinois stays at the forefront in medical education of one of six physicians in our State. So I rise in support of this thing, and I just wish that the Members on the other side of the aisle, who really have actually much more of a stake in this than even my district, would recognize how doggone important Senate Bill 20's appropriation is.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I was not going to speak on -- on this bill, until Senator Dillard made his comments. I just want to let Senator Dillard know that some of us have some very good reasons for either voting Present or voting No on this bill. I'm voting No. I'm not voting Present. I'm voting No, precisely for the opposite reasons of what you indicated, and that is that we have had serious problems with the Medical School. We have had serious problems with the urban health programs. The University of Illinois, in its arrogant manner - its usual arrogant manner - has failed to address those concerns. They have botched up their community relations area with the South Campus expansion. The jobs are not there. They're not being produced for our communities, in many areas, and so we've got lots of reasons to be concerned about giving the University of Illinois additional dollars for them, then, to continue to treat us in the way that they treat us. And so please don't be surprised that some minority Members, on the minority side of the aisle, have real serious concerns about how the University of Illinois is going about conducting its business and how that business relates to our

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constituents in our districts. So please don't be surprised about our votes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Hendon, for a second time.

SENATOR HENDON:

Madam President, I apologize for rising a second time, but I, too, wanted to inform my -- my esteemed colleague, Senator Dillard, that you haven't heard me say a word about affirmative action or minority participation this entire Session. It has absolutely nothing to do with that. I'm going to be voting Present, where I -- I was a Yes and would like to -- to vote Yes. But the total disrespect that's been shown to this side of the aisle is wearing thin on a lot of us over here and I am one of 'em that's simply not going to take it the rest of this Session.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you, Madam President. You know, I would respectfully request of the sponsor of this bill that if our colleagues in Chicago don't want ninety-three million dollars placed in Chicago, we would welcome the University of Illinois Medical School in our district in Aurora or in Naperville. If they're going to vote No, I hope that the message that comes out of this debate today, we would welcome such a fine institution in my district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

It -- it's -- it's -- it's almost hard for me to figure out how to close on this bill. You know, I guess, I've got a choice. You know, I can either take this as a demonstration roll call, or

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I can really tell you how I feel about it. But -- I -- I think I'm going to tell you just a little bit about how I feel about it. It is difficult in this process, when we have to stand up front and confront decisions, when we have a bill that says clearly this is for a medical school at the University of Illinois in Chicago. It's not part of a deal that the Executive Branch cooked up. It's not part of some deal that BHE has -- has cooked up with all the higher ed people. It clearly says what it does. And that's the kind of thing that we, as legislators, I believe, should be in favor of. You should want to see your projects so you know clearly what they are. You should want to know what it really costs. I put the real cost in here. We laid it on the Calendars for twelve weeks. We -- we conducted a tour up there, and we held hearings. So, I guess, I'm a little surprised that anybody calls that disrespect. And on the second note, I guess, I'm going to tell you another thing, a little bit about how I feel, is I have made an effort over the last five years to go anywhere any Member of this Senate has asked me to go. I have gone where people in the House have asked me to go on. I spend almost as much time in Chicago as I do in Springfield, because I feel I have a ministerial responsibility to try to do this job right. So -- so for people to argue that somehow I'm being disrespectful of somebody or that we've not taken things into consideration, I find that very, very hard, personally, to take. You know, I've got seven years invested in the process down here and -- and I just think respect goes two ways. If you want to argue later in this process that you didn't have enough time to look at the Department of Human Services, or that you're frustrated because it's difficult to get answers from the Executive Branch, or that you don't agree with reductions in -- in spending bills that we're going to have later, that's fine. But this bill is clear on its face. Okay? There's been nothing -- no subterfuge. I've been

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honest and up-front with it. It's been on the Calendar. It's the first time since I was elected that I have sponsored a single-project appropriation bill. And so, I think this roll call does count. It counts. It says what you feel about the process. You know, this isn't one to play games on. This -- either we believe in graduate medical -- medical education in the City of Chicago or we don't. And I'm going to take this roll call seriously. I appreciate the lively debate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 20 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 33 voting Aye, 2 voting Nay, 23 voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 26. Mr. Secretary, will you please read the bill?

SECRETARY HARRY:

Senate Bill 26.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 26 is an attempt to bring some fairness to the process known as eminent domain in the State of Illinois. Some of you may recall that last spring we had a very lively debate in connection with the concept of quick-take and how it's used -- in the State of Illinois. And after that debate, some of you, even though they may have disagreed with me, came to me and stated that what was happening was wrong and that they

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would like to see changes made. This bill attempts to change the process so that eminent domain will not be abused in this State and will be consistent and in conformance with the wishes of our founding fathers. What we have done, in this case, is to simply make it harder to take a home. As I've stated many times before, a person's home is his castle and government should not lightly take a person's home. Other changes in this legislation would give a homeowner and a property owner the tools to fight if they are being subjected to an arbitrary process. In addition to that, certain evidentiary changes are made which will truly ensure just compensation as it is required under the federal and State Constitutions. And last, but certainly not least, in those unhappy circumstances where government seeks to take a person's property and has a preexisting arrangement with private enterprise or a private person to reconvey the property, that the property owner has the right, under this section, to step back in, a so-called right of first refusal. I do believe that this is but a very small, but very necessary, step so that we may clarify what -- what -- by public policy statement, what this process should be. Madam President, I urge adoption of Senate Bill 26. I certainly am -- will answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I think we should pay very important attention to this bill because it is a tremendous diversion from current public policy. Would the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JACOBS:

Number one, if our -- if our analysis is correct, and you can

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correct me if it's not, it states that landowners whose properties have been taken will receive a first opportunity to repurchase the property on the same term that it was condemned when such property is being resold to private parties. What is the purpose, then, of going through the process, if you have a unwilling person who -- who the property is being condemned from, whenever you're going to give him a hundred thousand on one hand and he's going to turn around and buy it back for a hundred thousand? I think we have just negated our entire purpose of what we're trying to do.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, with all due respect, that's not exactly what that -- that language states. Under the very unfortunate circumstances that we have seen in this Chamber, there have been instances where a request has been made by government to take a person's property and immediately reconvey it to a private interest. What this says is that in those circumstances, where it's very apparent that perhaps we're not dealing with a public purpose, that maybe the landowner should be the person to step in and be given the benefit -- be given the benefit of -- of the bargain.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Jacobs.

SENATOR JACOBS:

Well, I think that really what we're saying is that if you're taking away property from a -- a slumlord, that slumlord would have the opportunity to come back and buy that. But that -- that be -- be it as it will. I just want to read who the opponents are, and then I want a ruling from the Chair. The opponents to this are the Chicago Park District, the Illinois Association of Wastewater Agencies, Lake County Forest Preserve District, Metro Counties Association, Illinois Department of Natural Resources,

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City of Chicago, Illinois Association of County Engineers, Illinois Department of Transportation, St. Louis Regional County Government Association {sic} (Commerce and Growth Association), Illinois Municipal League, DuPage Mayors and Managers Conference, and the Illinois Association of -- of Park Districts. And other than that, you know, this is a very simple bill. I would like to have a ruling from the Chair: It is my opinion that this violates home rule and would like to know how many votes this takes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We'll give you an answer before we take the vote. Further discussion? We'll give you an answer before we take the vote. Okay? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. I guess I have more of a statement than I -- than I do a question. You know, I've been here a few years and -- and I've talked to other Members on this -- on the other side and -- and Members here period -- period about their perception of economic development and how things happen. You know, unfortunately, many of us don't have districts where people are knocking the doors down to come in and develop. Unfortunately, we have a lot of blighted areas and we have areas of extreme poverty where development is not being contemplated at all. We have areas in which the infrastructure is poor, where housing -- the housing was probably built in the twenties. But those people in those areas do need things such as TIFs. We do need the -- the ability to go in right away and to take property and give that property owner, who may not have been reasonable in trying to sell his property, but we give him a day in court, we give him an -- or her an opportunity to present their case before their peers and to determine what is fair and reasonable for their -- their property. This can have a devastating effect when we're able to get developers to come in and we're able to get developers

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to express an interest to go into these blighted areas, to go into these impoverished areas, and to have some regrowth and -- and some -- some economic development. I rise in -- in strong opposition of this because I come from an area where we're finally getting developers and people interested in coming into our area, that we need to have the tools in place, not to prolong it, but to make sure that while we have their attention and while we have their support and their interest, that we can move these projects forward and that we can make them a reality so that we can provide jobs in our community, so we can provide a -- a tax base in our community and not depend on government to take care of our needs, but that we can begin to have development and hire people so that we can continue to reduce the TANF rolls and we can continue to provide opportunities. So, any -- any bill, such as this, that will slow the ability to -- to make economic development happen, I have to oppose, and I urge those of you who are in same or similar situations to also vote No on this bill, as well.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you. Just to echo my friend's comments from the other side of the aisle: I agree completely with his -- with his assessment of this. I -- I think -- I feel a little bit responsible, I guess, for this legislation coming forth. It was the Southwestern Illinois Development Authority's quick-take provision two years ago that kind of triggered this -- this issue. And if -- if -- if the development agency in -- in our area wasn't doing their job or they weren't being responsible in the manner in which they've approached this type of an issue, I'd feel differently. But -- the one issue that really brought this to a head was the Gateway International Raceway. I don't know if you're familiar with that or not, but it's a major track now in the -- in

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the country and it's in our area and it's provided an incredible amount of economic development for the Metro East area. Has more of an economic impact, actually, than the St. Louis Rams do. So it's a -- it's a major plus for us to have it here in Illinois. They -- they are trying to bring a Winston Cup Race to -- to this particular racetrack and they're needing a parking lot to do this, to expand the ability of parking. And they negotiated with some neighbors and weren't able to work out a -- a deal, and as a result, quick-take was -- was -- was done. Then, of course, we had the legislation, and you know the rest of the story. In fact, our good friend, the sponsor of the bill, gave a great Ronald Reagan speech on the Floor of -- of the Senate in regard to the -- the quick-take effort. But it's -- so many good things are happening in our area and all of us are working together, and we're not one of the wealthy areas of the State, as Senator Clayborne mentioned. We have a lot of problems, a lot of concerns, and the local units of government, who -- who have it -- taken the quick-take powers and had to do what they have to do, have not been abusive. They've been very responsible in the manner in which they've done it. Now, I'm not one who wants to trample on individual rights, but I do think there is a time and a place for this type of procedure to go forward. So I think it's unfortunate that legislation such as this has to come about, but hopefully we will take a different view of it here and vote No, and that's what I certainly encourage all of you to do. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

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SENATOR SHAW:

Senator Petka, is there -- what is the -- or, is there any additional cost to villages or -- and -- and cities across the State in terms of this legislation? And if so, how much is it?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Madam President, I'd be happy to answer the question, if I heard it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw, would you restate your question?

SENATOR SHAW:

Is there any additional cost in this legislation to cities, villages across the State, and if so, how much is the additional cost, when you add it all up, to the taxpayer?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, there is no mandated additional cost in this legislation. When it was first introduced, the legislation provided for the government to -- that they would be required to pay fees. This legislation, in Amendment No. 3, makes that permissive, so that an -- a property owner, in his attempt to fight what may be an unjust condemnation, may petition the court for fees, but has no guarantee that that person will receive it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

But the -- the fact, even though the legislation -- this is permissive legislation. But would you say that there is a very real possibility that there's going to be some additional cost to cities and villages and the taxpayers of this State as the result

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of this amendment?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw -- Senator Petka.

SENATOR PETKA:

Senator Shaw, if, in fact, there's going to be additional costs to the taxpayers in connection with this legislation, it will only be because homeowners and property owners and other law-abiding citizens of this State may have not been fully compensated in the past because of some arbitrary rules of evidence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Yes. Isn't it a fact that -- that if the authority is -- is moving rather slowly in terms of the condemnation, isn't it a fact on the -- say -- couldn't the cities or village -- isn't it mandated that the attorney's fee be paid?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR SHAW:

For...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw, please.

SENATOR SHAW:

Yeah. By the cities or village?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Under current law, Senator, governments pay for their own attorneys out of taxpayer funds. If you're suggesting, by your question, that government is going to be mandated to pay for attorneys who would represent property owners who feel they are

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being abused, the answer is no.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Why don't you take a look at Section 7-111-1 {sic} (7-111.1), and I think that you will find that the cities and villages are liable under that Section of this amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, we filed Amendment No. 3, which made the language permissive in connection with the filing of fees and costs and -- and any other expenses of litigation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

All right. I believe that I'm reading from Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, that has nothing to do with attorneys' fees or anything else. This is where there has been a judgment entered and property owners are required to be paid for their property. If the government chooses to just sit down and -- and not pay an agreed judgment which has been entered by the -- the court, under those circumstances, it shall be liable for the reasonable costs, expenses and -- and attorneys' fees where the government chose not to pay in a timely fashion.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

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I -- I just -- I think you -- Senator, you just made my point, and that includes attorneys' fees, from my understanding of this language. Now, maybe you're reading it some other way, but I think it's clear in this Section of the amendment, that once the order has been entered, that the taxpayer's going to have to pick up the cost for the attorney's fee. I would urge...(microphone cut off)...Senate Bill 26.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I've heard from our colleagues about the story of East St. Louis and that area, and -- and I understand your concern, 'cause I understand what the problem is, that there is a gentleman down there that doesn't want to sell his property and you need more parking space, I understand, for your -- for your track. And -- and if I were in your shoes, I suppose I would be up saying this is a very bad bill. But I happen to have the other problem. I happen to have a forest preserve that has decided, in their great wisdom, that they would like to have a connecting trail between two forest preserves. Good idea, it's right down from my house; I'd enjoy such a trail. The problem is, they would like to have this trail five acres wide. There's a home on this five acres. There's a horse farm on this five acres. They have said that they are willing to give an easement to the forest preserve so they can have their trail. But the forest preserve says, "Well, the trail you're going to give us is only going to be a hundred feet wide. We would like to have it five acres wide." And I personally think that's just a wee bit much. This bill would protect that landowner. One of the things that I have been told is, "But we don't have much open land in DuPage County and we would like to have more." Fine. Pay for it. We just passed a bond issue of seventy-five million dollars, and now

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the forest preserve commissioners are running around trying to figure out how they're going to spend it. I'm sure, if the offer is good enough, the owners will eventually agree to sell it. My personal feeling is, even in East St. Louis, if the offer is good enough, then the homeowner in East St. Louis might reconsider. What this bill says is: Give fair and just compensation; don't allow government to step in and take your property because somebody on a board has decided they've got a better use for that board {sic}. If a private citizen has a -- a way of making money on development or on trails, so be it. I think this is a good bill. I think, frankly, it's long overdue and we all ought to be on board.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam Chairman. Will the sponsor yield to two questions?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR VIVERITO:

Will this prohibit governments from conveying property to private developers?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

The answer to that is no. The qualifier is that in the event that the condemning authority -- in other words, by an involuntary taking of the property, that unless and until such time as a government shows that this was not taken pursuant to a comprehensive long-range plan, then the property owner simply could -- has the right of first refusal. Senator, there are -- there is some confusion on your side of the aisle and in one of my

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colleagues in connection with what exactly this bill does. I wish they would have read Senate Amendment 3, and not 2 and 1, because we specifically excluded - excluded pursuant to requests - those instances where -- where the condemning authority acquired the property as part of a comprehensive plan for the redevelopment of a blighted area. So to those who are simply arguing that this is going to put a crimp on economic development in an -- in an impoverished area, all I can tell you is, just read the bill, you're out.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Viverito.

SENATOR VIVERITO:

Senator, in all due respect, I -- if you could just hold this bill, perhaps we can get a little bit better clarification. A lot of times, government are not in the business for redevelopment. Obviously, we've seen that happen. And one other particular question I have: Does Senate Bill 26 prohibit governments from working together on eminent domain projects?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

The answer is no. What it does prohibit, and this was language that came to me from the Attorney General's Office, is where government agencies collude and agree to use the powers of land regulation to artificially suppress the price that a property owner should receive for its -- for the -- as just compensation. And I am very sad to report to you that that is a ever-increasing and growing fact in this State.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Viverito.

SENATOR VIVERITO:

I have it right here before me, and collusion is not defined

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at all, and it's right here in the Statutes to clarify that. So I don't want to be disagreeable with you. I know you are very learned. I know you're an attorney. I've dealt with some attorneys, of course, and I hold you in high esteem, but if you want to check this out, you can check it out. I think you might be wrong on this one, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further, Senator Viverito?

SENATOR VIVERITO:

...I have...(microphone cutoff)...in closing, this will give trial lawyers an incentive to fight every eminent domain case, thereby raising costs to the taxpayers. And believe me, there are a lot of things that can be cited, especially when you've got a -- a residence maybe holding out and everything trying to be developed around it. The taxpayers are going to end up paying for all of it. I'd like to close on that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I -- I would like to indicate that, in my opinion, this is just a merely bill. It's merely good government. When we talk about taking private property owners' rights away from them, which is exactly what you've been arguing for all this time, I think that we need to understand that's what we're doing. This is a good government bill. We've all seen abuses by local, State governments, whatever, relative to eminent domain/quick-take legislation. It's ironic that today we have a group of people that are circulating throughout this Capitol building - FFA members throughout the State of Illinois - who are from agricultural communities, for the most part, and who continually see their property rights eroded, not only by expansion of suburban communities or anything else, but by the

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Illinois Department of Transportation, by the Illinois Department of Natural Resources, you name it. This is a merely bill. It states that a government's going to have to weigh the cost of whether or not it's in the best interest of their community and their citizens as a whole to support this eminent domain or quick-take versus the -- the rights of that private -- private landowner. I certainly rise in support of this bill, because I think it's the right thing to do. I think that we need to make sure that we have property -- property owners' rights and that they have the opportunity to get what is exactly their just deserts. Now, let me also add, I think that if you take a look at the list of opponents to this bill, not only are they the tax eaters, but they're the land eaters. So that explains that. I don't see any individuals listed as opponents of this bill. I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Viverito, for a second time.

SENATOR VIVERITO:

I hate to rise again, but I must. I -- I spent six years at the Water Reclamation District of Greater Chicago. We had hundreds and hundreds of acres that were generating no tax dollars to the residents at all. So I became the chairman of the River Edge Renaissance along the Cal-Sag Channel. The property was generating nothing. Today there's condominiums, golf courses, and a lot of money today is being generated back to the taxpayers. That governmental agency holds -- held hundreds of acres, frankly, because they really weren't -- and didn't understand development procedure. Government sometimes can interfere with private enterprise, and I do feel, in this particular case, because of my little experience that I have, limited, but I can tell you that this is not in the best interest of the taxpayers, and I hope you will vote No for it.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Before -- any further discussion? Any further discussion? Before I call on Senator Petka to close, we have an answer to the query made by the Senator from the other side. This bill does not preempt home rule pursuant to constitutional or statutory requirements. Thirty votes are necessary for passage. Senator -- any further discussion? Any further discussion? Senator Jacobs.

SENATOR JACOBS:

I would move that we overrule the -- the opinion of the Chair.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

There's a motion to overrule the opinion of the Chair. Those... Senator Jacobs.

SENATOR JACOBS:

We'll -- I think Senator Petka wants a vote and we'll withdraw the motion.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Motion withdrawn. Senator Petka, to close.

SENATOR PETKA:

Well, thank you very much, Madam Chairman and Members of this august Body. Every single red herring that I could possibly think of has been tossed into this debate. This is going to aid the trial lawyers. It's going to -- we're going to rip off the taxpayers. We're going to stop condemnations. We're going to be basically declaring war on impoverished areas. I forgot the others that were tossed out. You know what they are. Look, read the bill. It doesn't say that. Ladies and Gentlemen of the Senate, there's a -- there's a song that I know stirs the deepest emotions in many of us. It's by Lee Greenwood. If tomorrow morning all the things that we truly cherish are gone in our life and we have to begin all over with just our children and our wife, we'd thank our lucky stars we're living here today, 'cause the flag still stands for freedom, and they can't take that away.

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Very simply this, we had a woman who showed up in the -- in the Judiciary Committee...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we have attention, please?

SENATOR PETKA:

...a woman who was very, very disappointed; a woman who felt that government had failed her. And what she said was this, "I've lived very peacefully in my home and on my lot for almost thirty years, and I got a letter before Christmas that my land, my home, my lot was open space. Never believed that when raising my children, that my home was open space." And she said, "In my desperate attempt to save my home for my children and my spouse, I conceded to the forest preserve district that I would give up most of my backyard. But that wasn't enough." What she said was, the instructions were, "No, madam, we've got to take your home." And just about everybody in the Judiciary Committee literally cringed about what was being done, because we knew it was wrong. You can take a drive today on Route 53, just across my district line in Senator Walsh's -- district, you will see on the front of homes signs that say, "God, please save our home. God, have mercy on us. The government's taking our home." - up and down Route 53 - because they understand what it means to be victimized by the wrong end of eminent domain. Over the years we have sat by quietly in this Chamber, and in the name of economic development, we have simply authorized condemnations far beyond what our founding fathers ever, ever intended. I recognize that, some people sitting here, this debate has no meaning. You've taken a look at your screen, you see all kinds of governments opposed to the legislation. Quite frankly, I'm not surprised. The game is rigged in their favor. Why should they want to change the rules? The fact that a person has his rights simply torn away, without adequate compensation, with no ability to defend themselves - the

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game is rigged. Now, I believe that there is -- you have today a unique opportunity to change that. You have the right to reassert, you have the right to -- to reclaim, a legacy of freedom, a birthright that you have as an American citizen. Ladies and Gentlemen, look, we have again a unique opportunity to reaffirm and reassert, by a roll call vote we take today, a concept that fifty-six men who signed a document known as the Declaration of Independence, where they pledged their lives, they pledged their very fortune and their sacred honor to a very simple concept, a concept which has outlived the test of time. That is simply this, that government denies its just power from the consent of the governed and that the very reason -- the very reason that we have government is to protect those freedoms and to protect the people from having their life, their liberty and their property taken from them. Our founding fathers knew well that government could be a very, very fearful master, rather than servant. We have the opportunity here today to make a very strong and very clear and very plain statement. We have the right to ensure that the -- the real worries of the founding fathers that they expressed in the Bill of Rights, that we would not quarter soldiers in their home, that government could not enter into our home, because they wanted our home to be secure, and the only way you could get in there was with a search warrant, and, yes, under the Fifth Amendment, the only way they could take your property away was by paying just compensation, ensured that it was taken for a public use. And so, this legislation merely seeks to reaffirm and reassert a very basic and very simple proposition, that before you take property in this State, especially a man's home, which is his castle, you're going to be required to pay just compensation and we better damn well make sure it's for a public use. To ensure for property owners' protections down the road, to ensure, truly, that they receive just compensation, may I -- may I

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appeal to you and your better angels to stand up for property rights, stand up for homeowners, stand up for freedom and vote green.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall Senate Bill 26 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 31 voting Aye, 25 voting Nay, 3 voting Present. And this bill, having received the required constitutional majority, is declared passed.

PRESIDENT PHILIP:

What we don't do for our relatives. ...light on -- you don't have your light on, Senator. Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR MUNOZ:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I'd like to welcome Alderman Ray Frias from the 12th Ward, also former General Assembly Member, and along with him he brought some students from East Leyden. Like to welcome them at this time, please.

PRESIDENT PHILIP:

Will they -- will they please stand to be recognized by the Senate? Senate Bill 29. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 29.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 29 requires that school bus drivers hired prior to July 1, 1995, undergo fingerprinting for a criminal background check. It says it should be done by January 1st of the year 2001. School districts will be reimbursed for the money so that they do not have to pay for it. They will be reimbursed. The State Police and the sheriffs will be able to conduct the background checks. I will answer any questions and ask for an Aye vote.

PRESIDENT PHILIP:

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

SENATOR PARKER:

...for an Aye vote.

PRESIDENT PHILIP:

Shall Senate Bill 29 pass? Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 47 Ayes, 6 Nays. Senate Bill 29, having received the required constitutional majority, is declared passed. Senate Bill 32. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 32.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

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

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Senate Bill 32, as amended, exempts park districts from paying the two-hundred-dollar providers' license fee for conducting bingo. Be happy to answer any questions you have.

PRESIDENT PHILIP:

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

SENATOR O'MALLEY:

Just your support, please.

PRESIDENT PHILIP:

The question is, shall Senate Bill 32 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 52 Ayes, 3 Nays. Senate Bill 32, having -- having received the required constitutional majority, is declared passed. Senate Bill 35. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 35.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 35, as amended, has three major provisions. The first one has to do with initiative that has been championed by Senator Berman, something that I have supported, too, which basically provides that interest will be paid on certificates of error to property taxpayers. It has additional language that gives the Cook County Assessor the ability to -- administratively certify certificates of error issued on all residential - that is six units or less - property, as well as exempt properties, and also

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other types of property with assessed valuations of less than one hundred thousand dollars. The third provision has to do with the board of review to make it clear that, jurisdictionally, it succeeds to the powers and duties of the -- the tax -- board of tax appeals, which has -- is -- is no longer in existence.

PRESIDENT PHILIP:

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

SENATOR O'MALLEY:

Just seek your support.

PRESIDENT PHILIP:

The question is, shall Senate Bill 35 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. Senate Bill 35, having received -- excuse me. 59 Yeas, no Nays. Senate Bill 35, having received the required constitutional majority, is declared passed. Senate Bill 40. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 40.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. This is the economic development program of the Governor's. During the campaign, why, he talked about economic development quite extensively and this is the proposal that -- what's being brought to us today. One of the proposals -- there's five different provisions in here. One of them is one that I've been involved in for several years, actually several Sessions, for that matter, and that's involving a

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tax credit, something similar to the EDGE program that many states have that creates a tax credit for businesses who expand in Illinois or who -- who are coming to Illinois, who create twenty-five new full-time jobs and put a -- a minimum of five million dollars' investment -- capital investment. Some of the other provisions of the bill involves technology advancement. And of course, today is Technology Day, so it's appropriate that we're trying to expand the technology emphasis and effort in this State. It creates a technology enterprise development, business modernization and technology challenge grants. Third provision of the bill amends the successful Illinois labor-management program to include community representation and to broaden their mission. Fourth provision is in the area of small business development, creating a mechanism for small business regulatory relief to cut through government red tape, expanding the authority to enhance and fund entrepreneurial education, and focusing on the needs of our women business owners by extending the life of the Women's Business Ownership Council, and also extending the term of the Business Enterprise for Minorities, Females, and Persons with Disabilities for another five years. And then the last provision establishes a long-term economic development strategy for the State. It's a pretty aggressive program. Be glad to answer any questions.

PRESIDENT PHILIP:

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDENT PHILIP:

He indicates he will. Senator Cullerton.

SENATOR CULLERTON:

Senator, I'll -- I'll pose two questions to you. Does DCCA have the authority to decide who gets the tax credit? Are there

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-- and are there any limits to that, or any oversight by the General Assembly? And secondly, with regard to these tax credits, if the tax -- if the -- with regard to the tax credits, if the -- again, if the tax credit exceeds their liability, can they carry forward that tax credit into future years, and -- and if so, how many years?

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

On the last question, it's a five-year carryover. There is no check written, though, to -- to reimburse them. So it's -- it is carried over. The first question involving the -- oh, the oversight by Department of Commerce and Community Affairs, yes, indeed, there is. And there is some limitations placed on who gets these tax credits, based on whether or not another state offers similar incentives.

PRESIDENT PHILIP:

Senator Cullerton.

SENATOR CULLERTON:

Well, one more question. Our analysis says, in determining how much money this will, you know, cost the State, in terms of getting these tax credits, it says that we can't tell because the Department of Revenue says that it'll depend on the number of credits awarded by DCCA. So I guess I'm just wondering, I mean, does DCCA have an -- assuming that certain criteria are met, does DCCA have an unlimited amount of tax credits that they can decide to pass out? Is there even a -- a hundred-million-dollar budget limit, or is there a two-hundred-million-dollar? Is there any kind of a -- of a limit that DCCA is supposed to be -- have to follow?

PRESIDENT PHILIP:

Senator Watson.

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SENATOR WATSON:

The amount of the tax credit is based on the number of jobs created, and it would be the three-percent income tax paid by those who are employed at -- and that would be the tax credit. That total amount would be the tax credit.

PRESIDENT PHILIP:

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

SENATOR WATSON:

Just ask for your favorable support.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 40 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. The Ayes are 59, the Nays are 0. Senate Bill 40, having received the required constitutional majority, is declared passed. Senate Bill 46. Senator Parker. Take it out of the record. Senate Bill 71. Senator Sieben. Take it out of the record. Senate Bill 73. Senator -- read the bill.

SECRETARY HARRY:

Senate Bill 73.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This is a vehicle bill to be used later, and ask for an Aye vote.

PRESIDENT PHILIP:

Okay. All right. Thank you, Senator. All right. Any further discussion? Any further discussion? If -- if not, the question is, shall Senate Bill 73 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted

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-- have you all voted your wish? Have you all voted your wish?
59 Ayes, no Nays. Oh, excuse me. Take -- take the record. 59
Ayes, no Nays. Senate Bill 79 {sic}, having received the
required constitutional majority, is declared passed. Senate Bill
74. Read the bill, Mr...

SECRETARY HARRY:

Senate Bill 74.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This bill also is a shell bill to
be used later on in the Session if necessary.

PRESIDENT PHILIP:

Okay. Any further discussion? Any further discussion? The
question is, should Senate Bill 74 pass. Those in favor will vote
Aye. Those opposed, Nay. The voting is open. Have you all voted
who wish? Have you all voted who wish? Take the record. There
are 57 Ayes, no Nays. Senate Bill 74, having received the
required constitutional majority, declared passed. Senate Bill
75. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 75.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This also is a vehicle bill to be
used, if necessary, later in the Session.

PRESIDENT PHILIP:

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Any further discussion? If not, the question is, shall Senate Bill 75 pass. Those in favor will vote Aye. The opposed, Nay. The voting is open. Have you all voted who wish? Take the record. 59 Yeas, no Nays. Senate Bill 75, having received the required constitutional majority, declared passed. Senate Bill 76. Excuse me. 77. Senator Sieben. I'm sorry. Senate Bill 76. Senator Sieben. Read the bill.

SECRETARY HARRY:

Senate Bill 76.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This also is a vehicle bill to be used later in the Session if necessary.

PRESIDENT PHILIP:

Any further discussion? If not, the question is, shall Senate Bill 76 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 57 Yeas, no Nays. Senate Bill 76, having received the required constitutional majority, is declared passed. Senate Bill 77. Senator Sieben. Read the bill.

SECRETARY HARRY:

Senate Bill 77.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This is a vehicle bill to be used

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later in the Session if necessary.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall Senate Bill 77 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who... Take the record. There are 59 Yeas, no Nays. Senate Bill 77, having received the required constitutional majority, is declared passed. Senate Bill 78. Senator Sieben. ...the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 78.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This also is a vehicle bill to be used later in the Session if necessary. Thank you.

PRESIDENT PHILIP:

Further discussion? If not, the question is, shall Senate Bill 78 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted your wish? Take the record. 59 Ayes, no Nays. Senate Bill 78, having received the required constitutional majority, is declared passed. Senate Bill 79. Senator Sieben. Senator del Valle. I'm sorry about that. I got in a rut there, Senator. Senator del Valle. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 79.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

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Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 79 was amended in committee. Three amendments went on. They were amendments that were worked out with the Department of Labor, the Employment Law Council of Illinois, and the National Federation of Independent Businesses, and the Illinois Chamber of Commerce. The bill establishes the Day Labor (Services) Act, and requires day labor service agencies to provide, upon request, the name and nature of the work to be performed, information on wages, destination, terms of transportation, cost of meals, equipment, et cetera. And it requires these agencies to register with the Department of Labor and pay a registration fee. I know of no opposition.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, shall Senate Bill 79 pass. Those in favor will vote Aye. Those opposed, No. The voting is open. Have you all voted your wish? Take the record. 59 Ayes, no Nays. Senate Bill 79, having received the required constitutional majority, declared passed. Senate Bill 113. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is still a work in progress, and it is an initiative of the Illinois State Bar Association and we will have extensive discussions, should this pass out of here today, with the

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Governor's Office. But it professionalizes and centralizes the way we do administrative hearings in -- in Illinois. And half of the states of this country, the City of Chicago recently went to this system, and New York City, all have a centralized administrative hearing process. That's what we're trying to do here, and we're still going to continue to work on this, but it is an initiative of the Illinois State Bar Association. I'd like to get it out of here so we can continue to work with the Governor's Office and the Bar Association.

PRESIDENT PHILIP:

Any further discussion? Senator Cronin.

SENATOR CRONIN:

Will the sponsor yield for a quick question?

PRESIDENT PHILIP:

He indicates he will. Senator Cronin.

SENATOR CRONIN:

Senator Dillard, does this bill require that hearing officers must be attorneys?

PRESIDENT PHILIP:

Senator Dillard.

SENATOR DILLARD:

No, it does not. We amended it so that non-attorneys, those not licensed to practice law, still can be hearing officers.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 113 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 58 Yeas, no Nays. Senate Bill 113, having received the required constitutional majority, is declared passed. Senate Bill 121. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 121.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill only affects Cook County and it has to do with the appointment of counsel other than a public defender and how much money they should be paid for their legal fees. I -- we heard this bill earlier and I was asked to take it out of the record, which I did, to check with the County of Cook. They -- I've agreed with them that they're going to work on an amendment in the House to put some type of a increase in the fees that are paid. Right now, under this bill, it just says, like the rest of the counties in the State of Illinois, they should be paid a reasonable fee. So I've agreed to work on an agreement with the -- the County of Cook. The bill only affects them now. And I would be happy to answer any questions and ask for an Aye vote.

PRESIDENT PHILIP:

Further discussion? Further discussion? In not, Senator Cullerton, to close.

SENATOR CULLERTON:

Ask for an Aye vote, please.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 121 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Take the record. 59 Ayes, no Nays. Senate Bill 121, having received the required constitutional majority, is declared passed. Senator Jacobs, what -- what purpose do you rise?

SENATOR JACOBS:

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Thank you, Mr. President. Just a point of information.

PRESIDENT PHILIP:

State your point.

SENATOR JACOBS:

We've been wondering, I know I have, where Bobby, our valet in the rest room, has been. It's my understanding he's been ill. He's doing better and hopefully we'll get him back here to work pretty soon.

PRESIDENT PHILIP:

Well, thank you very much. We're certainly pleased to hear that. On the top of page 4. Senate Bill 132. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Members of the Senate, Senate Bill 132 clears up some ambiguity in the sales tax law. With sales tax, you pay it once along the distribution chain, but just only once. On rental cars -- well, first of all, you pay sales tax on a car and a warranty. When a dealer provides the service of a car loaner while repair work is being done on a car under a warranty, the sales tax has already been paid, and so this just clarifies that in the tax law. It leaves those companies that are in the rental business as they are, paying sales tax.

PRESIDENT PHILIP:

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

SENATOR LAUZEN:

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I ask for a Yes vote.

PRESIDENT PHILIP:

The question is, shall Senate Bill 132 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Take the record. There are 59 Ayes, no Nays. Senate Bill 132, having received the required constitutional majority, is declared passed. Senate Bill 139. Senator O'Malley. Senate Bill 139. Senator O'Malley. Take it out of the record. Senate Bill 149. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This bill deals with the enhanced 9-1-1 mandate problem that hopefully many of your business friends have been talking to you about. Current law requires businesses who have a PBX or a -- a Centrex telephone system to upgrade their system so that, when a 9-1-1 call is made, an identification of where that phone is located will come up on a screen at the 9-1-1 provider. That's just unreasonable. It's very costly, and, quite honestly, it's not very realistic and I'm not sure how many problems we're solving with that. So, as a result of that, we passed Senate Bill 930, which the Governor signed day before yesterday, which extended the implementation of this Act until June 30th of -- of 2000. And the idea being that we'll bring all the groups together, which we've done, all the business groups, the Illinois Commerce Commission, the 9-1-1 advocates, the Retail Merchants. All the groups got together and came up with what we think is something that is reasonable. And I

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can go through the list of -- of means by which this is revised, but maybe it'd be best if I just answer questions of specific nature of the bill, Mr. President.

PRESIDENT PHILIP:

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

SENATOR WATSON:

Just ask for your support.

PRESIDENT PHILIP:

The question is, shall Senate Bill 149 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 56 Ayes, no Nays. Senate Bill 149, having received the required constitutional majority, is declared passed. Senate Bill 171. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 171.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 171 is an agreement worked out by the Fraternal Order of Police and the Chiefs of Police. What it does is it authorizes nonhome rule municipalities to provide for one deputy chief of police position to be appointed by the police chief. This position shall be appointed from any supervisory ranks of the municipality's full-time police officers. And "supervisory rank" means any person holding a rank that is excluded from collective bargaining by virtue of the supervisory responsibilities. The two parties are going to continue working on other language that possibly will be included at the House.

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They want to continue the dialogue. They are in agreement. There's no opposition. I do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 149 {sic} pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 171, having received the required constitutional majority, is declared passed. Senate Bill 175. Senator Klemm. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. And thank you for small miracles. This bill has been before us several times. The amendment is finally correct on the bill. What it does is put the agreed language of -- for the high school determination of their -- computing their local available resources calculated to now be 1.05. State Board of Education and all has agreed to it. It's in its proper order. I know we've debated this before. I would ask again for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 175 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, 2 voting

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No, no voting Present. Senate Bill 175, having received the required constitutional majority, is declared passed. Senate Bill 185. Senator Syverson. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 185.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 185, as we talked earlier about, is a -- in defining what a merely bill is, this legislation merely defines what the color of white is, and so there's not a problem with the State Police in dealing with the new lights on vehicles. Be happy to answer any questions, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 185 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 185, having received the required constitutional majority, is declared passed. Madam Secretary, please read the bill. 188.

ACTING SECRETARY HAWKER:

Senate Bill 188.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President, and Margaret Smith's friends. 188 provides that it's a Class 3 or Class 4 felony to possess, use, transfer, make, alter, counterfeit, or reproduce a Universal Price Code label, with the intent to cheat or defraud another one, or to possess a device that manufactures fraudulent UPC labels. I'd be happy to answer any questions. This is an initiative of the Illinois Retail Merchants Association.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. When we make this -- when we make this a felony, is there any -- any amounts involved? So in other words, if someone's transferring and it's on an item that's fourteen dollars and they transfer it to eleven dollars, so they ripped them off for three dollars, is that still a felony?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

There is no amount.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

So I would assume the answer is yes. I mean, you could nod your head so I... And -- and do we still retain in the law about retail theft and other parts of the law that if you steal something that's under, and I think it's either two-fifty or five hundred, we have misdemeanors and then, if it's over a certain amount, it's a felony. But we don't differentiate with this? This is a whole class? It's more important than any other kind of theft, that we would make it a felony to rip a merchant off for five dollars?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Dillard.

SENATOR DILLARD:

Senator Molaro, we amended this bill to take out what I call the old-fashioned receipts. This bill only now deals with these Universal Price Codes, these high-technology scanning labels, which has really turned into a science, including fraudulent rings that have ripped off retailers for tens of thousands of dollars. So there is a heightened sensitivity to this.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 188 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting Nay, no voting Present. Senate Bill 188, having received the required constitutional majority, is declared passed. Senate Bill 202. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 202 deals with a situation concerning a sex offender. Currently a sex offender has to register in his community, but not where he works. We had a situation in my district: A sex offender lived in Grundy County, but worked across the border in -- in Bourbonnais. The Mayor of Bourbonnais brought this to my attention, since the individual spends a lot of time there, that they should also be registered with that community. So this bill simply allows the community

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where the sex offender works to receive the same protection as the community in which the sex offender resides. The amendment put on reduced the cost of this bill to zero for the State Police. It just changed some listings that they had in their computer. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 202 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 202, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 204. Out of the record. Senate Bill 206. Senator Radogno? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 206.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill will require Commonwealth Edison, the only municipality -- or, electric utility impacted by the bill, to notify municipalities of service interruptions. This bill has been agreed to by the municipalities and ComEd.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 206 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 206, having received the required constitutional majority, is declared passed. Madam Secretary, please read the bill. 223.

ACTING SECRETARY HAWKER:

Senate Bill 223.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 223 is simple but a very important piece of legislation to help in the process of revoking drivers' license. This bill simply requires that the Department of Corrections notifies the circuit clerk of a county when they release a prisoner who is supposed to have their driver's license revoked as part of their sentence. This stems from the case in Crete, where Richard Devon, who was guilty of killing three children in a hit-and-run crash, nearly walked out of prison last year on New Year's Eve with a driver's license. My staff has talked to Matt Overaker, the liaison at Corrections, this morning and he's in complete support of the bill, as we amended it. I know of no opposition, and I ask for a favorable roll -- vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 223 pass. All those in favor, vote Aye. Opposed, vote No. Have all voted who wish? Voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 223, having received the required constitutional majority, is declared passed. Senator

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Dillard. Out of the record. Senator Burzynski. Out of the record. Senate Bill 272. Senator Molaro? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 272.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

This bill -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill has to do with calling cards that you would buy at retailers or -- or drug stores, or gas stations, and all it says on this, that if you're going to buy this retail card and you're going to have these phone cards for long distance, that on the face of the card, it has to -- has an expiration date clearly marked, or if it's going to be amount of days - thirty days, sixty days, ninety days - it would be from initial use. The reason for this problem is there are some cards that state that it's six months from date of purchase, but the date of purchase is when the gas station purchased it, not when you purchased it. So we're having problems that people would buy from the gas station and they go use it and three days later it's expired, even though it said six months from date of purchase. When they call the company, they say, "Hey, we sold it to the gas station six months ago." When you go back to the gas station, they say, "Hey, too bad, go talk with them." So all this says is that if you're going to sell these cards, that the date is clearly marked, when it's expired, on the card, or three months, six months from date of use.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,

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the question is, shall Senate Bill 272 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, 1 voting Present. Senate Bill 272, having received the required constitutional majority, is declared passed. Senate Bill 276. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 276.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Mr. President, may I make a motion to move this back to 2nd Reading for purposes of an amendment?

PRESIDING OFFICER: (SENATOR WATSON)

The amendment has not come out of Rules Committee yet.

SENATOR CRONIN:

May I have leave to get back to this?

PRESIDING OFFICER: (SENATOR WATSON)

We will consider that. As far as we're concerned, you can.

SENATOR CRONIN:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senate Bill 277. Senator Cronin. How about this one? Out of the record. Senate Bill 293. Senator Burzynski. Out of the record. Senate Bill 307. Senator Mahar. Out of the record. Senate Bill 311. Senator Link. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 311.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill is a vehicle bill that the City of Waukegan and IDOT are working out, with IDOT's agreement to finish this up.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 311 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 311, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on 319. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, this bill does not include any medical schools or any CDF funding. What it does include is it -- it replaces the Medicaid program in the State of Illinois back under the Prompt Payment Act. That was a change that we made in the emergency budget years of the early nineties. This, again, makes part of the Prompt Payment Act to Medicaid program so that we can keep our

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commitment to those people who provide services to the State of Illinois. This bill, as amended, also allows KidCare matching funds from the federal government to be used for juveniles that are in the juvenile justice system. It's a big plus for Cook County, where most of these medical match funds are used, and it makes several technical clean-up changes to the children's health insurance law. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 319 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 319, having received the required constitutional majority, is declared passed. Senate Bill 320. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 320, as amended, establishes a separate line item for TANF child care in the Department of Human Services budget. It's a appropriation issue. We've been trying to encourage the Department of Human Service to more carefully line item the budget. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 320 pass. All those in favor,

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vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 320, having received the required constitutional majority, is declared passed. Senate Bill 323. Senator Parker. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 323.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 323 provides that any dentist who willfully -- or any dental hygienist also, who willfully fails to report suspected child abuse or neglect as required shall be referred to the Department of Professional Regulation for action in accordance with the Illinois Dental Practice Act. I will answer any questions, and would request an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 323 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 323, having received the required constitutional majority, is declared passed. Madam Secretary, please read the bill. Senate Bill 324.

ACTING SECRETARY HAWKER:

Senate Bill 324.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Senate Bill 324 clarifies that all high school students who are scheduled to graduate by the end of the academic year and have completed at least eighty percent of a high school program of instruction may be eligible to receive the merit recognition scholarship. Currently, the State law requires a high school student's eligibility for receiving the MRS award be contingent upon their completing a seventh semester of high school classes. This bill is an ISAC initiative, which recognizes that some of Illinois' most academically talented high school students complete high school in less time. This, then, would allow them to qualify for the MRS scholarship. There's no fiscal impact. And I would appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Your bill does not eliminate the legislative scholarships, does it?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

No.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, the question is, shall Senate Bill 324 pass. All those in favor, vote

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Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 324, having received the required constitutional majority, is declared passed. Senate Bill 336. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 336.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 336, as amended, permits the Department of Revenue to issue a special license to a bingo licensee if the county in which the bingo licensee operates approves of a special prize license. The special prize license authorizes the bingo provider to award an aggregate retail value of up to ten thousand dollars' worth of prizes and/or merchandise in a single day for two days per year. It does not permit the bingo provider to -- to conduct gambling on unauthorized days. Again, this is a special license that goes to licensee holders. Currently it is -- was brought to me by a Catholic parish in my community who want to use this for a special fund-raising effort, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Shaw.

SENATOR SHAW:

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Yeah. Just for the record. This license would only be issued twice a year, did I hear you say?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Once, for two days per year. In other words, the license that you are issued can be used two days per year.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

So -- so you're not issuing two a year; you're just issuing one license that's good for two days. Is that consecutive days?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Yes.

SENATOR SHAW:

Okay. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Is there any other discussion? If not, the question is, shall Senate Bill 336 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yes, 6 voting No, no voting Present. Senate Bill 336, having received the required constitutional majority, is declared passed.
Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Senate Amendment No. 1 to Senate Bill 1199, House Bill -- 254, 518 and 1900; refer to

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Commerce and Industry Committee - House Bills 152, 335 and 1061; refer to Education Committee - Senate Amendments 2 and 3 to Senate Bill 556, and House Bills 131, 325, 497 and 795; refer to Energy -- pardon me, Environment and Energy Committee - Senate Amendment No. 1 to Senate Bill 307, House Bills 287, 379, 613, 909, 211 -- pardon me, 2011, 2631, 2636, 2639, 2640, 2641, 2642, 2646, 2767; refer to Executive Committee - House Bills 107, 2106, 2164, 2775 and 2776; refer to Financial Institutions Committee - House Bills 736, 1416, 2019, 2204, 2494; refer to Insurance and Pensions Committee - Senate Amendment 2 to Senate Bill 579, and House Bills 1355 and 2326; refer to Judiciary Committee - House Bills 33, 62, 76, 129, 215, 249, 329, 392, 471, 573, 631, 790, 792, 1079, 1188, 1201, 1784, 1863 and 2721; refer to Licensed Activities Committee - House Bills 553, 619 and 902; refer to Local Government Committee - House Bills 607, 835, 916, 939, 1352, 1365, 1841, 1960 and 2008, and House Bill 2041; refer to Public Health and Welfare Committee - House Bills 240, 378, 423, 540, 1443, 1713, 2217, and 2773; refer to Revenue Committee - House Bills 1119 {sic} (1110), 1155, 1678, 1694 and 1987; refer to State Government Operations Committee - House Bills 67, 236, 524, 891, 1926, 2720 and 2724; refer to the Transportation Committee - House Bills 235, 449, 458, 536, 604, 720, 1388, 1806, 1809, 1871, 2085, 2732 {sic} (2723) and 2772; and Be Approved for Consideration - Senate Amendment No. 3 to Senate Bill 276.

PRESIDING OFFICER: (SENATOR WATSON)

...on the Order of 3rd Reading. We are on page 5. The middle of page 5, we have Senate Bill 338. Senator Peterson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 338.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 338, as amended, creates the Insurance tax -- Premium Tax Refund Fund, and at this time, it's still a work in progress between various insurance carriers and the Department of Insurance. They're hopefully going to have an amendment for the House. I ask for your support of this bill. It does have some content, but basically it's a vehicle.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 338 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting Present, no voting No. Senate Bill 338, having received the required constitutional majority, is declared passed. 349. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 349.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate - excuse me - this is a bill that's an initiative of the Attorney General and the AARP, and it relates to telemarketing registration and fraud prevention. And this is a bill we worked very hard on. Both staffs, the Democrat staff and Republican staff, worked very hard on it. And what we'd like to do is pass it out of here and let it

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go to the House, because it'll be worked on some more. We're not done with it, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 349 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. Senate Bill 349, having received the required constitutional majority, is declared passed. Madam Secretary, Senate Bill 353, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Hospital District Law to allow residents within that hospital district to file a petition for detachment. They would have to be in the area that was previously annexed and only those voters in that annexed area would be able to have a vote on that question. We've worked out the questions of the Hospital Association. I don't think there's any opposition to the bill at this time, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

May I pose a question to the -- to the Member, please?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Demuzio.

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SENATOR DEMUZIO:

This is all worked out now with the Hospital Association and...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. The language has been narrowed considerably to make this apply specifically to the Morrison Hospital in -- in Prophetstown hospital district.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, the question is, shall Senate Bill 353 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 -- 57 voting Yes, no voting No, 1 voting Present. Senate Bill 353, having received the required constitutional majority, is declared passed. Senator O'Malley, on 358? Out of the record. Senate Bill 367. Senator Burzynski. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 367.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an agreed-to bill now by all the parties involved, Department of Professional Rules and Regulation, IRMA, which had some objections to the bill initially, as well as to the Optometric Association. I know of no opposition.

PRESIDING OFFICER: (SENATOR WATSON)

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Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield.

SENATOR HAWKINSON:

Senator, I think this is the bill I asked you about some time ago, if the Lions International Clubs had any problems with this bill. Has this been -- I know they're from up in your area with our national headquarters. Has this been cleared with Lions International?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

I have not spoken to Lions Club International. However, Senator, the portion of the bill that would have raised objections that they might have had has been removed from the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? Any other discussion? If not, the question is, shall Senate Bill 367 pass. All those in favor, vote Aye. Opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, 2 voting Present. Senate Bill 367, having received the required constitutional majority, is declared passed. Senate Bill 368. Senator Burzynski? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 368.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

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SENATOR BURZYNSKI:

Thank you, Mr. President. This again is a bill that has compromised language in it relative to the mail order sale of contact lenses. It has been agreed to at this time.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 368 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 368, having received the required constitutional majority, is declared passed. Could we have leave of the Body to have Senator Rauschenberger handle Senate Bill 369? Leave is granted. On the Order of 3rd Reading is Senate Bill 369. On -- halfway down the -- page 5. Senator Rauschenberger. Madam Secretary, would you please read the bill?

ACTING SECRETARY HAWKER:

Senate Bill 369.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 369 begins our tradition on the Floor of doing budgets again by agencies. This budget is the State Board of Elections. Senate Bill 369, in its final form emerging from committee, increases above FY'99 appropriated levels to provide for maintenance increases for personnel and related items, four percent growth on other items, and provides funds for the election judge stipends, the clerk stipends and other grant programs that were requested. I'd appreciate a favorable roll call, and I'd be

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happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

...very much. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Yes. Okay. You've cut three hundred and seventy-five thousand dollars from the request for election judges and election clerks?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

...request -- the bill, in its present form, is at the FY'99 level for both clerks and the election judges. We think that liability's sufficient to carry them through this fiscal year.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, the question is, shall Senate Bill 369 pass. All those in favor, vote Aye. Opposed, vote No. 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 32 voting Yes, 1 voting No, 26 voting Present. Senate Bill 369, having received the required constitutional majority, is declared passed. Senate Bill 371. Senator Myers? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 371.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a appropriation bill for a fine university, Eastern Illinois University, in my district. It deserves every single penny, dollar or million that we can give them. I would like to yield to Senator Rauschenberger to explain the amendment and the -- and take any questions that there might be about this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 371, as amended from committee, does fund Eastern Illinois University. In this amended form, in a lump sum, we've included sufficient funds to fund the four number -- the four most important priorities as expressed to us by the university presidents when they came before the committee. It includes funding for a ten-percent increase in library materials, which the universities all told us were important. It includes funds for three-percent salary increases across the entire base of their employment. It includes additional funds to be used for deferred maintenance, and it -- it includes the number one priority that every university told us they had this year, which was increased personnel funds for allocation to retention of critical faculty and staff. It's appropriated in a lump sum. Gives the university maximum flexibility and hopefully maximum accountability when they come back to our committee next year. I'd appreciate your favorable support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Sponsor will yield, Senator Trotter.

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SENATOR TROTTER:

Senator Rauschenberger, I sort of agree with Senator Myers, that the schools certainly need all the help that they can get. However, we -- we, or, you have, in this particular amendment, cut technology -- technology enhancements sixty-five hundred thousand {sic} dollars and you've also eliminated undergraduate education improvement request, in addition to -- increasing structural support. Can you explain why you've made these cuts?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I can't explain 'em, because they haven't been made. When this bill was at the FY'99 adjusted level for Eastern Illinois University, the appropriation level was forty-four million nine hundred and fifty-eight thousand dollars. When it left our committee, it left at forty-seven million six hundred and twenty-eight thousand dollars. As I said before, we reduced no programs in their budget. We lump sum appropriate them so they can make their own allocations. So this forty-seven million dollars, in combination with about twenty-two-some million dollars of income funds, gives the university the authority to do any of the programs that they think are their priorities.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 371 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there is 32 voting Yes, 1 voting No, 26 voting Present. Senate Bill 371, having received the required constitutional majority, is declared passed. Senate Bill 402. Senator O'Malley. Out of the record. Senate Bill 411. Senator Maitland? Out of the record. Senate Bill 418. Bob

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Madigan? Out of the record. Moving on to page 6. Top of page 6 is 419. Out of the record. 420. Out of the record. 423.

Senator Maitland? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 423.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Members of the Senate, Senate Bill 423 attempts to address some serious concerns around the State with respect to managing vegetation in close proximity to -- to power lines. Many communities have had problems with -- with the utilities coming in, and not being notified, and -- and doing damage to trees, the three-year cutback and those kinds of things. This bill would -- would -- would attempt to make certain that people are notified that the management of vegetation is going to take place. And I want to, first of all, thank very much the Municipal League and the Illinois Power, who was the lead negotiator for the utilities on this. This is an effort between the Municipal League and the utilities to try to resolve this -- this issue. Let me briefly indicate what -- what happens here. Number one, they must follow the guidelines set forth by the International Society of Arboriculture in effect in January of 1999, and that's a -- that's a manual that suggests the proper care of trees as you trim them. They would provide no fewer than twenty-one days notice to the municipality prior -- prior to the start of tree trimming beginning in the municipality. They would notify each affected customer within the municipality no fewer than seven days before the tree trimming activity is scheduled to begin. There will be an 800 number provided for individuals to

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call regarding the tree trimming activity. It does provide a number of exemptions. A public utility shall not be required to comply with these requirements, excluding the tree preservation requirement, when it is taking action to restore reliable service after interruptions. In other words, they can go in immediately and -- and improve those -- those conditions. Provides an exception for a municipality and a public utility that have an existing franchise contract already in place prior to January 1, '99, mandating specific tree trimming practice. Lastly, a municipality and a utility can reach a mutual agreement to waive some or all the requirements listed. Now, one final point has to be made. The subject of preemption was discussed a great deal. The -- the Municipal League feels strongly about this. And so what we did was to put every municipality and -- and incorporated village into the Act, and they have the right, then, if they desire, to opt out. This is a negotiated agreement between, again, the utilities and the Municipal League. I believe it's a good piece of legislation and I seek your support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. If the sponsor would yield for two questions of legislative intent.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Mahar.

SENATOR MAHAR:

Senator Maitland, in subsection (b)(i) where it says "interruptions", is it your interpretation that these interruptions are unscheduled and are of the variety caused by contact between vegetation and electric transmission and electric distribution equipment?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Maitland.

SENATOR MAITLAND:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

And finally, in subsection (b) where it says "The Commission shall have sole authority to investigate and issue complaints against the utility under this Section", is it your understanding that citizens and municipalities would be able to file complaints with the Commission under this Section?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator Mahar.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, this has been a big issue in -- in my hometown and elsewhere in the district where the companies have come in and -- and just cut off half the trees up and down the street, just destroying the -- the look of the neighborhoods, much to the outrage of the community. Do -- do these standards prevent that kind of wholesale cutting, or what do these standards do to preserve some of the trees and minimize the damages to them?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

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It is my -- my understanding, Senator, that those guidelines speak to the proper care and treatment of the vegetation and/or trees. We're talking about one and the same actually. And I think -- I believe this is correct, most of the utility companies work for a three-year cutback standard, and -- and in some cases, this does alter the appearance of the neighborhood for awhile, but this -- this document, as I understand it, provides for those cuts and everything to be acceptable so they don't damage the tree for future -- future growth.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Do these standards restrict the -- say, the past practice of Illinois Power, which has been to clear cut half the tree? Does this, in any way, impinge upon their current practice?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Yeah. I -- my -- the only way I can answer that, Senator, is to say to you that they -- they seek a three-year cutback, and in some cases, that gives the appearance of damaging the beauty of the tree more than others. And -- and there's going to be some of that, but let me hasten to add that the -- the problem here has been one of communication. This forces communication between the utility, the municipality and the customers. All are involved in this so they know exactly what's going to happen. And, I might add, this 800 number provides the customer with the opportunity to talk with the utility to know exactly what's going to be -- happen with a specific tree.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Karpel. Is there further discussion? If not, question is, shall Senate Bill 423 pass. All

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those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 423, having received the required constitutional majority, is declared passed. Senate Bill 427. Senator Radogno? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill is attempting to deal with the distribution of the surcharge collected at landfills that support the local solid waste agencies. There's a number of parties involved in this issue, and we've been attempting to get it finished before our deadline. However, we have an amendment drafted. We've been having meetings, and we haven't quite got something ready to pass. I'm asking you to pass this as a shell bill. We've advised the Environment Committee what we're trying to do here. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 427 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, 1 voting Present. Senate Bill 427, having received the required constitutional majority, is declared passed. Senate Bill 435. Senator Madigan? Please read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bob Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 435 represents an agreed work product between the American Resort Development Association, the Office of Banks and Real Estate and the Illinois Association of Realtors. It is an effort to streamline the current regulations regarding these time-shares sold in Illinois to residents of Illinois and time-shares that may be developed in the State of Illinois. It's more or less a model legislation that is being promoted in several states, Illinois being one of them. I would be happy to answer any questions, but I would like to -- at closing time, would -- I do need to read something into the record insofar as legislative intent.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, Senator Madigan, to close.

SENATOR R. MADIGAN:

Thank you, Mr. President. This is at the recommendation of the Legislative Reference Bureau. As a statement of legislative intent, this bill serves in one important respect as a trailer to House Bill 902, which is now pending before this General Assembly and creates the Real Estate License Act of 2000. Specifically, this bill adds to the list of exemptions contained in the Licensure Act two time-share related items dealing with exchange programs and referrals from existing owners. Regardless of which bill passes first or may be enacted first, it is our intent that the measure now before us govern as an amendment to the Licensure Act contained in House Bill 902. This approach will ensure that

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the necessary licensure exemptions regarding time-share ultimately appear only in the Real Estate Licensure Act, something that is important to the Illinois Association of Realtors and has been agreed to by the time-share industry and the Illinois Department of Banks and Real Estate. The trailer provision before us was drafted in close consultation with the Legislative Reference Bureau, which recommended that the foregoing statement of legislative intent be made part of the record today.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 435 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 435, having received the required constitutional majority, is declared passed. Senator Bob Madigan, on 436. Senator Bob Madigan. Read the -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 436.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bob Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 436 now is -- as amended, is now a vehicle bill for continuing discussions between the Medical Society and the health care providers insofar as a legislation providing for prompt payment of legitimate bills. I'd be happy to answer any questions, but it's just a vehicle. We'd like to move it along in the process.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,

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the question is, shall Senate Bill 436 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 436, having received the required constitutional majority, is declared passed. Madam Secretary, 445, please.

ACTING SECRETARY HAWKER:

Senate Bill 445.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Senate Bill 445 provides that an applicant who does not have three years experience in real estate finance must complete a program of education in real estate finance and fair lending before receiving a license, rather than within nine months of receiving an initial license. I don't know of any opposition...

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Hendon.

SENATOR T. WALSH:

Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Hello? Thank you, Mr. President. This bill came through committee. It's a good bill. Glad to join my esteemed colleague in support of this bill and appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any other wonderful discussion? Any other discussion? If

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not, question is, shall Senate Bill 445 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 445, having received the required constitutional majority, is declared passed. Senate Bill 457. Senator Syverson? Would you like your bill called, sir? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 457 is legislation in response to a court ruling that would dramatically change the way lawn irrigation systems are installed, repaired and maintained. The current practice that has been in place for some fifty years now has been that irrigation contractors and lawn contractors were the ones who installed systems. But based on a 1998 court ruling, which interpreted a 1983 law, it has changed what has been normal practice. I would say, as a side note, that the 1983 legislation was part of a multi-bill piece of legislation, and under the single subject rule, probably should have been thrown out. But this ruling strictly interpreted the law in regards to plumbing, and if we do not alter this ruling, it's going to create a number of problems. Number one, there won't be enough plumbers in this State to do the work that needs to be done. Number two, most of the work that's being utilized currently under the installation is things that licensed plumbers don't want to do. And third, and most

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importantly, it would drive the cost up so high it would become problematic for homeowners, park districts, forest preserves, school districts, golf courses, universities and others. What we have done in this bill is try to address the concerns that have been raised by the Plumbers' Union. To that end, we -- we amended the bill to put into place mandatory requirements that the plumbers have to do, the connections, as well as that the licensed plumber has to sign off on the design and the completion of any installation project. I'll be happy to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I just want to let the Members know that there is still some problems with this bill. I want to commend Senator Syverson for amending the bill and attempting to work out the differences, but there are still problems. So those of us -- those of you here in this Chamber who appreciate the positions taken by the working men and women of Illinois, we'd ask for a Present vote at this time on Senate Bill 457. And hopefully we can work out the differences in -- in the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Parker.

SENATOR PARKER:

I'd rise in support of this bill. What this essentially does if we do not pass this, anybody who puts in your lawn sprinklers, just in your garden or your -- your lawn, has to be a licensed plumber. Anybody that you know that is in the lawn/garden business that does the sprinklers would be out of business unless they are a licensed plumber. So this is a -- a big thing here that does affect a lot of people, and I would urge your Aye vote on this, to not put these people out of business.

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PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR SYVERSON:

Thank you. We believe this is a good compromise to help all of Illinois, including the taxpayers and the workers, and I would certainly appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 457 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 voting Yes, 10 voting No, 13 voting Present. Senate Bill -- excuse me, 457, having received the required constitutional majority, is declared passed. Senator Syverson, on 458? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 457 -- excuse me, 458 creates the Automated External Defibrillator Act, and is brought to us on behalf of the American Heart Association and the American Red Cross. Each year in Illinois, eleven thousand five hundred people die from cardiac arrest, and we know that with every minute of delaying of getting this kind of care, the chances of survival are reduced by ten percent. This Act provides three important things: one, training; two, maintenance; and three, oversight concerning these systems. This Act also will greatly increase the

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accessibility of defibrillators by creating an exemption from civil liability to physicians authorized in purchasing the units, providing the training, and for the owners, managers and occupants of the premises. Be happy to answer any questions. Otherwise, just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Obama.

SENATOR OBAMA:

I stand in strong support of the -- this bill. I think it's an excellent bill, long overdue. I did want to just comment, because I think in our analysis on the Democratic side that it indicates that the Trial Lawyers had some concerns with respect to some of the liability issues that were in the bill. My understanding is, is that those issues will continue to be negotiated as it gets into the House, so I wanted to assure our Members that, in fact, this is a bill worthy of their support and I'm looking for a favorable roll call, as well.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any discussion? If not, the question is, shall Senate Bill 458 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 458, having received the required constitutional majority, is declared passed. Madam Secretary, 468. Please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 468.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill about rolling stock, and rolling stock includes the transportation vehicles of any kind of interstate transportation company for hire. It includes railroads, bus lines, airlines, trucking companies, et cetera. What this bill does, it -- in the statutes right now, the tax can only be applied to rolling stock that is just intrastate, not interstate, and that's because of a federal law. Now, our statute right now says that -- it doesn't specify a number or percentage of trips in interstate commerce; it merely states regular and frequent over an unspecified time period to qualify for the exemption. The problem is different auditors have come up with different ideas on what a -- "regular" and "frequent" means. So what this bill does is it says you've got to make at least fifteen interstate trips before you're rolling stock is qualified for the tax exemption. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Mr. -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a comment to the sponsor. If Sam Vadalabene was still here, he'd ask you if this has anything to do with the five acres and tell you he still loved you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Link.

SENATOR LINK:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

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Sponsor indicates she'll yield, Senator Link.

SENATOR LINK:

Senator, just two quick questions: Why is the Illinois Municipal League opposed to this, and how much will this cost in loss of revenue?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

There is -- there is no loss of revenue per se. There is approximately eighty-five million dollars' tax exemption of roller -- of rolling stock right now. I understand most of that, frankly, are the airplane -- when the airplanes are purchased. Airplanes are very expensive, obviously. The occupational service tax, if we could collect it, would be a lot, but I don't know of any plane that you could say is not an interstate, rather than an intrastate, airline.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Link.

SENATOR LINK:

But why -- why would the Illinois Municipal League be opposed to this, then, in that case?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

They -- they oppose any kind of tax exemption because they think they're going to lose some money.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Link.

SENATOR LINK:

Then there will be a considerable loss to the municipalities on this then, right? I mean, if they're opposed to -- you just said if there -- there's going to be a loss of revenue. What --

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how -- is there any kind of estimate of what they would lose?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

They don't get it right now. The problem is we're just clarifying the language on what "regular" and "frequent" means. We -- we agreed with the Revenue Department that it should mean a minimum of fifteen interstate trips.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell, do you wish to close?

SENATOR FAWELL:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 468 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting -- 2 voting Present. Senate Bill 468, having received the required constitutional majority, is declared passed. Senate Bill 473. Out of the record. Senate Bill 480. Senator O'Malley? 480? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 480 provides that a hospital or physician shall be reimbursed by the person requesting records for all reasonable expenses incurred by the hospital in connection with copying, not

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to exceed twenty-dollar handling charge for processing the request for copies and twenty-five cents per page and fifty cents per copy of microfiche or microfilm. The handling charge shall include the first ten pages or copies. I'd also like to make sure that everybody's aware that an identical provision was placed in connection with attorneys' records. This legislation, while there has been substantial negotiations, is not fully agreed to between the competing interests; however, it is a work in progress, and I think it's understood that this bill would be going to the House with further negotiations, good-faith negotiations, to continue. I'd be happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 480 pass. All those in favor, vote Aye. Opposed will vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 480, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 509. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 509 is an anticrime initiative that comes from Mayor Daley's Office in Chicago, and it's really aimed at extreme gun offenses and terrorism and it does five quick things: It creates

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a new offense of aggravated battery with a machine gun or a firearm equipped with a silencer; it creates a new offense of possession of a deadly substance; it creates a new offense of aggravated discharge of a machine gun or firearm equipped with a silencer; and it poses more severe penalties if there's a terrorist type of activity that deals with bombs or explosions; and it expands the definition of "heinous battery" to include battery that causes great bodily harm as a result of poisonous, biological, radioactive substance, bomb or explosive content. I'd be happy to answer questions. This bill has passed the House of Representatives a couple of times, and our Judiciary Committee tried to clean it up and make sure it compiled -- or complies with the single subject requirements, the expanded standard, as we know it, from the Supreme Court.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 509 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 509, having received the required constitutional majority, is declared passed. Senate Bill 527. Senator Dillard? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 527 and Senate Bill 529, which is next on the

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Calendar, are two bills that come from environmental groups and the Business and Professional People with a Public Interest, and we've worked on these extensively, as the Members of the Education Committee know. The first one's the easier of the two. This one requires schools, if a parent wants to be notified and has a sensitive child to pesticides or insecticides or chemicals, to -- to give that parent notice. And it does a number of things, including allows the school by a newsletter or a regular form of communication to make notice to parents that these pesticides will be applied on school grounds. In Illinois, we already have a -- we encourage, I guess, the use of integrated pest management, and this just is a little more tightening of the -- the way we make sure that parents have some right to know of what chemicals are going to be applied in our public schools. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

There any questions or any discussion? If not, the question is, shall Senate Bill 527 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 527, having received the required constitutional majority, is declared passed. Senate Bill 529. Senator Dillard? Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 529.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Senate Bill 529 is what I call the

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indoor version of what we just passed, which was the outdoor version, and it requires schools to adopt an integrated pest management system and requires schools to set up a parental notification system if a parent requests that they be notified prior to pesticide applications in school buildings. Again, I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, is -- are we -- we in the situation where this isn't -- it isn't working, that there are real major problems in schools with this -- because of this?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Senator Luechtefeld. That's a good question. As I stated in the old bill, Senate Bill 527, we have an -- we have a statute today that encourages schools to use integrated pest management, and it's been on the board for a number of years. But a survey just completed of Illinois public schools showed that only eighty-two percent of the school districts in Illinois follow our law that requires them to do integrated pest management. I do want to point out that in my bills there are a -- or, there is a provision where if a school district at all thinks that this might increase their cost or they don't have the ability to do this - and I will tell you in Michigan and Texas and Indiana, actual cost to schools go down because they apply fewer chemicals; they look for other ways to get rid of pests or rodents - they can file a

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letter if they don't want to live up to the law, which is to have an integrated pest management system. They can file a letter that lets them not comply with this law, with the Illinois Department of Public Health. We do that for, for example, recycling, if schools think it costs them more money to recycle products, they can file a letter and they don't have to comply. So just school districts, Senator Luechtefeld, are just not really complying with the law, and hopefully this'll spur them on a little bit. If they think it increases their cost, they don't have to do it. But, to me, this is a parental notice bill. It makes the school buildings safer for children and for teachers, and it makes sense. And we have worked long and hard, and I really thank the chemical industry itself, the manufacturers and the people who manage -- you know, manage and apply the chemicals throughout Illinois. They're neutral on the bill. They've really worked with a number of parents who have wanted this bill, and I don't think this will be a problem for a school district. And, again, if it increases their cost or they believe that it's a -- a fiscal mandate, they don't have to comply.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, Senator, I -- you know, I really do applaud what I think you're trying to do. I just wonder whether this won't create a lot of just plain paperwork for schools, and also it would seem to me that the place to take this up would be in the individual school boards. If there's a problem, that each individual school board deal with this, and I really have not noticed it to be a problem, certainly in the area that I worked in, and -- and I've never really heard this to be a problem anyplace in -- in the education area.

PRESIDING OFFICER: (SENATOR WATSON)

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Is that a question or just a statement?

SENATOR LUECHTEFELD:

I guess you could say that's a question. Yes, it is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Obviously, Senator Luechtefeld, and I don't want to ever stereotype any areas of the State, sometimes in the -- the more rural areas, I guess, maybe more people from farm and agriculture communities are used to being around chemicals. I will tell you the interests, and I don't want to unleash all of these mothers on you who -- who want this legislation, but it is a problem. And this has -- this has been followed somewhat extensively by media, both electronic and print, in Chicago and we've had a number of cases. And one of the reasons that this has come forward is as the schools get more modern, the schools are much more airtight and we have children who apparently become ill, sometimes violently ill. So, yes, there is a problem, and that's why I'm trying to do this on as much of a voluntary basis as possible.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Noland.

SENATOR NOLAND:

...a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Noland.

SENATOR NOLAND:

Senator Dillard, it's my understanding this is -- only applies to school grounds. Would it have any ramification for a -- a golf course across the street or a park, or what about a cornfield that neighbors a school district?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

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SENATOR DILLARD:

This just applies to school grounds, but I will tell you and warn you, we already have a -- you know, an Act that -- it's called the Lawn Care Products Application and Notice Act that regulates, for example, golf courses. If you go to a golf course, you get better notice today than you do at a school. And we already have this law for other things, other than schools, and we want to provide some minimal notice for school parents to know what the heck their kids are going to breathe in.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? If not, Senator Dillard, do you wish to close?

SENATOR DILLARD:

No, sir. Just a roll call. Thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 529 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 56 voting Yes, 1 voting No, 2 voting Present. Senate Bill 529, having received the required constitutional majority, is declared passed. Senate Bill 556. Senator Cronin. Out of the record. Senate Bill 562. Senator Syverson? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 562 creates the First Year at Home Program. This is a program that we are working in

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conjunction with Voices for Illinois Children, as well as the Illinois Family Institute. What this program is trying to address at is the problem of the shortage of the zero to one day care availability in this State, and this is one way, I think, that'll allow us to help. This amendment would allow individuals with their first year of -- with -- with a firstborn, at that first year, can be at home, where the parent could stay at home and receive a grant equal to what they would have received at the day care and -- but yet still stay at -- at home. We believe this helps not only the families and strengthening the children, but this also frees up slots that are going to help those families that are required and need to go back to work, that they'll continue to have available day care. This is a pilot program and it's subject to appropriations, and so we're not sure how this thing is going to move forward, but we'd ask for a favorable roll call or be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Senator Syverson, you and I have talked about this, and -- and I just want to ask a question I just thought of. We have a limitation on the number of children people can have in order to receive TANF grants. I mean, didn't we, after a certain date, limit the number of children?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Yes, that's the family cap.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Does this apply, like say, I -- I'm in the cap -- I'm under the cap and I have another child, does this apply -- does that cap apply to this?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

The -- the cap you're talking about is in the welfare population and this legislation affects the working population, so this would be different.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, the question is, shall Senate Bill 562 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 562, having received the required constitutional majority, is declared passed. Senate Bill 574. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 574.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. We've been working, together with the Cook County Public Defender's Office, the State Appellate Defender, the Appellate Prosecutor, the State Bar Association and others, to try and -- and find a way to direct more funding to

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handling of capital cases in our criminal justice system. This bill is not a final product. It's going to require some amendment. I don't -- there is some provisions in it that I think need to be changed, and we're going to continue to work with all of these groups in the House. But I think it's an important effort. We do need to put more resources into experts, into investigators, into trial counsel. This also deals with Bar Association standards for attorneys who try capital cases and funding for them. It's an important effort that I think we need to deal with this spring, and I would ask for your -- your Aye vote to move this process along.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 574 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 574, having received the required constitutional majority, is declared passed. Madam Secretary, please read the bill, Senate Bill 578.

ACTING SECRETARY HAWKER:

Senate Bill 578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Illinois Vehicle Code in that section dealing with the reporting of test results of blood and urine conducted in the regular course of providing emergency medical treatment. The legislation now says that those results shall be disclosed to the Department of State

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Police or local law enforcement agency of jurisdiction upon request. It's agreed to by MADD and the emergency room physicians. I know of no opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 578 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 578, having received the required constitutional majority, is declared passed. Senator Tom Walsh, on Senate Bill 579? Senator Walsh. Tom? Out of the record. Senate -- Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Point of personal privilege. Mr. President and Ladies and Gentlemen of the Senate...

PRESIDING OFFICER: (SENATOR WATSON)

State -- state your point.

SENATOR GEO-KARIS:

One of my constituents, John Schmitz, S-C-H-M-I-T-Z, of Zion, is sitting here up in the gallery. We welcome him here.

PRESIDING OFFICER: (SENATOR WATSON)

Will our friends in the gallery please rise? Welcome to Springfield. We're on page 7. Senate Bill 580. Senator Rauschenberger. Actually, if we could, Senator Rauschenberger, could -- we would have leave that you present all bills on appropriations? Would that be appropriate? Senator Rauschenberger, on Senate Bill 580. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 580.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. At this time, would you take this bill out of the record?

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record. Senate Bill 581. Senator Rauschenberger. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 581 is the budget bill for the Board of Higher Education. The Board of Higher Education is the governance board for our university system in the State of Illinois. Senate Bill 581, as amended, appropriates a hundred and fifty-one million three hundred and seventeen thousand seven hundred dollars to the Board of Higher Education for its expenses and grant programs. That represents a ten-million-two-hundred-and-twelve-thousand-dollar increase over FY'99. I'd appreciate its favorable adoption. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not -- Senator Trotter.

SENATOR TROTTER:

Excuse me, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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Certainly. Go ahead.

SENATOR TROTTER:

If I could just ask a couple questions. Senator Rauschenberger, you have increased the budget since you have now -- will you repeat what you said? You said you increased...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR TROTTER:

...over the appropriation of the Governor.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The -- the increase in the Board of Higher Education's budget is ten million two hundred and twelve thousand six hundred dollars over FY'99.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Okay. My analysis has that we've actually cut 6.3 million dollars out of the -- the Governor's budget.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, you are correct. This is less than the original proposal by six million.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Okay. What -- what happened to the Lake County -- the university center at Lake County?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

At this time, Senator Trotter, I don't think there's consensus in this Chamber, on this side or anywhere else in -- in the capitol area, about whether we need to advance a capital program to deal with the educational challenges of Lake County. Although we do -- we do remain somewhat supportive of the idea of an interuniversity system up there, we're hoping that we can avoid a capital expenditure and a BHE program.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Okay. We cut 1.5 out of there. How much can we afford to put in this initiative, since there is some support on your side for -- for going forward with this initiative? Can we do anything for it or how much are we putting in here?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, at this time, there's nothing in BHE to deal with Lake County. We think that they need to come and make their case to the General Assembly. I think it should be clear that we're reserving more than two hundred and forty million dollars of flexibility as we go through this process because we think first step in this budgetary process should be to agree with those increases that we think are necessary and then encourage agencies and -- and parts of State government to come and argue for what additional growth that they think is important.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. Just to the bill: On some issues I do agree with you, Senator Rauschenberger; but, however, on most of

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these education pieces, as we'll be talking also about the other universities, I just feel that we should not be cutting their budget, and looking at ways that we can actually give them more monies. So with that, I'm going to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Thank you. And I appreciate Senator Trotter's concerns. I would point out a couple of things: that we haven't cut anyone's budget; we have increased everybody that you've heard so far above FY'99, which is the only budget that's a real budget. We think proposed budgets are important because they give us people's goals, but they certainly don't obligate legislative action. The bill you're about to vote on includes full funding for undergraduate enrollment grants; includes full funding for health services education grants; includes fifteen million dollars for the Illinois Century Network, the -- the high-tech interconnection that the -- that the universities and the high schools and the State Board of Education have been asking for; includes full funding for the minority educational achievement grants; includes full funding for minority articulation programs; includes full funding for work force development and economic; includes four-percent general revenue -- revenue increase for the operation of the administration of the Board of Higher Education; and includes a four-percent general revenue increase for the operation of the Math and Science Academy. This budget does fund, clearly, what's critical at the Board of Higher Education. I'd appreciate favorable votes on both sides of the aisle.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 581 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 35 voting Yes, no voting No, 23 voting Present. Senate Bill 581, having received the required constitutional majority, is declared passed. Senate Bill 582. Senator Weaver? I'm sorry. Senator Rauschenberger. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me. Senator Trotter, for what purpose do you rise, sir?

SENATOR TROTTER:

Excuse me, sir. I had pressed my Present button and it didn't register on the board.

PRESIDING OFFICER: (SENATOR WATSON)

Okay, fine.

SENATOR TROTTER:

So, if I could, could the record reflect that I would have voted Present, please. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Certainly can. Thank you. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 582, as amended, is the budget for the University of Illinois. To remind you, and I won't repeat it after -- with each higher education institution, but to remind you, briefly, it includes the priorities that the University of Illinois brought to committee and discussed with us. It includes full funding for three-percent salary increases across all of the employees at -- at the University of Illinois; includes ten-percent increase for library resources, which was a critical need that each of the

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universities brought to us; it includes a seven-million-dollar allocation for deferred maintenance; it includes six million seven hundred and forty-five thousand dollars for the retention of critical faculty and staff. It is crafted in the form of a lump sum to maximize the flexibility of the institution to deal with its priorities and hopefully to deal -- to maximize their accountability when they come back to us in the appropriation process. In FY'99, we appropriated six hundred and ninety-six million two hundred and twenty-nine thousand dollars to the University of Illinois. This bill includes seven hundred and twenty-three million four hundred and fifty thousand, or twenty-seven two hundred and twenty-one thousand more dollars -- twenty-seven million two hundred and twenty-one thousand more dollars to the University of Illinois. I'd appreciate favorable consideration. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much. Just -- just to the bill: On here -- what has happened with this bill, yes, we have put the dollars into those various programs; however, what we have cut out of the bill is 1.3 million dollars in technology enhancements. We've cut out a hundred and seventy-four thousand dollars in management information systems degree program. We have cut eight hundred and seventy-five thousand dollars for the college of liberal arts and sciences for undergraduate education. We have cut three hundred thousand dollars from the Big City Teacher Preparation Initiative, and we have cut the first year Discovery Program to U of I, in addition to cutting two hundred and fifty thousand dollars from the Cooperative Extension Service Program at the University of Illinois. Senator Rauschenberger repeatedly states that he's really not cutting these programs, but these were stated

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initiatives of the University. So, in essence, what we have is that we have cut it and eliminated those initiatives that the University themselves had said that they wanted to promote for this year.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR RAUSCHENBERGER:

Again, I can appreciate Senator Trotter's concern, but it may be some confusion about how you read the difference between a lump sum and a line item budget, 'cause I would just point out to everyone that the reduction from the Governor's proposed level for the University of Illinois is less than one percent or less than five million dollars on a seven-hundred-and-twenty-five-million-dollar base. So we didn't cut any programs. What we did was we stopped line iteming programs for part of their budget since we don't control the income funds. We gave them a single lump sum appropriation to deal with General Revenue. They can now allocate those dollars, that twenty-seven-million-two-hundred-thousand-dollar increase, across whatever they believe their priorities are. We've allowed enough money for them to do, clearly, their four top priorities and additional funds. So I'd appreciate support of the bill, and -- and hopefully we'll get a better budgeting accounting from the universities next year, based on the lump sum concept.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 582 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Yes, 2 voting No, 25 voting Present. Senate Bill 582, having received the required constitutional majority, is declared passed. Senate Bill 583. Senator Rauschenberger. Mr. Secretary, please read the

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bill.

SECRETARY HARRY:

Senate Bill 583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 583, as amended, includes the budget of Illinois State University. Again, it includes the funding for library increases, salary increases, deferred maintenance and retention of critical faculty. In FY'99, the appropriated level for the Illinois State University was eighty million two hundred and twenty-four thousand dollars. With this bill, the appropriated level is eighty million -- eighty-two million nine hundred and seventy-one thousand, or nearly a three-million-dollar increase. I'd be happy to take questions and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much. And, again, for -- for sake of brevity, just that we have eliminated from this -- the University, the University's undergraduate experience initiative, four hundred thousand dollars. We've eliminated a million dollars from the college of nursing and the nursing programs initiative for FY2000, and we've eliminated three hundred and ninety-five thousand for the University's request for technology enhancements. And with that, again, I'm requesting my Members to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Further discussion? If not, the question is, shall Senate Bill 583 pass. All those in favor, vote Aye.

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Opposed, vote No. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 voting Yes, no voting No, 27 voting Present. Senate Bill 583, having received the required constitutional majority, is declared passed. Senate Bill 584. Senator Rauschenberger? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 584.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 584, as amended, contains the budget of Western Illinois University. Again, it includes full funding for the library increases, salary increases, deferred maintenance requests, the retention of critical faculty. In FY'99, the -- the appropriation requested for Western Illinois University -- or that was granted was fifty-four million eight hundred and fifty-nine thousand. This bill contains fifty-seven million nine hundred and fifty-one thousand, or a three-million-ninety-two-thousand-dollar increase. I'd appreciate favorable consideration. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much. If the sponsor will yield.

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor indicates he'll yield.

SENATOR TROTTER:

Yes. Senator Rauschenberger, how much money have you put into

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the diversity outreach initiative or has any dollars been put into that initiative?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The -- the initiative you mention is a discretionary initiative that the University has always had the flexibility to use income funds to do or to choose not to do. This year we've given them the additional flexibility of fifty-seven million nine hundred and fifty-one thousand dollars and they can certainly do that initiative. We have not obligated the University to spend any of their money in our approp bills.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. Senator Rauschenberger, I commend you on adding more dollars than the Governor to Western University, and I'm going to vote with you on this initiative.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 584 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, 1 voting Present. Senate Bill 584, having received the required constitutional majority, is declared passed. Senate Bill 585. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 585.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 585, as amended, includes the budget of Southern Illinois University. It, again, includes a lump sum appropriation giving the Southern Illinois University sufficient money to cover their request for library increases, all of their salary increases, deferred maintenance allocation, and more than two million dollars of additional funds to -- for salary lines to -- for retention of critical faculty and staff. In FY'99, the full appropriation for Southern Illinois University was two hundred and eleven million nine hundred and twenty-five thousand. This bill includes two hundred and eighteen million seven hundred and forty-two thousand, or an increase of 6.8 million dollars. I'd appreciate favorable consideration. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Yes, thank you very much. Sponsor will yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield.

SENATOR TROTTER:

Senator -- thank you. Senator Rauschenberger, can you tell me about the teaching and excellence in mathematics and science program that we've eliminated, at least from the request, from the amendment, four hundred thousand, but we did leave something there, I believe.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Kind of like that -- that commercial: It's in there. There's sufficient funds in there to do that initiative if that's what the University wants to do. We have not, however, obligated them to do

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it by line item, which was the practice in the past.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Yes. Just for my Members, again, there's been several projects and initiatives cut here, and I would ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger, do you wish to close? If not, the question is, shall Senate Bill 585 pass. All those in favor, vote Aye. Opposed, vote No. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 voting Yes, no voting No, 25 voting Present. Senate Bill 585, having received the required constitutional majority, is declared passed. Mr. Secretary, please read the bill, Senate Bill 586.

SECRETARY HARRY:

Senate Bill 586.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 586, as amended, includes the budget for Northern Illinois University. This bill, again, is in lump sum form. Gives full flexibility to the University to spend according to their priorities and to become accountable to us afterwards. It includes the increase sought for libraries, includes the salary increases requested, includes additional funds for deferred maintenance. In FY'99, the full appropriation for the University -- for Northern Illinois University was a hundred and two million

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five hundred and seventy-six thousand. This bill is now one hundred and five million nine hundred and thirty-three thousand. It includes an increase of 3.3 million dollars. I'd appreciate favorable consideration. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

I, too, like what you've done with Northern Illinois University and, again, I will vote with you in this -- on this initiative.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 586 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Yes, no voting No, 7 voting Present. Senate Bill 586, having received the required constitutional majority, is declared passed. Senate Bill 587. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Senate Bill 587, as amended, includes the budget for Northeastern Illinois University. Again, includes library, salary, deferred maintenance funding and flexibility for the University. Again, it's delivered in a lump sum form. FY'99 appropriation for this University was thirty-eight million one hundred and eighty-nine thousand. This bill is now forty million three hundred and thirty thousand, for

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an increase of 2.1 million dollars. I'd appreciate favorable consideration and be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 587 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 voting Yes, no voting No, 19 voting Present. Senate Bill 587, having received the required constitutional majority, is declared passed. Mr. Secretary, 588.

SECRETARY HARRY:

Senate Bill 588.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 588 includes the budget of Governors State University. Again, it's a lump sum form budget. Includes salary, includes library increases, includes money for deferred maintenance, and an additional allocation to deal with critical faculty and staff. The FY'99 appropriation for Governors State was twenty-four million five hundred and twelve thousand. This bill is now twenty-four million eight hundred and fifty-four thousand. The increase for the University is three hundred and forty-one thousand nine hundred dollars. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Welch.

SENATOR WELCH:

Yes, thank you. This appears to be an increase over the

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Governor's proposal and we would be supporting that bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We didn't mean to do that if it was screwing you up over there. We just -- appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 588 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 588, having received the required constitutional majority, is declared passed. Senate Bill 589. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 589.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 589 is the -- as amended, is the budget for the Illinois Student Assistance Commission which includes the nation's second-largest monetary award program for students, the largest on a per capita basis in the United States. This bill includes full funding for the Monetary Award Program, full funding for the Illinois veterans' grants, includes full funding for the Merit -- Merit Recognition Scholarships, full funding for the National Guard grants, full funding for the minority teacher scholarships, full funding of the DeBolt Teacher Shortage Scholarships, full funding of the Illinois Incentive Access

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grants, and a four-percent increase in General Revenue funds for operations of the administration. Appreciate favorable consideration. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Trotter.

SENATOR TROTTER:

It eliminates 2.6 million dollars in GRF from the requested for the MAP summer study program. It eliminates three hundred and forty-four thousand dollars from the agency's request for two new employees, and I would ask our Members to vote No.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, the question is, shall Senate Bill 589 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 voting Yes, no voting No, 26 voting Present. Senate Bill 589, having received the required constitutional majority, is declared passed. Senate Bill -- top of page 8. Senate Bill 590. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 590.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 590, as amended, is the budget for the Illinois Community College Board, and if you didn't like the last one, you're really going to hate this one. This includes six million five hundred and twenty-five thousand in funding for deferred

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maintenance grants, includes full funding of base operating requests and grants, includes full funding of the equalization grants, includes full funding of the small college grants, includes full funding of the performance based initiative request. In FY'99, the request for the Illinois -- or, the budget for the Illinois Community College Board was three hundred and five million three hundred and eighty-three thousand. This bill, as amended and presented here, is three hundred and fifteen million eight hundred and sixty-five thousand, or a ten-million-dollar increase. I'd appreciate favorable consideration and be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

It eliminates the request for new education technology staff. It eliminates the increase for core values and leadership initiatives. It eliminates special initiative grants. It eliminates special population grants. It eliminates advanced technology equipment grants. And you're right, I -- we don't like it any better, sir. We're going to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Yeah. Senator Trotter, just by way of corrections. It doesn't eliminate those last three you mentioned. It leaves them at the FY'99 level. It doesn't permit growth in those programs. And, you know, all along I thought we were kind of on board together about reducing bureaucracy. Keep in mind, a lot of these programs are developmental for the community colleges. These aren't for students. You know, I -- I thought we wanted to give more money to the universities, not to the governing boards.

PRESIDING OFFICER: (SENATOR WATSON)

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Question is, shall Senate Bill 590 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The question is -- take the record. The question is, shall -- 32 voting Yes, no voting No, 27 voting Present. Senate Bill 590, having received the required constitutional majority, is declared passed. Senate Bill 591. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 591.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 591 is funding for the State Universities Retirement System. I'd be happy to answer questions. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Just like all our Members to vote Aye for this piece of legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 591 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. Senate Bill 591, having received the required constitutional majority, is declared passed. Senate Bill 592. Mr. Secretary, please read the bill.

SECRETARY HARRY:

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Senate Bill 592.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 592 includes the budget of the State Universities Civil Service System, and I expect all my -- my friends on the Democratic side who are on Appropriations Committee, this is Walt Ingerski's budget. So I -- I would certainly hope after watching that, that we would get green lights on that side of the aisle. The FY'99 appropriation was one million two hundred and fifty-two thousand dollars. This bill is now one million three hundred and two thousand, or four-percent growth across the operations of this -- this system. Voting against this would be voting in favor of reclassifying fifty percent of the employees of a -- of a -- of an agency. So I -- hopefully Senator Trotter and I are on the same page on this one.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? If not, the question is, shall Senate Bill...
Oh! Donne, you want to talk? Senator Trotter.

SENATOR TROTTER:

Thank you -- thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

That's okay.

SENATOR TROTTER:

Unfortunately, sir, we're not on the same page on this one, and I'm asking the Members to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 592 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 voting Yes, no voting No, 31 voting Present. Senate Bill 592, having failed to receive the constitutional majority, is declared failed. Senate Bill 593. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 593.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 593 is the budget of the Department of Human Services. In this budget, we are increasing, over FY'99 levels, over a hundred and one million dollars in general revenue for programs in the State of Illinois. This budget provides 24.7 million dollars to fund a COLA for human service provider, fully funds the Child Care Program that will serve a hundred and fifty-seven thousand children in FY2000, fully funds all current CILAs for persons with developmental disabilities and adds nine million dollars to the establishment of two hundred and seventy-six new CILAs, boosts funding for domestic violence shelters by twelve million dollars to a level of twenty-one million dollars - a hundred-and-thirty-percent increase, fully funds the Sexually Violent Persons Program at a level of 8.2 million to maintain our communities safe from these offenders, adds 13.3 million to the Home Services Program, increases funding for HB69 programs -- or -- by two million dollars for a twenty-percent increase, includes a hundred-and-forty-two-percent increase for the Healthy Families Program by adding 2.5 million dollars, increases funding for mental health services by 7.6 million dollars, provides a

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seventy-seven-percent increase in appropriations for the popular Teen Reach Program, increases funding for victims of sexual assault by almost seven hundred and fifty thousand dollars, adds five million dollars for additional addiction treatment services, and includes a thirty-two-percent increase for the youth services by adding 3.2 million dollars. This -- this is large progress, and hopefully you guys can be with us on this.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Yes. It also cuts 1.1 million dollars from requested Youth Treatment Expansion Program, which would have given counseling and residential rehabilitation to approximately five hundred additional youth. It reduces the Governor's request on the Home Based Support Services by 2.4 million dollars, which would have added two hundred more families to that program. It reduces funding for the Family Assistance Program by one two -- 1.2 million dollars, which would have also added two hundred more families to that program. It reduces the Governor's request for funding for comprehensive community-based youth services, which would have been able to expand that youth service to six other sites and it's cut their budget as well, and there's many other initiatives that warrants us voting No for this.

PRESIDING OFFICER: (SENATOR WATSON)

Any other -- further discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Want to close, yeah. Senator Trotter, I would only point out that -- that, you know, I'm very careful with the "P" word around here. You know, I call them Member initiatives because I think it's important that we talk in a consistent way about things. When you use the "C" word, you play right into the concepts that I

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thought over time we were coming to realize were not fair. It is not fair for people to talk about unaffordable growth or for programs that -- that don't make sense. The programs you all talked about are growing in this budget. These are committed to in real, affordable dollars. So to use the "C" word is just as bad as the Executive Branch sometimes inadvertently using the "P" word. I mean, I think we need to be careful about the legislator's right to act in the budget. Keep in mind on this roll call: If you don't support this, you're not supporting a COLA. This has an explicit COLA, unlike the introduced bill. This bill fully funds domestic violence. This bill grows Teen Reach. This bill grows all those programs that we all claim to be supportive of. This has got fully fund -- full funded day care. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Yes, the gentleman's closing. The question is, shall Senate Bill 593 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 voting Yes, 3 voting No, 24 voting Present. Senate Bill 593, having received the required constitutional majority, is declared passed. Senate Bill 594. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 594.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 594 is the budget for the Department of Public Aid.

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The FY'99 appropriation for the Department of Public Aid was six billion, with a "b", six billion one hundred and sixty-eight million dollars. This bill now contains six billion two hundred and fifty-eight million dollars, or a ninety-million-dollar increase. This fully funds the KidCare Program at a hundred and three million dollars to provide coverage to a hundred and fifty-five thousand children, adds fifty-five million to fund an annual 1.5-percent COLA for the Medicaid providers in the State of Illinois - a full twelve-month COLA, includes enough funding to accommodate base liability growth in the Medicaid Program and fully funds the Child Support Enforcement Program. I'd appreciate your favorable support on this.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just wanted to make this statement for this bill and the last bill. I pushed my button too late on the last bill. And what I wanted to say, Senator Rauschenberger, was this: We agree with you on a lot of what you're doing. A lot of what -- the work that you've done we like. We like limiting government. But the problem is, we had no choice in any of this. You didn't ask us our opinions before you did this. You didn't ask us, "Do you want to keep that program or you want to keep this program?" We had no input. That's the problem. It's not that we think everything you did was terrible. It's that we didn't have a say in what you did. Had we sat down together, we probably could have worked out a lot of these bills and had an agreed bill process, had we done that. But that didn't happen, and that's why on this side we're voting Present.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

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Thank you very much. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Yes. Senator Rauschenberger, what are the difference in your assumptions of liabilities from those of the Governor's?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The biggest -- the biggest, single question in the Medicaid Program over the last two years is the source of growth. Clearly the source of growth in our Medicaid Program is not utilization, not the number of people using the program, either on the long-term care side or the acute medical side. It's in the rates, is where the growth has been for the last two years. We believe our utilization numbers have been consistent and we believe they're consistent for next year. If we keep rates moderate in the State of Illinois, this fully funds the liability. The big question is whether we can keep rates stable.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

What would be the effect of your -- using your assumptions versus the -- the Governor's?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We don't believe there'll be an effect, except that there'll be less lapsed money in the Medicaid Program at the end of next year, and there'll be less flexibility for midyear rate changes by the Executive Branch without consultation with the General Assembly.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Do you have a dollar figure? How much does your budget change or your assumptions change than the Governor's?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We believe this year that the liability estimates prepared by the Department and approved by the Bureau were a hundred and twenty-five million dollars higher than they needed to be. Last year, if you'll recall, the debate with the Department was an eighty-two-million-dollar question, on which we prevailed, and at the end of the year, we had a shorter payment cycle than they predicted.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Just to the bill: Senator Welch said it well. The thing is we do agree with many of your -- your assumptions here; however, because we were not part of the negotiations and we felt that there are some other issues that -- that should have been addressed and maybe should have been kept, because of that, I'm asking the Members again to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Yes, as -- as a Member of the Appropriation Committee for about ten years, I'd just like to remind the other side what used to happen was the last day of the -- of the -- of the Session, just before we voted on these bills, we would be asked to come up to the Appropriation Committee and be handed a list, a slew of

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amendments, which not only we didn't see beforehand, you guys didn't see beforehand. There was only one person that made that budget up. That was the Chairman of the Budget -- of the Appropriations Committee. Nobody knew what was going on. Certainly, the staff didn't know what was going on, and this is a vast improvement. At least you guys know what you're talking about and so does the -- the rest of the Committee. It seems to me, this is a vast improvement over what used to happen.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jones.

SENATOR E. JONES:

Yes. Senator Rauschenberger, as I look at the analysis here, you took out sixty million dollars from inpatient care at disproportionate share hospitals. And could you elaborate on that, why you took that from those hospitals that are disproportionate share hospitals?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm glad you asked that question, Senator Jones. The key to the Medicaid lines are these are entitlement programs. So if people present themselves, they'll be served. The question we always come to from a budgetary point of view is how much we need to allocate in spending authority for the Department to fulfill its obligations. Clearly, the trend for inpatient utilization in the City of Chicago and across the State is in decline, in large measure because of the increase in utilization of outpatient services. That was the right reduction to make. The

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administration is wrong on it, and they've kind of quietly begun to agree with us.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR E. JONES:

Well, you're saying the -- the Governor, the administration is wrong in providing additional care for disproportionate share hospitals. I don't think they came in committee and testified. You said they seemed to agreed with you. But I did notice that -- the utilization portion for a thirty-nine-million-dollar increase for long-term care. Now, something just doesn't seem right. You do on one hand, you get a large increase, but hospitals that are disproportionate share hospitals across the State of Illinois, who serve the indigent more or less, you cut them by sixty million dollars.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR RAUSCHENBERGER:

Respectfully, Senator Jones, I need to point out again: The Medicaid appropriation has nothing to do with -- with the access to medical care in Chicago or anyplace else in the State of Illinois. Those are entitlement programs. They're agreements with the federal government that will serve all people who present themselves. The question is, how much money you should set aside to be utilized by the system to pay those bills. We believe that the administration, in their conservative way, overestimates their liability for a couple of reasons: Number one, it gives them flexibility on utilization so they never have another disaster like in '91; and, number two, because it gives them flexibility on rates. This is not an issue of providing care; it's an issue of allocating resources based on the utilization trends in the Department. I appreciate...(microphone cutoff)...lively debate on

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this, and I'd appreciate a favorable roll call by all of the Members.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 594 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 31 voting Yes, 2 voting No, 25 voting Present. Senate Bill 594, having received the required constitutional majority, is declared passed. Senate Bill 595. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 595.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 585 {sic} is the budget for the Deaf and Hard of Hearing Commission. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Trotter.

SENATOR TROTTER:

Just ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 595 pass. All those in favor, vote Aye. Opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting Yes, 1 voting No, 19 voting Present. Senate Bill 595, having received the required constitutional majority, is declared passed. Mr. Secretary, please read the bill, 596.

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SECRETARY HARRY:

Senate Bill 596.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 596, as amended, includes the budget for the Department of Natural Resources. This budget allows for the maintenance increases and salary adjustments in personnel lines and related lines, provides maintenance growth in all support lines, provides full funding for forty new conservation police officers, funds the Illinois -- Illinois River Initiative at the new appropriation level of eight million dollars, fully funds the Public Museum Grant Program and the Public Museum Education and Technology Grant Program, fully funds the Conservation 2000 Program and fully funds the proposed Open Land Trust Program. The FY'99 appropriation level for the Department of Natural Resources was four hundred and ninety-three million five hundred and ninety-nine thousand dollars. This bill is now five hundred and eighty-one thousand {sic} two hundred and forty-nine thousand dollars. There's an eighty-seven-million-dollar increase to our commitment to natural resources. I'd appreciate favorable consideration. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Welch.

SENATOR WELCH:

...President. This bill actually is -- is below the Governor's level. The Governor set this as one of his major priorities during the campaign, and -- and we'd like to live up to the Governor's priorities, so we -- we're not going to support the

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reduction from the Governor's level.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Trotter. Your light's -- your light is on.

SENATOR TROTTER:

Yes, I'm sorry. Senator Welch made my argument.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Thank you. Senator Walsh.

SENATOR L. WALSH:

Mr. President, on the last vote on 595, I would like to be recorded as a Yes. I punched the No button.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so indicate your intent, Senator. Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Mr. President. I just hope that my cosponsors on Senate Bill 1087, the Open Lands Trust Act, that will be coming up later this -- later this afternoon, will be voting Aye on this, because this is the budget that incorporates the money for that program.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall Senate Bill 596 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 36 Ayes, no Nays, 21 Members voting Present. Senate Bill 596, having received the required constitutional majority, is declared passed. Senate Bill 597. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 597.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 597 includes just the operations - operations - for the Capital Development Board. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

No change in the bill. Good bill. Vote Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall Senate Bill 597 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 597, having received the required constitutional majority, is declared passed. 598. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 598.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 598 is the new projects and reappropriations bill for the Capital Development Board. It is the Governor's introduced, except it eliminates the capital expenditure for Lake County

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University Center and also eliminates the appropriation for the University of Illinois at Chicago Medical School at what we thought was the inappropriate level of half funding. Oh, no. I apologize. That's in the Higher Education capital bond. This fully funds the School Construction Grant Program at the Governor's recommended level of three hundred and eighty-seven million dollars. I appreciate a favorable roll call. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. Because we felt that the University of Illinois should have been up under the CDB budget, we're going to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Further discussion? If not, the question is, shall Senate Bill 598 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, no Nays, 27 Members voting Present. Senate Bill 598, having received the required constitutional majority, is declared passed. Senate Bill 599. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 599 is the reappropriations budget for the Build

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Illinois Program. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

There -- there is no change in this bill from the -- the Governor's appropriation. I ask the Members to vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 599 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 599, having received the required constitutional majority, is declared passed. Senate Bill 600. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 600.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 600 is the budget -- as amended, it's the budget for the Department of Commerce and Community Affairs. This budget allows for maintenance, salary -- maintenance and salary increases in personnel and related lines, excluding the cost for three new positions, as we all try to keep down the growth in government. Provides a maximum four percent maintenance increases in all of the support lines, fully funds the State's attorneys' and the sheriffs' stipends, provides one million dollars for the new Illinois Technology Enterprise Centers, increases activities

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associated with technology advancement and development by 5.25 million dollars, fully funds JTPA and Welfare-to-Work Programs, provides funding increased funding for tourism and provides funding for the various coal projects, as recommended by the Governor. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Trotter.

SENATOR TROTTER:

Senator Rauschenberger, you've eliminated seven hundred and forty-one thousand dollars in grant funding to Chicago Convention and Tourism Bureau. Can you tell me what effect that might have or you may think it may have on tourism in Chicago?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, you know I'm a big fan of Member initiatives. That was a Member initiative last Session. We think that that needs to be considered again as a Member initiative. If we began the process of allowing Member initiatives to become ongoing funding, we'd actually be doing budgeting by a hundred and seventy-seven of us out here, and so that's eliminated, as all other Member initiatives were eliminated from the budget. I certainly personally am supportive of the restoration, as we go through the process.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further -- Senator Trotter.

SENATOR TROTTER:

Thank you very much. Also eliminated was the -- some dollars

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-- three hundred thousand dollars from the Illinois -- the Commission on the Status of Women. Why did you choose that particular initiative to eliminate?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, we eliminated all new initiatives that we didn't have clear indication or an understanding of what the use was going to be. As we go forward, if the administration will point out to us clear priorities that they think we've made mistakes on, as we work together on the budget, we can consider restoring any of those.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Yes. This was one of the initiatives that the Governor spoke about in his State of the Union {sic} Address that he wanted the Lieutenant Governor to work directly with. It would just seem that we would at least try to support him on -- on this major initiative.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? The question is, shall Senate Bill 600 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 34 Ayes, 7 Nays, 18 Members voting Present. Senate Bill 600, having received the required constitutional majority, is declared passed. Senate Bill 601. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 601.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 601 is the budget for the Metropolitan Pier and Exposition Authority. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Just a comment. Thank you, Senator Rauschenberger, and thank you, Senator Fawell. Vote Aye for this, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 601 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 601, having received the required constitutional majority, is declared passed. Senate Bill 602. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 602.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 602 is the budget for -- as amended, is the budget for the Prairie State 2000 Authority. I'd appreciate its favorable adoption.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Just have the Members vote Aye, please. Would like to have our Members vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you. The question is, shall Senate Bill 602 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 602, having received the required constitutional majority, is declared passed. Top of page 9 is Senate Bill 603. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 603.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 603 is the budget -- as amended, is the budget for the Illinois Rural Bond Bank. I'd appreciate its favorable consideration. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Trotter.

SENATOR TROTTER:

I would just like our Members also to vote Aye for this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 603 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish?
Take the record, Mr. Secretary. On that question, there are 59
Ayes, no Nays, no Members voting Present. Senate Bill 603, having
received the required constitutional majority, is declared passed.
Senate Bill 604. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 604.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
Senate Bill 604 is the Illinois Department of Corrections. This
allows for growth in operational grant lines, fully funds an
additional three thousand one hundred and thirty-eight prison beds
that are expected to open in FY'99, provides the resources for
another two hundred beds that are expected to come on line in
FY2000, allows for the opening of two new day reporting center --
centers, and allows for funding of an additional hundred and
ninety new staff. In FY'99, the -- the appropriation budget for
the Department of Corrections was one billion one hundred and
seventy-one million. This bill is one billion two hundred and
fifty-three million. It's an increase of eighty-one million seven
hundred and sixteen thousand dollars. I'd appreciate favorable
consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Trotter.

SENATOR TROTTER:

Just like to have our side vote Aye, as well.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 604 pass. Those in favor

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will vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 604, having received the required constitutional majority, is declared passed. Senate Bill 605. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 605.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 605, as amended, is the budget for the Department of State Police. Allows for growth in operational grant lines, allows funding for a sworn cadet class of one hundred new officers and allows for funding of ninety-two positions to be transferred from -- to the general revenue from the expiring federal grant program. The budget in FY'99 for the Department of State Police was three hundred and four million two hundred and seventy-three thousand dollars. This bill is three hundred and twenty million nineteen thousand dollars, for an increase for the Department of State Police of fifteen million seven hundred and forty-six thousand dollars. Appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Trotter.

SENATOR TROTTER:

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Thank you. Senator Rauschenberger, we have eliminated the request or denied the request - not to use the "C" word or anything - denied the request for five hundred new cars for the Department. They stated during the -- the hearings that the average mileage on each car was one hundred and fifty-four thousand and four hundred miles. Is there any reason why we're denying them across the board their full request?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I'd remind you that's an average -- fleet average that includes almost eight hundred cars that they have surplus and that they use as backup cars and as concealment cars and as parked-along-the-side-with-the-dummy-in-'em cars. So an average fleet age is not necessarily the only measure we ought to use in evaluating State Police cars. But, Senator Trotter, I'm actually supportive of increasing the number of automobiles. We eliminated, out of the requested budget, the request to lease police cars. We hope when we work with the other Chamber and with the administration that we can restore perhaps the purchase of three hundred to four hundred new automobiles for the Department of State Police to keep their operating fleet average at a reasonable level.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Yes. And I agree with that. Unfortunately, none of those initiatives that you just mentioned are in this, and because of that, I ask our side to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 605 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, no Nays, 26 Members voting Present. Senate Bill 605, having received the required constitutional majority, is declared passed. Senate Bill 606. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 606 is the Office of the State Fire Marshal's budget. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

I, too, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 606 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. Senate Bill 606, having received the required constitutional majority, is declared passed. Senate Bill 607. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Senate Bill 607, as amended, is the budget for the Law Enforcement Training and Standards Board. This bill allows for the growth in operational grant lines, allows for the transfer of six employees from contractual to personal services payroll and allows for increases in appropriations for the Law Enforcement Intern Program. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much. I ask my Members to vote Aye for this.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 607 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 607, having received the required constitutional majority, is declared passed. Senate Bill 608. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 608.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 608 is the budget for the Prisoner Review Board. It allows for a maximum growth of four percent on all operational lines. I'd appreciate a favorable roll call.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Just ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 608 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 35 Ayes, no Nays, 23 Members voting Present. Senate Bill 608, having received the required constitutional majority, is declared passed. Senate Bill 609. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 609.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 609, as amended, is the budget for the Illinois Department of Revenue. This provides funds for the Department of Revenue, the Illinois Gaming Board, for the Fiscal Year 2000. Provides funds for growth in personal service and related lines, allows for growth in other operational lines, provides ninety million one hundred and six thousand general revenue for the Circuit Breaker and Pharmaceutical Assistance Program, appropriates general revenue and other funds for various revenue grant lines. The -- provides funds for growth in personal services at the Illinois Gaming Board, allows for growth in their other operational lines and provides eighty-two million dollars for distribution to local governments for the admissions and --

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and wagering tax. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall Senate Bill 609 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, no Nays, 26 Members voting Present. Senate Bill 609, having received the required constitutional majority, is declared passed. Senate Bill 610. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 610 is the budget for the Department of Professional Regulation. As amended, it allows growth in operational lines, allows funding for four new positions and allows for the replacement of ten vehicles. We'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Also ask the Members to vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 610 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are

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59 Ayes, no Nays, no Members voting Present. Senate Bill 610, having received the required constitutional majority, is declared passed. Senate Bill 611. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Hello -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 611 is the Department of Financial Institutions. We've provided the requested amount from the administration. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Just vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 611 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 611, having received the required constitutional majority, is declared passed. Senate Bill 612. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 612 is the budget for the Office of Banks and Real Estate. Since there's no general revenue, it's precisely as the Governor's introduced. Appreciate its favorable adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

I also would appreciate its favorable adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 612 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 612, having received the required constitutional majority, is declared passed. Senate Bill 613. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 613.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Senate Bill 613 is the budget of the Liquor Control Commission of the State of Illinois. The FY'99 appropriated level was four million four hundred and thirty-one thousand. The bill is now four million four hundred and eighty-seven thousand dollars, or a growth of fifty-six thousand one hundred dollars for the Liquor Control Commission. Appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 613 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that vote, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 613, having received the required constitutional majority, is declared passed. Senate Bill 614. Senator -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 614.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 614, as amended, is the Medical District -- Medical District Commission budget for the State of Illinois. FY'99 appropriated level was nine million one hundred and forty-eight thousand three hundred dollars. This budget is now six million one hundred and ninety-two thousand seven hundred dollars after you allow for onetime initiatives. Appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Because they did not get their full request, I'm going to ask our Members to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

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All right. the question is, shall Senate Bill 614 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, 1 Nay, 26 Members voting Present. Senate Bill 614, having received the required constitutional majority, is declared passed. Senate Bill 615. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 615.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 615 is another one of those consensus bills since we don't spend any general revenue and we give 'em exactly what they wanted. We're giving eighteen million dollars to the Illinois Sports Facility Authority, our good friends in there, to watch Comiskey Park for us. Appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

You almost blew it when you mentioned Comiskey Park. But, yes, vote Aye, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

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Senator Rauschenberger, could you -- could you refresh my recollection? Is this money coming from a hotel tax?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, it does.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 615 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 615, having received the required constitutional majority, is declared passed. Top of page 10 is Senate Bill 616. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 616.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 16 {sic} is the budget of the Illinois Arts Council. I'd appreciate its favorable adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter.

SENATOR TROTTER:

Yes, another bill, because they did not get all that they requested, I ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 616 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, 3 Nays, 23 Members voting Present. Senate Bill 616, having received the required constitutional majority, is declared passed. Senate Bill 617. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'd like to take this bill out of the record.

PRESIDING OFFICER: (SENATOR MAITLAND)

Out of the record. Senate Bill 618. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 618 is the budget for the Bureau of the Budget, our friends down on First Floor that help us so much with our calculations and things. The FY'99 appropriated level was two hundred and twenty-three million dollars. This budget is now two hundred and forty-three million dollars. It's an increase of twenty million three hundred and seventy-eight dollars. They've got an awful lot of people down there. Appreciate a favorable roll

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call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Though it is an increase to -- what their present -- their past budget, it is still less than what the Governor would like for them to have, so we're asking everyone to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 618 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, no Nays, 27 Members voting Present. Senate Bill 618, having received the required constitutional majority, is declared passed. Senate Bill 619. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 619 is the budget for the State retirement systems. It fully funds our responsibility under the statutes and the continuing appropriation and our commitments to the retirees and future retirees of the State of Illinois. I'd appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

This is fully funded, and I, too, wish for our Members to vote

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Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 619 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 619, having received the required constitutional majority, is declared passed. Senate Bill 621. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 621.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip. I'm sorry. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- I am a little thinner. Senate Bill 621 is -- is -- is the budget for the Illinois General Assembly, of which we're -- we're all Members. Certainly hope this doesn't get divisive or -- or contentious. The FY'99 appropriated level was thirty-seven million seven hundred eighty-four thousand. This bill now controls -- contains thirty-eight million eight hundred and sixty-three thousand dollars. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

I don't know how you can take money from ourselves. I'm certainly asking all Members to vote Present on this.

PRESIDING OFFICER: (SENATOR MAITLAND)

The -- the question is, shall Senate Bill 621 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record, Mr. Secretary. On that question, there are 51 Ayes, no Nays, 7 Members voting Present. Senate Bill 621, having received the required constitutional majority, is declared passed. Senate Bill 622. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 622.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 622 is the budget for the legislative commissions of the Legislature. The FY'99 appropriated level was fourteen million. This new level is fourteen million seven hundred and eighty-six thousand. It's an increase of a hundred and seventy thousand dollars. We'd appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Yes. Ask for a -- a Present vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 622 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, 4 Members voting Present. Senate Bill 622, having received the required constitutional majority, is declared passed. Senate Bill 623. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 623.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 623 includes the budget of the Office of the Auditor General, one of our constitutional friends. The FY'99 appropriated level was sixteen million one hundred and thirty thousand dollars. This level is now seventeen million one hundred and seventy-two thousand, or a million-dollar increase. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Yes, just ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 623 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, no Nays, 26 Members voting Present. Senate Bill 623, having received the required constitutional majority, is declared passed. Senate Bill 625. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 625, as amended, is the operations budget for the

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Illinois Court of Claims. The FY'99 appropriated level was thirty-three million nine hundred and twenty-seven thousand. This bill now contains twenty-six million one hundred and twenty thousand. Appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Yes, ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 625 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, no Nays, 26 Members voting Present. Senate Bill 625, having received the required constitutional majority, is declared passed. Senate Bill 627. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 627, as amended, is the budget for the Office of the State Appellate Defender. Allows for four-percent operational growths across all operational lines. The FY'99 appropriated level for the Defender was nine million six hundred and fifty-nine thousand. This bill is now ten million seven hundred and fifty-five thousand dollars. It's an increase of a million dollars. I'd appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Trotter.

SENATOR TROTTER:

Ask the Members to vote Present.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 627 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 33 Ayes, 1 Nay, 23 Members voting Present. Senate Bill 627, having received the required constitutional majority, is declared passed. Senate Bill 628. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 628.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In case this individual bill process doesn't work out very well for the House and I guess they're having some rough spots, Senate Bill 628 is a appropriation vehicle bill that we'd like to send over to the other Chamber. I'd appreciate favorable consideration and support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Trotter.

SENATOR TROTTER:

Ask the Members to vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 628 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 628, having received the required constitutional majority, is declared passed. Senate Bill 629. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 629.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The explanation on this bill is precisely the same as the preceding one. Again, it's another bill that's a vehicle in case the process needs vehicles as we move forward. Appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 629 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 52 Ayes, 4 Nays, 1 Member voting Present. Senate Bill 629, having received the required constitutional majority, is declared passed. Senate Bill 630. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 630.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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

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This is, again, a shell bill. We're trying to send enough that we've covered the bases for the single subject issue. I'd appreciate its favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Trotter. The question is, shall Senate Bill 630 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 630, having received the required constitutional majority, is declared passed. Senate Bill 631. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 631.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is, again, a process bill. We need to send this and one more vehicle. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 631 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. Senate Bill 631, having received the required constitutional majority, is declared passed. Senate Bill 632. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 632.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. Again, this is a vehicle bill. Appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 632 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. Senate Bill 632, having received the required constitutional majority, is declared passed. Senator Madigan, for what purpose do you arise, sir?

SENATOR R. MADIGAN:

Thank you, Mr. President. Purpose of an announcement...

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your announcement.

SENATOR R. MADIGAN:

That as soon as we stand at ease, that the Senate Insurance Committee will meet in Room 400 to consider a Floor amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Insurance and Licensing in Room 400 immediately upon recessing. Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Senate Environment and Energy Committee will meet at 5 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate Energy and Environment, Room -- Room 212 -- I'm sorry, 400 at 5 o'clock. Senator Cronin, for what purpose do you

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arise, sir?

SENATOR CRONIN:

Thank you, Mr. President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your announcement.

SENATOR CRONIN:

The Senate Education Committee shall meet at 5 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR MAITLAND)

Education, 5 p.m., Room 212. Senator Noland, for what purpose do you arise, sir?

SENATOR NOLAND:

Mr. President, the Agriculture and Conservation Committee will meet at 4:30 in Room 212.

PRESIDING OFFICER: (SENATOR MAITLAND)

Agriculture in Room 212 at 4:30. Any further announcements? All right. Ladies and Gentlemen, if there are no other announcements, we are going to recess until approximately 5:30 or to the call of the Chair. The -- the Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

...urge all Members to return to the Floor. Thank you, Senator Berman. Senate will reconvene. Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Amendment 2 to Senate Bill 579 Be Adopted.

Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports Amendment 1 to Senate Bill 1199 Be Adopted.

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Senator Mahar, Chair of the Committee on Environment and Energy, reports Amendment 1 to Senate Bill 307 Be Adopted.

And Senate -- Senator Cronin, Chair of the Committee on Education, reports Amendments 2 and 3 to Senate Bill 556 Be Adopted.

PRESIDING OFFICER: (SENATOR WATSON)

Messages from the House, Mr. Secretary.

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 216, 408, 427, 479, 592, 620, 1157, 1740, 1940, 2036, 2271, 2320, 69, 143, 245, 321, 496, 555, 803, 842, 1113, 1162, 1223, 1261, 1328, 1362, 1436, 1700, 1778, 1834, 1869, 1870, 2137, 2147, 2148, 2188, 2198, 2319, 2676 and 2708.

All passed the House, March 25th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 31, by Senator O'Malley.

(Secretary reads title of bill)

House Bill 124, Senator O'Malley.

(Secretary reads title of bill)

House Bill 133, by Senator Robert Madigan.

(Secretary reads title of bill)

House Bill 154, presented by Senator Lauzen.

(Secretary reads title of bill)

House Bill 227 is offered by Senators Silverstein and

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del Valle.

(Secretary reads title of bill)

Senator Dudycz offers House Bill 295.

(Secretary reads title of bill)

House Bill 312, by Senators Geo-Karis and del Valle.

(Secretary reads title of bill)

House Bill 390, Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 521, by Senator Wendell Jones.

(Secretary reads title of bill)

House Bill 632, Senator Mahar.

(Secretary reads title of bill)

Senator DeLeo offers House Bill 758.

(Secretary reads title of bill)

House Bill 788 is presented by Senator Burzynski.

(Secretary reads title of bill)

House Bill 813, by Senator Peterson.

(Secretary reads title of bill)

House Bill 833, Senator Dillard.

(Secretary reads title of bill)

House Bill 843, by Senator Fawell.

(Secretary reads title of bill)

Senator Radogno offers House Bill 934.

(Secretary reads title of bill)

House Bill 941, by Senator Peterson.

(Secretary reads title of bill)

House Bill 1164, Senator Myers.

(Secretary reads title of bill)

House Bill 1175, Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 1182 is offered by Senators Dudycz and O'Malley.

(Secretary reads title of bill)

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House Bill 1195, by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 1234, offered by Senators Tom Walsh and O'Malley.

(Secretary reads title of bill)

Senator O'Malley offers House Bill 1244.

(Secretary reads title of bill)

Senator Dillard offers House Bill 1262.

(Secretary reads title of bill)

House Bill 1286, by Senator Petka.

(Secretary reads title of bill)

House Bill 1306, Senator Fawell.

(Secretary reads title of bill)

House Bill 1417, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 1432.

(Secretary reads title of bill)

House Bill 1452.

(Secretary reads title of bill)

House Bill 626.

(Secretary reads title of bill)

The bill is offered by Senator Berman.

House Bill 1514, by Senator Noland.

(Secretary reads title of bill)

House Bill 1516, Senator Noland.

(Secretary reads title of bill)

And House Bill 1617, by Senator Viverito.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the

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following Legislative Measures have been assigned: Approved for Consideration - Amendment No. 3 to Senate Bill 617.

PRESIDING OFFICER: (SENATOR DONAHUE)

For the Membership's edification, we will be starting where we left off at the top of page 11. Senator Weaver. Senate -- 646. Senator Watson, on Senate Bill 646. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Thank you very much, Madam President. For the last several years, hospital groups in downstate Illinois, or actually southern Illinois, have been meeting to try to come up with a facility in our area to do open-heart surgery. They've been meeting with the Health Facilities Planning Board and the legislative agenda -- or, the legislators from that area have met with them on several occasions over the last several years to try to develop this facility. And one of the problems they have -- and what we're trying to do is create some collaboration between the hospitals. They're concerned about antitrust litigation that might be forthcoming from hospitals that would be impacted by a facility being established in our area. This language here that was drafted by the Attorney General's Office creates an immunity for this -- these hospitals so that they can collaborate, talk about the possibility of maybe one facility, maybe two. This is ongoing. There's -- like I said, it's been going on for three years so far. We've met with 'em several different times since we've been in Session. The various hospitals and the Health

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Facility Planning Board, the Attorney General, everybody's trying to work something out. This may be ultimately the -- the final package, but I don't expect it to be. But I'd appreciate it if we could keep this process moving so that the people of southern Illinois could get some service in regard to possible open-heart surgery.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Obama.

SENATOR OBAMA:

I think this is an excellent concept and I -- I voted for it in committee. I think it's important for these local areas to be able to provide the kinds of health services that our citizens need, but there was an issue that was brought up during committee about whether the Attorney General or the Health Facilities Planning Board would be in charge of oversight during this process. And I know that you worked something out whereby the Attorney General's Office was going to be involved, but, you know, I just wanted to confirm for the record that, in fact, the Attorney General will remain involved in the process and -- and will be on the front lines and ensuring that this oversight's provided.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

That's an excellent question, and it was brought up in committee. And the Attorney General's Office did draft the amendment, and they are involved in the immunity process. Very much so.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Kind of a roundabout question, but essentially, you know, I applaud what you're doing down there and certainly would like to see you be able to pull this together for southern Illinois, but I have a particular sensitivity to the Health Facilities Planning Board. And I wonder if you could give me an assurance that -- to the best of your knowledge, that in the end, you don't expect to expand the authority of the Health Facilities Planning Board. Some of us are concerned that they already have a little bit too much authority. I welcome the idea of the Attorney General cooperating with you. I guess I've never really been clear as to the relationship, why the Health Facilities Planning Board felt they could exert themselves in this. And just to your -- are you going to continue to try to narrow any statewide or any broad-based expansion in the Health Facilities Planning Board's authority?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. And you're not alone in your -- in the concern that other Members have expressed to us, too, about the Health Facilities Planning Board and expansion of their powers. That was one reason for the amendment, is we did tighten the language up in regard to their expansive power. So I don't know what ultimately will be the end result of this, but obviously they would have to be, I think, in some regard, involved in the

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certificate of need process. I would think they would have to be involved in that, but we did tighten the language up on that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Watson, let me just express to you that -- that I want this to go through for southern Illinois. I want -- I want -- Representative Bost and -- and Senator Luechtefeld's people to have access to the services. I think that we here would probably even support you in exempting this from a certificate of need, which would allow you to just kind of walk away from the Health Facilities Planning Board process. It may be -- be a quicker and better solution for you. I just wanted you to know that we want you to -- to get the joint venture. We're just very concerned that there might be other people who have other goals in mind, and -- and we support your actions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President, Members of the Senate. I rise in support of this legislation. Senator Watson, myself and Senator Luechtefeld and Senator Rea have been working with the different hospitals trying to get 'em to come together. I -- I've got a recommendation: Maybe we should get John Maitland and the Governor involved in this. They were able to solve the megahog farm deal that we'd worked on for two years, so we may have to call on them, but I think this is a good idea and hopefully...

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator Watson, a number of us in this Assembly are -- are also members of JCAR and we had a bill that came through where we thought we had an agreement between the Health Facilities Board and the hospitals. The Health Facilities Board was expanding their -- their power at the time, and -- and pulled back, we thought, and then after it got through JCAR, we found out that indeed the -- the Health Facilities Board had reneged on their promise. And a number of us, including one of the former speakers, were not very happy about it. Our former colleague, Dave Harris, who is now the Executive Director of the Hospital Association, which happens to be in my district, came to us and asked us to sign a letter saying, you know, "Don't do this; you promised you wouldn't." Now, my understanding is part of it was this deal. Is that all straightened out now?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

I'm really not aware of JCAR action being involved in this issue. I don't think that it was. Our discussions are continuing between all of us, the four of us in the Senate here, and House Members, and the Health Facilities Planning Board, Attorney General's Office, and a multitude of others, to try to get this resolved. I don't know that that was an issue, Senator. I'm sorry, but I can't...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Well, I'll -- I'll certainly support your -- your bill. I -- I don't want to do anything to -- to harm whatever you're trying to do, and I understand why you're trying to do it for southern

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Illinois. But I truly wish you would check in on this, perhaps talk to Dave Harris, make sure that this is something that the Hospital Association is comfortable with.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, the Hospital Association has been involved. I -- I said a multitude of others. I could go on and on. They're -- the Hospital Association is involved in this negotiation. They're working with us, and I would hope that they would embrace this once it's -- comes to fruition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Watson, to close.

SENATOR WATSON:

Well, I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 646 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 646, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 648. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 648.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 648 is the charter school bill that we've

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been working on throughout the Session. It contains numerous provisions in its present form, including the recommendations from the State Superintendent and -- and, of course, the State Board of Education. I'd be happy to answer any questions there may be. Would like to thank a few people in my closing remarks.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR O'MALLEY:

Thank you, Madam -- thank you, Madam President. Just to close that there -- the amount of hours and time that have gone into this bill so far are incredible. Our staff has been wonderful, Phil Weber in particular, obviously the State Board, the LQE and John Ayers. Senator Berman has participated and contributed to it, and then there's charter school advocates across the State who have really been pioneers in this effort, who've given us good ideas. I just would hope that we support this legislation, move it onto the House and do something important for charter schools this year. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 648 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. Senate Bill 648, having received the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 652. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 652.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is a shell bill right now. Some of you may know a little bit about what's been going on. The -- the School Board and the administration of the Chicago Public School System were seeking an opportunity to -- to address the laws that affect the hiring and firing of principals and -- and the powers of the local school councils. They came with a proposal initially that -- that was not well received by -- by -- by many parties, including myself as the sponsor. They came back with another proposal that was a vast improvement. But they're not quite there yet, and in order to let the negotiations go forward, I ask for your support of this shell bill. And they will continue it -- to negotiate with the local school councils and other interested parties, and hopefully they'll come back with a fair bill that we will be able to vote upon on a concurrence motion. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I stand in support of this bill. Being from Chicago, I know that many of my colleagues from Chicago on this Floor have received numerous phone calls regarding Senate Bill 652. A few things that I think are important: There is nothing in the bill yet, as Senator Cronin has indicated; secondly, I would hope that in the two weeks of recess that there will be greater opportunity for LSC members, LSC supporters, reform supporters, as well as the administration in Chicago, to have dialogue so that we can move forward on behalf of the children of Chicago, in particular. And I appreciate the responsiveness of the sponsor, and I'm pleased to move this shell

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bill out.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? The question is, shall Senate Bill 652 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 652, having received the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 653. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 653.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. This bill is legislation that represents a compendium of agreed statutory changes suggested to ISAC during the past two years from a student financial aid advisory committee. It's all agreed-upon language and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill -- House -- or, Senate Bill 653 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 653, having received the required constitutional majority, is declared passed. Senator Peterson, on Senate Bill 666. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 666 creates the Qualified Technological Equipment Leasing Occupation (and Use Tax) Act. This bill is identical to Senate Bill 937, which this Chamber passed out on January 28th of this year. It passed the House. It went to the Governor's Office. The Governor's Office vetoed the bill this week because of problems with the leasing tax on telecommunication equipment. We have removed, with Amendment 1, the telecommunication equipment. This is, once again, one of those bills that's still a work in progress. Currently, Illinois law requires the sales tax be paid up front for leases, and this bill would require businesses that lease equipment to pay taxes based on the gross receipts received from the leasing business at a rate of eight and a quarter percent. The bill changes the structure of the tax on leased computer equipment from 6. -- six and a quarter, the current sales tax on the up-front purchase price of leased equipment, to eight and a quarter on the lease monthly charges. It's being proposed to help us be more competitive with surrounding states, which has this law currently on the books. I ask for your support of Senate Bill 666, as amended.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 666 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

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the record. On that question, there are 49 Ayes, 8 Nays, none voting Present. Senate Bill 666, having received the required constitutional majority, is declared passed. Senator Radogno, on Senate Bill 673. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 673.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

...Madam President. This bill will establish the Sexual Assault Nurse Examiner, or SANE, program. It's a pilot program for four hospital emergency rooms throughout the State. It's intended to train nurses to evaluate victims of sexual assault, collect forensic evidence and then testify at criminal trials as to their injury. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 673 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 673, having received the required constitutional majority, is declared passed. Senator Trotter, on Senate Bill 688. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 688.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Trotter.

SENATOR TROTTER:

Thank you very much. Senate Bill 688, as amended, appropriates five hundred fifty-three thousand dollars in General Revenue Fund for the Board for the FY2000. It was a Senate Republican initiative and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. You know, I realize Senator Trotter has good intentions with this, but we're concerned about the cuts after listening to Floor debate today. This is not at the Governor's introduced level. I would urge Members on my side of the aisle not to support this bill until they agree to return it to the -- the Governor's level. So I'd urge a Present or a red vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Trotter, to close.

SENATOR TROTTER:

...turn around's fair play, but I don't think so. I -- I just urge everyone to vote Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 688 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 13 Nays, 19 voting Present. Senate Bill 688, not having received the required constitutional majority, is declared failed. Senator Trotter, on Senate Bill 689. Read the bill, Madam Secretary. Senator Trotter. Out of the record. Senator Trotter, on Senate Bill 705. Senator

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Trotter, for what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR TROTTER:

The next three bills are vehicle bills and I'd like to take them out of the record at this time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. Out of the record for Senate Bill 689, Senate Bill 705, Senate Bill 711, and Senate Bill 713. Okay. Senator Bomke, on Senate Bill 721. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 721.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment 1 rewrites the bill and creates the Dental Care Patient (Protection) Act. I explained the amendment last night, which deals with two critical areas: point of service and the oversight department. If it's necessary, I'll be happy to do it again. It is an agreed bill. We anticipate this legislation will be modeled throughout the country, and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 721 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 721, having received the required constitutional majority, is declared passed. Senator Sieben, on Senate Bill 723. Out of the record. Senator Sieben, on Senate Bill 724. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 724.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This is a vehicle bill to be used later in the Session, if necessary. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 724 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 724, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 728. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 728.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 728, as amended, requires the State Police to

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include photographs, if they're available, in the Statewide Sex Offender Database. Also requires the State Police to make the information in that database available on the Internet. Allows State Police to require that a person who seeks access to the information contained on the database submit biographical information about himself or herself before permitting access. The State Police may limit access to the information to persons who reside -- to those persons who reside within a specific geographic area in -- in proximity to the address of the person seeking that information. The police are required -- the State Police are required to promulgate rules to implement placing that information on the Internet, and those rules must include procedures to ensure that the information in the database is accurate. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

What are the costs of this, and where is the money going to come to pay for mandating the State Police to do what this bill calls for?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Molaro, the -- the database, as you probably are aware, is already in existence. This is something the State Police are aware of and are interested in doing. And the -- the added initiative or the added reason to pursue it -- this

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particular legislation is to make sure we have the most accurate information available concerning these convicted sex offenders.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

Now, are we talking about that this Web site would be the State Police Web site, or are we creating a whole new Web site? I mean, where -- where would someone find this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

They -- they can post it on theirs, and -- and by means of a hyperlink labeled "sex offender information" on the Department's World Wide Web home page, provide this information.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

Is -- is there anything in the bill that immunizes either the State Police -- well, let me just say this. Obviously, with these lists that have been compiled -- I don't know if you're aware of it, but I could give you two or three different newspapers, when the State Police's data bank, that you said that is already in existence, I mean, is rife with - if there's such a word - with errors. And I mean, I don't want to quote newspaper articles, 'cause it would take too long and I'm certainly not going to kill this bill. But I would like to know what we're going to do about the fact or what's in the bill to protect not only the public from errors -- so I'm going to read that some sex offender lives on my block when he never even lived in, you know, my ward, let alone on my block. And what do you do when you put wrong addresses and it turns out to be my address or your address and there's no sex offender living there, and people are walking by me -- from what

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I'm told, there are horrible errors involved in this. And I guess -- I want to know what the bill does to make sure that -- or if it does anything, to make sure that we correct these errors.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Molaro, the bill was specifically amended to provide that the rules to be implemented would include procedures to ensure that the information in the database was accurate. In addition, when giving the address, they're going to give the information by block, as opposed to home number.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none - Senator O'Malley? - the question is, shall Senate Bill 728 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 728, having received the required constitutional majority, is declared passed. Senator Wendell Jones, on Senate Bill 729. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President, Members of the Senate. This bill requires the sex offender's responsible for notifying the principal's office when he or she arrives on school property and when he or she departs school property. If the sex offender is to

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be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of the school official. A child sex offender who violates this provision is guilty of a Class 4 felony. This is in response to some of my constituents who have four or five of these individuals living in their neighborhood, and the Principals' Association is comfortable with this. There are no known opponents. I would appreciate a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 729 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. Senate Bill 729, having received the required constitutional majority, is declared passed. Senator Fawell, on Senate Bill 734. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 734.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is...

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second -- Senator Fawell, just a second. We're going to be here all night, Ladies and Gentlemen. If we just keep it down, we can move real quick. Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill for a group of residential cooperative homes, which is a non-for-profit

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corporation, in DuPage County. It is limited to DuPage County. But they have run into a problem with a board that has gone slightly crazy, and they can't seem to get any information. So it does several things. It requires that any noncooperative -- any cooperative non-for-profit corporation containing fifty or more single-family units and located in DuPage County shall set forth the qualifications and rights of its members in the Articles of Cooperation {sic} (Incorporation) and in the bylaws. It requires that the cooperation post notice of the members' meetings in a conspicuous place. And there are several other requirements that the board must do to protect the rights of the residents. I'll be glad to explain all of them. There's -- there's five of them total, or answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 734 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 734, having received the required constitutional majority, is declared passed. Senator del Valle, on Senate Bill 736. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 736.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senate Bill 736 was amended in committee and it is a shell bill. We have proponents that include the Illinois Association of Home Inspectors, the Illinois

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Association of Realtors and the Illinois Home Builders Association. We're very close to finalizing an amendment that will end up coming back to us. We'd like to move this over to the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 736 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 736, having received the required constitutional majority, is declared passed. Senator Cullerton, on Senate Bill 748. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 748.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill seeks to reduce the divorce rate by encouraging pre-marital education. Under this bill, couples who receive four hours of education on communication and conflict resolution will be able to receive their marriage licenses immediately. Couples who choose not to receive pre-marital education would have to wait sixty days after applying to receive their marriage license. There are exceptions for people who are over a certain age, if there's a late-stage pregnancy or if someone is suffering from a catastrophic illness. The pre-marital education that this bill encourages deals with the basic communication and conflict resolution. Couples choosing to receive pre-marital education can

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do so from any licensed mental health professional or the clergy member of their choice. The Census Bureau places the divorce rate at approximately fifty percent, and for young couples in their first marriages, the divorce rate is growing rapidly towards sixty percent. Studies show that after five years, four percent of couples who've -- had received pre-marital education are divorced versus twenty-four percent of couples who did not receive pre-marital education. The divorce rate has been dropped -- dropped in sixty-four communities where clerics required pre-marital education before marrying a couple, where they had a waiting period of four months and the use of a psychological test known as a pre-marital inventory. In Peoria, divorces decreased from twelve hundred and ten in 1991 to nine hundred and forty-seven in 1992, the year after certain pastors began incorporating this program into their ministries, and divorces have remained in the twenty-percent area. The bill has the support of the Catholic Conference of Illinois, the Episcopal Church and the Illinois Family Institute. I would be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. I rise in opposition to Senate Bill 748, and I -- I don't often tilt at windmills and I know the groups are lined up so that I'm probably not going to beat this one, but I think I better try. Everything Senator says about the value of pre-marital education is true, and we ought to encourage pre-marital education. The churches, the Catholic churches, the Protestant churches, the -- the Jewish Temples that do this, it all has great value, but with all due respect to the sponsor, I think he's got it backwards here. I think we ought to be encouraging pre-marital education, whether we do it through a

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system of waivers of fees or of grants. We shouldn't be interjecting government into the institution of marriage and saying, "Okay, we're going to penalize you if you don't have pre-marital education." Some twenty-four years ago, my wife and I had pre-marital education through the Catholic Church, and it was a valuable experience and we ought to encourage it. But for government now to make the first step into requiring this and interjecting itself into pre-marital education, the next step, I assume, in a year or so, will be licensure of who can do it and what they ought to be teaching us and what kinds of marriages we ought to have. And I think it's a mistake and I think we ought to vote either red or Present, and the sponsor ought to consider a way to encourage pre-marital education and not to discourage and to intervene with government for those who don't. I've suggested over the last couple of years, because this bill was introduced last year as well and didn't get out of Judiciary Committee last year, but I've suggested all sorts of scenarios where this wouldn't be appropriate. And one I suggested was where you had a widower and a widow who'd had successful marriages who want to get remarried late in life. They shouldn't -- government shouldn't be telling them they have to wait. So the sponsor put in an amendment to exempt those over fifty-five. There are other exceptions with terminal illness and -- and they've exempted those. But the mere fact that they've gone to the length to make these several exemptions, I think, shows the folly in the bill itself. We ought -- we shouldn't have to, because I think each of us could -- could think of numerous situations where it wouldn't be appropriate to require people to have this government-imposed deadline. So I would suggest that if it doesn't pass, that they come back again with a system of some kind to encourage and provide incentives for -- for pre-marital education, but don't have the government penalizing those that don't and then don't

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come back, if you do pass it, with a bill next year to license and tell us what kind of pre-marital education we ought to have. So I encourage a No or a Present vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. It is very difficult to -- to basically follow a -- a statement that was so eloquently presented as Senator Hawkinson. The fact of the matter is that I believe that everything he has said in terms of opening the door for government to get into a very, very serious contract that is made between man and woman, I believe is right on the money. One of the true tragedies of -- of the age we live in is the high incidence of divorce. Unfortunately, I do not believe that the -- the type of intrusion that is requested by the Senator, who I believe is very well-intentioned, and I think really is seeking to remedy a problem that we now have in society, but this type of intrusion is really not a proper scope of -- of government, and for that reason alone, I would urge a No vote or a Present vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, I -- I believe this issue that Senator Cullerton has brought up is -- is an issue that is maybe much more important than -- than we are -- are willing to give it today. You know, one of the most important things that most of us have done in life, because most of us are older, is raise our kids, and the only way that we learn to do that is if we were raised by parents who did a good job. And as I look at young people today, more and more of them are not raised by parents who are doing a good job. Now, whether the right way to do this is the way Senator Cullerton

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says, I'm not real sure, but it is an issue that we need to really give a lot of thought to, because, you know, if it's the most important thing we do in life, and many of us feel that way, then I think somewhere, sometime, somehow we have to address this issue of how we're going to teach young people to do a good job, if they were not raised, themselves, properly. So the issue is a -- I think a big one. Again, I -- I'm not real sure that's the way to do it, by mandating it, but I really think this issue should -- we should follow through on this issue and take some steps to encourage this to happen, because we simply do nothing in our schools to teach people how to -- kids how to raise kids of their own. And, again, I don't have a real good answer for that, but I -- I really believe that the dialogue is something that is really, really worthwhile.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I -- I, too, rise in opposition to this bill. I do think it's very well-intentioned, very well-meaning and perhaps necessary in some quarters, but as I look at the bill and as I understand its ramifications, listening to Senators Hawkinson and -- and Petka, it raises a real concern about where government draws the line. And I, too, am very concerned that not only will it be this this year if we pass this, but in following years, it'll be another bill. We'll have the pre-children stage of counseling before you can have kids. We'll have all of this, and certainly when we're talking about as wide of an age range as we are in this bill that would have to go through a counseling process, I think that we're really opening the door for criticism. Again, Senator Hawkinson talked about licensure in another year or two. And even though this bill calls for provisions and spells

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out who can do that -- or, that counseling, I'm very concerned about what will happen in the next year when the marriage and family therapists come in and say, we're the only ones that are qualified to do this. And so I really would suggest a No vote or a Present vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. I may have a conflict and will be voting my conscience on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you. I'll have to check the effective date of the bill, Senator Walsh. Well, it -- I appreciate the thoughtful comments, and let me see if I can just respond to them. We are indeed, in this bill, trying to encourage pre-marital education, and if you look at it, it's the -- it's the slightest government involvement. All we're saying is -- there's no new bureaucracy here; there's no one has to be licensed. All we're saying is that just about anybody you want - your minister, your rabbi, your priest or a licensed professional like a marriage counselor, whatever - you just go to them and get, we say, fours hours of pre-marital education. If you don't want to do that, you don't have to. You just have to wait sixty days. That's the government involvement. You know, we do require marriage licenses. I mean, we have some minimal involvement in that regard. Quite frankly, the requirement that there be an affidavit signed that it would be -- that you've had this education is similar to what we have when you're a fifteen-year-old -- or a sixteen-year-old gets their driver's license. You have to sign an affidavit saying you've

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spent twenty-five hours or twenty-four hours with them in a car. That was put in the law in the graduated licensing to encourage you to spend the time. There's no police out checking to see if you've spent the twenty-four hours, just like there's not going to be any police out checking to see whether or not you got your four hours. But the fact of the matter is, we have to remember what the benefit is - what the benefit is. Divorce affects us in many ways. It affects society in many ways. It's very costly. And -- and it has many social damages that we end up having to address through other legislation down here. So I would, once again, ask you to please consider this. It's not a radical idea. I know that when you try to be against a bill, you try to raise some bogeymen. I'm not going to be back in here trying to license anything more. This is what it is. It's meant to encourage people to get pre-marital counseling. It'll have a tremendous impact. In the areas where the priests and the clergy have recommended it, it's worked. The divorce rate's gone down. And so, for that reason, I would ask an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 748 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 Ayes, 17 Nays, 14 voting Present. Senate Bill 748, not having received the required constitutional majority, is declared failed. Senator Cullerton, on Senate Bill 749. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 749.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a little easier, I think. This comes from the Chicago Bar Association. It has to do with business broker liens. When searching for mechanics liens, mortgages and other items having an economic impact on the title to real property, lawyers and title companies look -- have been looking at the Office of the Recorder of the Deeds in which the real estate's located and these policies -- or, these companies are saying that the position is that if they're not filed at the Recorder of Deeds, then it's not a matter of public record. The problem we have, that this bill tries to address, is that the Business Brokers Act, which we passed in 1997, has business broker liens are to be filed at the Secretary of State's Office. And instead of being filed under the legal description of the real estate involved in the transaction or even the street address, the lien is filed under the names of the business broker his- or herself. So what we're trying to do here is to make -- make it easier for the public to become aware of this -- this lien. We've worked out an amendment with the Secretary of State's Office. They are supportive of the bill. Bar Association's supportive, and I know -- don't know of any opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 749 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 749, having received the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 756. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 756.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. This bill, Senate Bill 756, is -- is based on a statute recently introduced from the -- in the State of New Jersey. This is part of the package of Attorney General Jim Ryan's Safe-to-Learn, and there are two provisions in this. Number one, it amends the School Code, the Juvenile Court Act and the Code of Criminal Procedure, and it requires reporting -- requires immediate reporting of all school officials, teachers, guidance counselors in the event that they observe any -- any person in possession of a firearm. And -- and the second provision of the bill in Amendment 3, it revises the reporting procedure to address concerns raised by teachers and it requires all school officials to immediately notify the principal in the event that they observe a person in possession of a firearm. Knowingly and willfully failing to report is a petty offense and a second offense is a Class C misdemeanor. Again, this is part of the Jim Ryan, Attorney General's, package to ensure that the schools are safe, that -- that the -- that law enforcement now may intervene upon the immediate report by a teacher or a school -- school personnel. It's an unfortunate reality, but here we are. Law enforcement now is going to have to intervene when, in fact, a -- a firearm is identified in a school. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Molaro.

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SENATOR MOLARO:

Yes. Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Yes. Just one quick question. I know this is a bill where a school official, whether it be a janitor or teacher, knows a kid has a gun, he has to turn that person in, otherwise there is a problem. Is there any -- is there any provision in the bill where -- where a teacher if he's grabbed later and it's been known that he didn't say -- or he would -- said, "I -- I was in fear of my life. It was a gangbanger and I just didn't want to turn him in because there are no secrets in this school, and I was just afraid that if I gave his name, I would be in a lot of trouble." Is there some -- is there something in the bill that would - not exonerate, I don't know what word I'm looking for - but -- protect a teacher who is afraid to give a name?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

There's confidentiality provisions in the bill where the identity of a school official that makes the report shall not be disclosed, except as expressly or specifically authorized by law. So there is a -- an effort here to keep it confidential.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

No. Okay. Well, I'll ask it again. No matter how hard we try to keep it confidential, there is a problem with it, and, of course, you're dealing with human beings. So what I'm asking, I'll ask it again. I understand we try to keep it confidential. But if it turns out, is it your intention that there should be

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some consideration - I guess we can't do it by legislative intent, unfortunately - but is there any mechanism in your bill that if a teacher actually says as an affirmative defense, like compulsion would be, is there any affirmative defense to say, "I was afraid for my safety, that I was not going to turn in Johnny Gangbanger. I was just too afraid to do it"?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

There's no such defense contemplated and -- and I think if you think about it for a minute, I don't think you'd really want to put that in the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there further discussion? Seeing none, Senator Cronin, to close. The question is, shall Senate Bill 756 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. Senate Bill 756, having received the required constitutional majority, is declared passed. Senator Dillard, on Senate Bill 759. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 759.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is the next bill in a sequence that was started by Senator Cronin, of the Attorney General's Safe-to-Learn package,

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and this bill is quite simple. It provides for the adult criminal prosecution of a minor at least fifteen years of age who is charged with aggravated battery with a firearm committed in, on or near a school or its property. I'd be happy to answer any questions, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Obama.

SENATOR OBAMA:

I know that this bill will go out fairly unanimously, but I -- I did just want to point out that last year we worked on a almost complete overhaul of the Juvenile Justice Code, and this provision was debated at length during negotiations with the various State's attorneys' office. Part of the reason that we negotiated it out of that original bill was at least the sense of some of us that there is really no proof or indication that automatic transfers and increased penalties and adult penalties for juvenile offenses have, in fact, proven to be more effective in reducing juvenile crime or cutting back on recidivism. I know there's some disagreements with other folks, but I did just want to point out that last year when we worked - guided so ably by Senator Hawkinson - on this bill, the sense was that we had more or less completed an overhaul of the Code and that we were going to pause for a moment, see how that worked before we moved on. And I guess I'd just like to point out that here we are, a year later, doing the exact same thing that we had been doing prior to the changes that we initiated last year and that is to increase penalties further for juveniles and try them further as adults and expand the number of offenses. So, for that reason, I'm going to be

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voting Present.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Madam President. And I thought Senator Obama was -- was rising to ask a question.

PRESIDING OFFICER: (SENATOR DONAHUE)

He did, and I apologize.

SENATOR DILLARD:

But I do -- I do want to point out, for purposes of -- of this bill, and Senator Obama is right, and Senator Hawkinson worked long and hard with a lot of people to pass our new juvenile justice law, but the Safe-to-Learn package of Attorney General Jim Ryan contained the Cook County State's Attorney, Dick Devine; Paul Vallas, the Chief Operating Officer of the Chicago Public Schools; Catherine Ryan, the Chief of the Juvenile Justice Bureau of the Cook County State's Attorney; Bob Haisman, the President of the Illinois Education Association and his counterpart with the Chicago Teachers Union; and very importantly, the President of the statewide Illinois PTA - clearly people very much concerned and attuned with juveniles and their behavior. So this doesn't come out of thin air, and I just think that anyone who is sixteen years of age who, with an intent, goes in and opens fire in a school, ought to be treated as an adult when it comes to prosecution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, the question is, shall Senate Bill 759 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 5 voting Present. Senate Bill 759, having received the required constitutional majority, is declared passed. Senator

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Dillard, on Senate Bill 773. Read the bill, Madam Secretary. Oh. Out of the record. Senator Peterson, on Senate Bill 778. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 778.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 778 permits the organization of limited partnership and limited liability companies to become Lloyds of London members. It requires registration of foreign and alien corporations and other limited liability entities that are Lloyds members exclusively with the Department of Insurance. Notification is required with the Secretary of State. An amendment addresses complications of dual registration with the Department of Insurance and the Secretary of State. And we reached an agreement with the Secretary of State and they're supportive of this language. I ask for your support of Senate Bill 778.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 778 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. Senate Bill 778, having received the required constitutional majority, is declared passed. Senator Cronin, on Senate Bill 782. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 782.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amends the University of Illinois Hospital Act. It simply allows other health care professionals, other than the current practice of only doctors and dentists, these other health care professionals at the U of I Hospital to charge for services. It sets up a mechanism for their internal collection. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR GEO-KARIS:

Just on a point. I am on a hospital board and I may have a conflict, so I just want to declare and I'll vote my conscience.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 782 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 782, having received the required constitutional majority, is declared passed. Senator Obama, for what...

SENATOR OBAMA:

I was actually trying to press the button. I will now ask that I be recorded as a Yes vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

I apologize. I need to be consistent so you can make that judgment. I apologize. Senator Cronin, on Senate Bill 783. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 783.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Madam President. This bill simply amends the Special {sic} (Specialized) Care for Children Act to allow the University of Illinois Board of Trustees to appoint the Advisory Board for Specialized Care for Children. It's currently composed of seven physicians or surgeons. They -- the -- changes references from "crippled children" to -- now it's "children with special health care needs". And it provides that the Advisory Board must consult the -- the professional instead of a general policy. This is -- is unanimously supported by everyone. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 783 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 783, having received the required constitutional majority, is declared passed. Senator Parker, on Senate Bill 818. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 818.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

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SENATOR PARKER:

Madam President, Ladies and Gentlemen of the Senate, Senate Bill 818 is an initiative of the Attorney General. It requires the Office of Inspector General to receive and investigate reports of abuse, neglect and exploitation of an adult with disabilities in a domestic setting; respects the individual rights of adults with disabilities by requiring the consent of the adult with a disability before an assessment or service plan can be conducted or implemented. When the person with a disability does have the capacity to consent, other provisions apply. It also requires the Office of Inspector General to establish a statewide, toll-free, TTY accessible, twenty-four-hour telephone number to accept reports. There is one more issue that they will be discussing, hopefully after this bill is passed, and that is that of mandated reporting. Both sides will be sitting down to decide whether that is something they feel would be in the best interest of those people with disabilities in the home setting. I will answer any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there discussion? Seeing none, the question is, shall Senate Bill 818 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 818, having received the required constitutional majority, is declared passed. Senator O'Malley, on Senate Bill 823. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 823 authorizes parents and legal guardians of schoolchildren to object to immunizations based on the grounds of a conscientiously held belief. Just for the -- for the information of everybody here, we did include an amendment to define what "conscientiously held belief" is and that was adopted by an amendment that went on last evening. Rather than discuss the bill in detail, and I know I have talked to a lot of you about it personally, I'll be happy to answer questions and then proceed to close.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 823. I think it's important to point out that the present law of Illinois states that if, for religious or health reasons, a parent believes that a child should not undergo any type of immunization or vaccination or shots, they are excluded from the requirement to undergo those. I had differences of opinion regarding the original language and I've got to suggest to you that the amendment that the sponsor refers to really doesn't do anything. Conscientiously held belief - I'm not sure what that means. And I think that there are some parents who, for less than valid health reasons and certainly not religious reasons, would prevent their children from being safeguarded by health programs under this bill. The -- I have a question of the sponsor that I would like to ask. There is a Immunization Advisory Committee of the Illinois Department of Public Health. Have they endorsed this bill, Senator O'Malley?

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Senator O'Malley.

SENATOR O'MALLEY:

Senator Berman, I have not sought their endorsement and I have not heard any comment from them at all.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you. Last year Senator Parker sponsored a bill - House Bill 1699, passed by Representative Schoenberg and sponsored here by Senator Parker - that created an Immunization Advisory Committee in the Illinois Department of Public Health. They are in existence and, as I think it's been indicated, they have not endorsed this proposal that I would suggest to you could substantially undercut public health efforts to protect the health of our children. The Chicago Board of Health is opposed to this bill. Other organizations that oppose this include: the State Board of Education, the Illinois Department of Public Health, Children and Youth 2000, Illinois Academy of Family Physicians, the Illinois Federation of Teachers, Illinois Association of Public Health Administrators, Illinois Association of School Nurses, the Illinois Chapter of the American Academy of Pediatrics, Illinois Maternal and Child Health Coalition, Illinois Nurses Association, Illinois Public Health Association, Illinois School Health Association, and Voices for Illinois Children. In closing, in opposition, I would respectfully suggest to you that our present law is sufficient to respond to legitimate reasons for not having your children protected by public health initiatives. Religion and the child's health, those are two good reasons. That's all that we need, not to broadly expand it to talk about conscientious beliefs. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Sullivan.

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SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise today in favor of immunizations. My wife and I have immunized all four of our children. However, this is a parents' rights bill, and I rise in favor of this bill. I think we need to stand up and affirm that parents do know best, and I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Under our present rules, you know, if the nurse at school wants to give your children aspirins, they have to call and get permission. Now, just think about that. Aspirins don't hurt you very often, I don't think. But we're going to allow somebody to give them shots, which might have a much more detrimental effect on your child, without permission at all. Now, if that makes any kind of sense, I don't know, we ought to all go back to school.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator O'Malley, to close.

SENATOR O'MALLEY:

Madam President, excuse me if I take a few moments. The first thing I want to do is clarify for everybody that the Immunization Advisory Committee has not yet been convened and there are some members, as I understand it, who have not yet been selected, and I suppose that would explain why I have not heard from them and they do not have a position concerning this bill. The day before this matter was going to be heard in the Education Committee, I received a courtesy call in person from representatives of the Department of Public Health, and I appreciated their courtesy and sat down and listened to what they had to say. I don't have a perfect memory, but I have pretty good recollective powers and our

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meeting was going well until one of the representatives said to me, "You know, Senator O'Malley, we simply can't trust parents to make decisions about the health of their children." And when I heard that, I just said: Well, I think our conversation has come to an end, but let me give you some advise - when you go to committee tomorrow, do not insult the citizens of Illinois by saying that in front of our committee. Senator Sullivan is exactly right. This is a parents' rights bill. This is a families' rights bill. This is -- this is about whether or not we, as parents, responsible parents who we, in the General Assembly, expect to make important decisions every day, this very people that we ask to pay us taxes and help make the common improvements here in this State, the very people who are the backbone of society, the very people who represent the reason, Ladies and Gentlemen, we are so interested in serving in this General Assembly, the very people that send us here. Some of those people are young parents. ...wife and I were young parents once. ...started our family. And I am today blessed with two beautiful children. And I might add, Senator Geo-Karis knows I'm blessed with a beautiful grandchild and introduced her to everybody here one day. My oldest child I haven't talked much to anybody about, but I feel compelled to talk about her tonight. If there's a reason that Patrick O'Malley serves in the Illinois General Assembly today, it's because of my daughter, Brigid. Brigid has taught me more about life than I ever could have learned. And I had wonderful grandparents. I have wonderful parents. I have outstanding brothers and sisters, outstanding in-laws. But this single person has taught me more about life than all of those other people put together. Brigid was given a DPT shot without Mary Judith or myself being told that she was going to get that shot. Within thirty days, my daughter had something we call, and we explain, an averted crib death. I could

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go into the details of that, but let me explain to you that the results were the following: That my beautiful baby, the age of six months, was, for all practical purposes, dead, and because of intervention, is alive today. But Brigid's life is less than I would have liked it to be for her personally, and yet it is more than I could ever have imagined that it would be. Mary Judith and I did not have the opportunity to make a decision as to whether or not Brigid should receive that DPT shot. And let me submit to you that had I been given the opportunity, I may have agreed with the physician who administered it, but I wasn't given that opportunity. And the story I just related to you, Ladies and Gentlemen, is only one of many stories and probably helps you understand why I am so interested in this legislation. When Senator Parker brought this legislation forward in 1997, I was her most enthusiastic cosponsor. I think I somewhat shocked her how enthusiastic I was. Up on the table here in the Chamber was made available to every Member of the Senate something called VAERS reports. Those VAERS reports had been compiled beginning in 1998. They are required by the FDA, and they're required, of course, on a voluntary basis. They're required to compile this information and report to the nation. There were, in that period of eight years, three thousand and twelve reports, Ladies and Gentlemen, for the State of Illinois alone. In those reports, if you looked at them, you would find out there were twelve hundred and fifty-eight serious reports, including forty-seven deaths. I guess our bureaucracy, in the name of protecting public health, has decided that forty-seven innocent persons are the price we're going to pay to make sure that we never have any serious illness anywhere in the State of Illinois. Well, I submit to you that's too high a price to pay. This is not a bill that is anti-immunization. It is precisely what Senator Sullivan said. It is about: Do we in Illinois not only believe that parents

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should be responsible for their children, but that we, without any question, without any hesitation, trust and encourage that they will be responsible parents. So the debate here tonight, Ladies and Gentlemen, is going to be decided up on this tote board and will eventually, I hope, be decided over in the House, because I believe that Governor Ryan will sign this legislation. The debate is whether or not we trust parents, whether or not we believe in families, or whether we're going to let an unnamed bureaucracy, whether it be here or in Washington, D.C., make those decisions for us and our children. I know the side of the issue I am going to be on, and have been on. And as I told you, I would not even be here but for this experience that I've had with my daughter, and everyday I get up, I thank God that I can get up and walk and speak and take care of myself. And I want every child in Illinois to have the opportunity to do that, as well. And I want them to do it under the protection and guidance of their mothers and fathers. I would appreciate your support this evening. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 823 pass. All those in favor, vote Aye. Opposed, vote No. 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 is 46 voting Yes, 10 voting No, 2 voting Present. Senate Bill 823, having received the required constitutional majority, is declared passed. Senator Noland, on Senate Bill 824. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 824.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Noland.

SENATOR NOLAND:

Ladies and Gentlemen, Senate Bill 824 creates the Choice of Physician Act. Requires employers with twenty-five or more employees who have offered a managed care system to provide a -- or, make available a point-of-service option to enrollees. It would allow them to charge additional amounts, and it would provide a mechanism for people to have a greater choice of physicians for their health care needs.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 824 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, 4 voting No, no voting Present. Senate Bill 824, having received the required constitutional majority, is declared passed. Senator Madigan, on 825? Out of the record. Senate Bill 839. Senator Parker. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want to very carefully explain what we're doing here. Many of you have received letters. This is the bill that talks about bicycles, and many of you had received letters. We had two different vehicles out there. One was 101; one was 839. The bicycle legislation is on 839. 101 is tabled. Many of you

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received concerns from municipalities on 101, because in the original legislation, we had that they would be intended users. That has changed. We have worked very hard. We have what we think is a good compromise. It's a good compromise because nobody is happy. They all agree, though, that this is the wording we can use. They think that this is appropriate and it is a good compromise in the middle. What it says is, it provides that neither a local public entity nor a public employee shall be liable for an injury to a bicyclist where the liability is based on the existence of a condition of any street or highway, bike lane, bike route, or bike path, unless the local public entity or public employee is guilty of willful and wanton misconduct proximating {sic} (proximately) causing the injury. This will encourage bike paths. It will protect the bicyclists. It will be low liability for counties, and I will answer any questions if you have them. But it is an agreement -- or, a compromise between all the -- between all the parties involved - the municipalities and the bicyclists - and we would like to move it forward.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have loads of bicycle riders in my county and I've been urged by them to support this bill. And I want to commend Senator Parker. She's worked very, very hard to get a very fair-minded bill and I think it's good. And I urge everyone to support it.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, the question is, shall Senate Bill 839 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, 2 voting No, no voting Present.

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Senate Bill 839, having received the required constitutional majority, is declared passed. Senate Bill 844. Senator Trotter? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 844.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 844, as amended, permits municipalities to cause removal of petroleum products from abandoned and unsafe property, as well as expands the authority of municipal building codes hearing departments to include any municipal ordinance requiring, after notice, cutting of weeds, removal of garbage and debris, removal of inoperable motor vehicles and abatement of nuisances from private property. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just want to rise in support of this bill. I think this is a good piece of legislation. I know the City of Chicago has worked very hard to -- to take neighborhoods that are challenged and clean up abandoned buildings and -- and I think this is a good piece of legislation. I just want to commend the sponsor and urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, the question is, shall Senate Bill 844 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting

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Present. Senate Bill 844, having received the required constitutional majority, is declared passed. Senator Bob Madigan, on 854? Out of the record. Senate Bill 855. Senator Maitland. Out of the record. Senate Bill 867. Senator Noland. Duane Noland. 867. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House {sic} Bill 867.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 867 provides an exemption to the eavesdropping statute. It provides three conditions where an emergency police officer can respond on using an eavesdrop: number one, when a kidnapping victim is present; number two, where they're holding a hostage by force or imminent use of force; and three, the location is occupied by force and the occupant is either threatening suicide or the occupant has committed a felony and has barricaded himself inside.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 867 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 867, having received the required constitutional majority, is declared passed. Senator Lauzen, 878. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

...Bill 878.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 878 creates the Sales Tax Refund Fund, modeled on the Income Tax Refund Fund. Be happy to answer any questions or ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall 878 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 878, having received the required constitutional majority, is declared passed. Madam Secretary, 880. Please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 880.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President, Ladies and Gentlemen. Senate Bill 880 creates the Local Government Taxpayers' Bill of Rights. It would require those counties and municipalities, their local tax administrators, to advise taxpayers of their rights when being audited, the process for appealing notices of taxes due and procedures to obtain a refund. It requires local governments may impose no more than one-percent interest per month on late payments and no more than two-percent on penalties. Be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 880 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 57 voting Yes, no voting No, 1 voting Present. Senate Bill 880, having received the required three-fifths majority, is declared passed. Senate Bill 881. Senator Burzynski. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 881.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would be possibly more appropriately our last bill of the evening, and I could sincerely tell you to sleep tight, don't let the bedbugs bite. This bill is the bill that has become known as the "Bedbug Bill". It creates the Safe and Hygienic Bedding {sic} (Bed) Act, and it requires all bedding which is manufactured, renovated, sanitized, sold, or distributed within the State to bear a clear and conspicuous label that states whether the bedding is made from new materials or from secondhand material. This is the outcome of an expose that was done several years ago by "Nightline", and after five minutes of the tape, I was more than happy to volunteer to become the sponsor of this fine piece of legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? There any discussion? If not, the question is, shall Senate Bill 881 pass. All those in favor, vote Aye.

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Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 881, having received the required constitutional majority, is declared passed. Senate Bill 890. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 890.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We took that roll call so quickly. Senator Bowles and I wanted to know if Senator Burzynski's beds could have been filled with hemp. This is the financial industries Year 2000 bill and, as I described yesterday when we put on a rather lengthy amendment, it's still a work in progress. And the banking and financial industry is in negotiation with the Illinois Trial Lawyers Association. This is far from complete, but we would like to move this thing along and let the Trial Lawyers negotiate with the financial industry, and whatever happens to it over in the House of Representatives will be back here for our further input and perusal. So I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Senator Dillard, this is the bill dealing with financial institutions, the banking industry and the Trial Lawyers, not the -- the other bill dealt with the tort system, and you're going to hold that one just to -- there's some confusion over here. This --

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this is the one you want to proceed so that we can have further discussions, but the other one you're going to have hearings on. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Yes. Senator Cullerton, this bill that we're acting on now, 890, is just the Financial Institution bill. The other bill, which is Senate Bill 230, is the bigger, broader Year 2000 bill. It will be held on the Calendar and we'll have hearings sometime, as Senator Hawkinson directs, over the summer.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

And -- and one other point. I -- I would think that when we have these works in progress, where there's going to be a deal, I just think what we ought to do is have shell bills. Instead, you know, we have one -- one side's version of what it is, so we end up voting for it even though -- you know the problems that can ensue. I -- now, I understand that this is -- this version is perhaps the version maybe the banking institutions want. The Trial Lawyers are opposed to it. And I guess we're -- we're going to vote for it so that we can continue to have the discussion. But I just think that the way this -- these things ought to be handled, I would just -- as a recommendation, is that there be a shell bill so that we don't have to have somebody come back and say, "Well, you voted for this provision when you didn't really believe in it." That's just a suggestion, I guess, for the future.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rea.

SENATOR REA:

Question of the sponsor.

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PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Rea.

SENATOR REA:

It's -- it's my understanding, Senator, that in committee, that we let this bill out of committee for the ongoing negotiations and that nothing will be done until there is an agreement that will be worked on in the House and this is what your intent is, completely.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

I'm sorry, Mr. President. Can Senator Rea repeat the question?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rea.

SENATOR REA:

In the Financial Institutions Committee, it was my understanding that we would let the bill out of committee and there would continue to be the negotiations and that there would not be any action on the bill unless there would be an agreement, and you would work with the various groups throughout this process. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Mr. President, with the Body's indulgence, can I refer that question to the chairman of the committee, Senator O'Malley. And obviously, under our rules, whatever the House of Representatives does with this, and I will guarantee you they will amend this bill, it will come back before our own State Senate Committee, chaired by Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Mr. President. And -- and to pick up with Senator Rea, who is the minority spokesman in that committee, he and I had the opportunity to have Senator Dillard bring in an amendment the other day, and to Senator Cullerton, I just want to make sure you're aware that while that was an amendment that expresses what's the status of the negotiations to this point, I believe what Senator Rea is getting to and what I want to make sure that everybody in the Chamber knows is that we in the committee were very concerned that this legislation would come back to this Chamber, for precisely the reasons that Senator Cullerton has pointed out. Because it is not in a shell form, there are substantive provisions in this bill. However, to give you some assurances, we asked for those same assurances in committee, not only of the proponents for the legislation, but for the -- from the opponents of the legislation, and we were given those assurances that everyone will work in good faith to come forward with additional language in the -- as this legislation goes to the House and that it will be back here for us to look at in its final form. We share many of the concerns that some of you could have, if you looked into this. While it is an improvement over the bill as it was originally introduced, it is fully expected and understood that it will come back to this Chamber for a second look and -- and -- certainly in our committee and then by the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Dillard, do you wish to close?

SENATOR DILLARD:

Yes, very briefly. I will certainly pledge to the other side of the aisle, if they have concerns, I'm not going to try to jam down, you know, this Body's throat some Y2K immunity or civil

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justice bill with respect to financial institutions or financial entities in the State of Illinois. And I will point out, and while two wrongs don't make a right, the House of Representatives is doing their own thing with Year 2000, and they -- they are not passing shell bills to us; they are passing real bills. I'd...(microphone cutoff)...favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 890 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 41 voting Yes, no voting No, 15 voting Present. Senate Bill 890, having received the required constitutional majority, is declared passed. Madam Secretary, 897. Please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 897.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 897 allows the county sheriff and the State's attorney, the clerk of the circuit court and the Department of Public Aid to post information on the Internet about individuals who are over six months in arrears in their child support obligations. Provides the cooperation amongst the officers to allow the posting of this information so we don't have duplication. Requires procedures to ensure the accuracy of the information posted and establishment of a procedure whereby a person can object to the information that's posted and then seek modification or deletion of the posted information if it's in error. I think it's interesting to note that the Department of

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Public Aid is charged with the responsibilities of administering the child support enforcement program. Do you know we have total receivables of 1.6 billion dollars and it accounts for thirty-five percent of our entire Illinois State's receivable collections amount? Illinois has done a pretty decent job in trying to collect child support collections, but actually in 1996, Illinois collected, in the best case, was third less than the national average and actually was two-thirds less than the State of Michigan, which did the best job. This gives a tool for the communities to at least have these people fulfill their obligations to their children. It really saves not only money for the State, but counties and townships who also have to use their public dollars to support parents who have children that are not being supported by their former spouses. So I do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

...Mr. -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

I don't have any problem with most of the bill, but is this going on the Internet?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Yes, it would.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

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Well, I guess I'm trying to figure out, maybe you can just tell me, why.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Well, for a number of reasons. First of all, it certainly will encourage, as we found in Lake County, that when they're on the Internet, which is being done now by the county sheriff, we have a compliance that people will come in and fulfill their legal obligations. I think that's one of the things. Certainly it helps, also, those who are -- have employment, for garnishment of wages of where people are at, of knowing who is in arrears of doing their financial obligation. So those are reasons why this would be helpful.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Where does -- where's this information gathered from?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

The information comes from either the Department of Public Aid or the circuit clerk that has the information there. It has to be the most latest information. It's been limited to what can be done. And I might add, Senator, this is permissive legislation. Some people may not and some departments may not wish to do it. Public Aid has said that they are looking into that. Some counties already are doing it, and this gives them that permission.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Have -- have you -- you know, I'm pretty close to my

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constituent service that we do at home, and I'm not sure if you have run into the same problems I have in regards to the difference, as an example, between the information on the State network and the information on the county's network. They can be -- they can be miles apart. Not everyone has the direct access to -- from the circuit clerks right to the office here in Springfield, Department of Public Aid, and -- and it runs into a tremendous problem. You might put someone on the Internet who truthfully is not delinquent in any way, shape or form.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

That question was asked, and what we did in our amendments is we tried to provide for that. Before this material or information could go on, they have to establish a criteria for determining which individuals will be posted. They have to have a procedure to ensure the reliability of this information as posted. There has to be a procedure for an individual who may object to that information to be taken off, and it has to have it so that you can have deletions or modifications if the information was incorrect. And this is all done prior to putting that information on the Internet, if they so choose to do so.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Well, to the bill: I guess you have more faith in -- in the Internet than I do, and the fact that good old hackers can't get in and put your name on there, Senator. That could be very embarrassing. I -- I think that, in all candor, regardless of what you're trying to do - and I understand what you're trying to do and I agree with that, because I think people who owe child support should pay child support - to put it on the Internet, to

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me, serves no purpose and opens it up to potential problems.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I guess just a comment or two. Senator Jacobs said that Senator Klemm had more faith in the Internet. I don't know if he has more faith in the Internet, but possibly has more faith in the Department of Public Aid than I do. Certainly -- I don't know whether anyone else faces this in your constituent work, but this time of year I receive calls every year from parents who have direct deposit, direct deductions of their child support payments to the county circuit clerk's offices who have their federal tax returns garnished and sometimes those are sent to the other spouse, sometimes -- or the ex-spouse, sometimes they're not, and it takes us a period of three or four months in order to clean that mess up. And certainly I would be very hesitant to support something that would give -- even with the safeguards you've built in, Senator, because Department of Public Aid doesn't like to admit they're wrong. And when it takes two or three months to clean up something that's as simple as checking with the circuit clerk's office that the payments have been made, it disturbs me.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Klemm, to close.

SENATOR KLEMM:

Thank you very much. You know, I guess I do have support and -- and belief in the clerk of the circuit court where the opinions and the decisions are made, and that's where the information is going to be coming from. Actually, that's where the Department of Public Aid gets it, because it's a local determination by the courts in the various circuits. That's where they get the information. The Public Aid Department doesn't make it up. They

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get it from the local people, and I think the safeguards that we've built in here are more than adequate and do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 897 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there is 29 voting Yes, 13 voting No, 11 voting Present. Senate Bill 897, having -- have not received the required constitutional majority, and it is declared failed. Senate Bill 929. Senator Obama? Out of the record. Senate Bill 836 -- 936. Excuse me. Out of the record. Senate Bill 938. Senator Luechtefeld? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 938.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senate Bill 938 amends the Election Code and the School Code. It changes the general primary election from the third Tuesday in March to the second Tuesday in September. As you all know, this is not a new idea. A couple of years ago, Senator Philip put this bill before this Body, and I think it received fifty-one votes for. I think most people I talk to agree that the election cycle needs to be shortened. Fifteen states presently have a primary election in September. You know, I -- I really think we keep talking about campaign finance reform and what we spend on elections. I'm not real sure that we could do any other single act that would be more

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important in cutting down the amount of money spent on elections by simply shortening this election cycle. I would ask, hopefully, that you, on both sides of the aisle, can support this issue.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I agree that probably having the election in September you'll get a greater turnout, but the reason - and just for the record - I'm objecting to it is that there are numerous Jewish holidays in the month of September. Under the Election Code, in April, if for some reason the election falls out on Passover, the law is that you move the election one week ahead. We pass laws that we can't buy cars on Sunday. And I think it's unconscionable - and I've done my research; there will be conflicts on a Tuesday, whether it be Passover or Yom Kippur - for an individual to go to the synagogue before -- go -- I'm sorry, go to the polling place before he goes to the synagogue. Now, yes, they can absentee vote, but I think that's very unconscionable, and that affects people not only in Chicago, it affects individuals in Wheaton, in Naperville, even Winfield. And for that reason, I would request a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Walsh.

SENATOR L. WALSH:

Senator Luechtefeld, I agree with your attempt to change the date on the primary. I think that I agree with you also in the span of time. When you start about thirteen months in front of the election that you're going to run for, does take a lot out of

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you and it's very costly, and I think that a lot of the voters and the constituencies out there get fed up, tired and burnt out before the election is held. There's just a couple of questions that I would like to ask. Your plan to move the primary to the second Tuesday of September, it does not include though the Presidential election that would be held every four years, the Presidential primary.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

That is right. On -- on Presidential primaries, there would be two elections, one for the Presidential primary and one again in September.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR L. WALSH:

So just last year we removed one of the consolidated elections, the one in November for just a school, which was a very costly election for the unfortunately few people that turned out to vote, and what we are going to do now is to create another consolidated election in March on every fourth year for the purpose of electing Presidential candidates and candidates or delegates to the National Conventions of each Party. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it is, and, you know, Senator, we would -- we would face that problem no matter what month we moved it to. You know, if you agree that it needs to be moved, we would probably have to face that problem whatever we do with it.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Walsh.

SENATOR L. WALSH:

I have -- I have talked to my county clerk, and -- and I notice that the county clerks division of the State of Illinois has taken a neutral position on this, but I have talked to my county clerk and -- and she was adamant in the belief that holding the primary on the second Tuesday of September would cause all kinds of problems. She says that the turnaround time that is needed to get prepared for the November election, to get absentee ballots ready, we just would not have the time to get that job done. If there was a discovery, if there was a discovery in the primary, and we had to wait for the X amount of days for that to take place and then if it was challenged and it went on to the courts, it's a very distinct possibility that the ballots in a -- after the primary could possibly not even be ready to be printed until sometime into the second week of October, which then means that in less than three weeks time, people have the opportunity to apply and vote absentee or be prepared for -- for the election. And I think that as I have said to you before -- and, yes, I had a bill in there that -- that was going to change the same thing, and I -- and I learned a lot after we started this discussion. And -- and in one way, I wish that my bill could have had at least the opportunity to come to the committee floor, at least, and discussed in -- in -- in good debate and picked out the pros and cons of both -- both concepts. I think that we are creating a situation that is going to be, number one, an unfunded mandate back to -- to our counties to prepare and be ready for a primary election just for the sole purpose of Presidential, but secondly, I think we are going to put an undue hardship on our county clerks and their staff, who, even now, when everything is ready to go, as it is right now, they work late hours and weekends getting prepared for the general election, and I just think that we're

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going to create a bad situation for them.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jones.

SENATOR E. JONES:

Yeah, Senator Luechtefeld, we all run for elections, and in many instances, there are contested primaries. Have you taken in consideration the due process of those candidates who may want to challenge the results of that primary, which means gathering up evidence, counting the ballots, looking at absentee and so forth. Have you taken that piece into consideration when you have a primary that close to the general election?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, Senator, if you moved it back to any extent, you would -- you would face that problem almost anytime, again, depending what month you picked. You know, again, you could have more time in there. All I know is that sixteen or fifteen states in this country do this and have not had a problem with it. I think it is something that, you know -- for instance, if -- if you look for an excuse, on any month we can pick up some sort of an excuse of why it shouldn't be. And if we keep doing that, we'll simply let it in March and we'll simply continue to go through with what we've gone through over the last long period of time. And again I -- I think sixteen states do this and do it successfully. County clerks, I've talked to a number of them, and -- and obviously it -- they know that it will pinch there, but basically they say, "We'll work it out; that's our job."

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR E. JONES:

Well, again, I still raise this one question with you. Sure, you may have that contest in -- in a March primary, but to go to the electoral board, to leave there, to go to circuit court and the time that's involved, the electoral board, who has to certify candidates for the November election, if there are several contests, the local county clerks could not certify a ballot if this matter is -- is pending in court. And I think you would do an injustice to many candidates who are running if you got the primary that close to the general election. If you wanted to change it and try to move it to June or something like that, but to put it that close to the election, you take the away the rights of individuals who campaign and spend their money and they, in turn, want to challenge the primary results and just going through the process, gathering the evidence, there would not be ample time left for a county board -- or, county clerk to certify the ballots for that November election and at the same time have the ballots printed, get absentee ballots in the mail. Again, this matter -- this matter may sound good, but I think -- one should have thought the issue through thoroughly before they present this to us for a vote. I urge a No vote on this bill. I believe we should take -- take the county clerks into consideration, take those who are running, who have spent their money, and end up in a very close primary and may want to challenge the results. You don't want to take away their rights to challenge it. So therefore I urge a -- a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

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PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, you would be willing, if this bill were to pass out, to having a provision in it to provide for the Jewish holidays, just like they do in the primaries?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes. Yes, we would. We could do that in the House. Again, I think something we need to -- to respect and I see not a problem with that.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, people are tired of us. You know why? Because we have so much rhetoric going on from March till November and they get fed up with it. I have supported a September date ever since I've been here, but my Democrat colleagues always opposed it. Why? The point involved here is other states do have it. I have friends in the State of Florida. They vote in September and they vote in November, and that is it and it goes along fine. And Orlando, Florida, has about a million people. Talk about a large city. And if they can do it, and they work it -- work it out with their county clerks, we can, too. It's a matter of getting some good administration to do it. And I think we are not listening to the people. The people are tired of our rhetoric. And if they're so tired of it, I think we should do something about it, and this is a way we could cure some of that unneeded rhetoric and a lot of expense to -- for a campaign. Therefore, I certainly speak in favor of the bill, and I hope you pass it out.

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PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Two points I'd like to make, and I can remember when Senator Rock was the President of the Senate and I was the Minority Leader, and we cosponsored this exact same bill. We have passed this bill in the Senate, I think, at least three times that I can remember. And if you want true reform on -- in elections, all the laws we've passed haven't done much to reform. The problem is we have to go out, ask for money and we spend more money, and we keep spending more money every year because everything is more expensive. When you shorten the primary to the November election, you couldn't spend that much money if your life depended on it. If you want reform, this is it. It makes it a lot easier for everybody.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, one of the previous speakers talked about the rhetoric, and I think with this split primary, we're adding another election cycle. So by adding the other election cycle, we're going to have rhetoric from January all the way through November. I don't really have a lot of qualms with moving the elections to September. I really don't. I -- I think we should shorten the cycle. I don't know if September is the right time, but we -- we should do something in that -- in that vein. But because we add the other primary, I think we are defeating our purpose, but we got to do that in order to take care of the President. Let me just state here what according to our analysis says, that in other states that have split their Presidential and State and local primary elections into two, have noticed a low turnout for the

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Presidential only -- Presidential only primary, in some cases less than twenty percent. And I don't think that we really want -- it's bad enough the way it is, and I don't really think that we want twenty percent of the electorate voting on a Presidential election.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR LUECHTEFELD:

Well, first of all, I think we -- we can come with all kinds of reasons of why -- what month it should be, what month it shouldn't be, yet it seems that most people agree that it needs to be shortened. County clerks will work it out. They have worked it out in sixteen other states. I think we can work out the Jewish holidays. That doesn't -- I don't think that'll be a problem. Last time we had, I think, fifty votes, so we had an awful lot of votes on that side of the aisle on this -- exact bill. So hopefully we can make that happen again and hopefully do -- rather than just talk about it, maybe make it happen also in the House. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 938 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Yes, 21 voting No, no voting Present. Senate Bill 938, having received the required constitutional majority, is declared passed. Senate Bill 962. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 962.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a shell bill dealing with the issue of workers' comp in general, and in particular, this bill seeks to deal with the issue of balanced billing. The bill will only be utilized and the issue will only be addressed unless and until there is an agreement between management and labor and certain health care providers. So ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Further consideration? Further discussion? If not, the question is, shall Senate Bill 962 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 962, having received the required constitutional majority, is declared passed. On Senate Bill 965, Senator Syverson? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 965.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 965 is a very important piece of legislation. Currently throughout the State, the community facilities for the developmentally disabled are allowed to use non-nursing personnel to administer topical and oral medications. This practice, although currently done, is technically not allowed under the State law. The federal

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government has recently audited Illinois' community DD programs and have threatened some severe sanctions and loss of federal funding if we do not come in -- into compliance with the law. That really leaves us with two options. Number one is we can change the State law, train the personnel and continue the practice we're doing, or, second, we can require that these community facilities be required to hire nurses at each one of these CILAs at a cost of about sixty million dollars. We debated this long in committee. There was some opposition raised by the nurses' organizations. We have amended the bill, what we think is -- is as far as we can go, even though we're willing to continue discussions. This is supported -- this legislation is supported by the advocacy groups whose children are in these facilities. So there is wide support for making this important change. Be happy to answer any questions you'd have; otherwise, I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Obama.

SENATOR OBAMA:

I want to indicate my support of this bill. As Senator Syverson indicated, this is, to some degree, responding to a mandate from the federal government. We have to respond. I do want to just point out, there have been some -- fairly serious objections from the Nurses' Association. Senator Syverson was responsive to many of those suggestions substantively, and as a consequence, they are willing to have us move this bill forward. On the other hand, I do want to mention, though, the nature of their objections. I think on the substance they feel that Senator

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Syverson has been responsive. They would have preferred to see the changes that Senator Syverson is talking about placed in statute, as opposed to through the rule-making process. And I think the reason for that is -- is not hard to discern. Their concern is that if what appears to be fairly reasonable rules that don't erode the position of nurses and erode standards are placed in rules as opposed to statute, then it potentially, at least, is easier to change these, or slip changes through, through the rule-making process that, in fact, lower the standards of health care throughout the State. So although at this point the nurses are willing to move this thing forward, and I am certainly supportive of the bill and appreciate Senator Syverson's efforts, I'm not sure that we've gone as far as we can go, maybe not on the substance, Senator Syverson, but at least on the procedure. I think that we probably still have time to potentially incorporate the substance of these issues into a statute, and I'd urge that you continue to consider this as negotiations move forward.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Syverson, you wish to close?

SENATOR SYVERSON:

Yes. Thank you very much. I would -- I would certainly agree with my colleague. Discussions will continue, and really the issue is over who is making the rules on that. But this is a very, very important piece of legislation for Illinois, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 965 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 965, having

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received the required constitutional majority, is declared passed.
Senate Bill 968. Senator Radogno? Please read the bill, Mr.
Secretary.

SECRETARY HARRY:

Senate Bill 968.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. As Members will recall, a couple of years ago, when we passed electric deregulation, there was some interest expressed by a number of us to include some better environmental provisions in that legislation. It didn't happen at the time it was passed nor last year, although there certainly was an interest indicated and I believe a commitment made to take a look at this issue again. This bill is one of -- just one piece of the provisions that were requested by the environmental community. What it does, it will increase the -- the Energy Efficiency Trust Fund from the current three million dollars up to ten million dollars. The original bill actually contained an increase up to thirty million dollars, which was sought by the environmental groups, but this is a compromise in order to address some of the concerns of folks that -- that were not prepared to support the thirty million dollars. Be happy to try to answer some questions and would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. I rise in support of this legislation; however, I'm a little bothered by the ten million. We've worked very hard. I know Senator Radogno has worked very

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hard to try to make sure that this worked, and I would like to see us continue our efforts to make sure that it was closer to the thirty million.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I'm sure that Commonwealth Edison is not going broke at all. And I know that this is not too much, but sometimes half a loaf is better than none. And eventually I think we'll get what we need. And I commend Senator Radogno for working so hard to get even this ten million dollars, because it is a necessary item, and we did promise to do something about it when we passed that stupid deregulation bill. And I voted for it, too. So I certainly support this allowance, even though it's just a drop in the bucket over the five billion dollars that Commonwealth Edison makes from its sales of the coal plants. But that's okay. At least we have a start here, and I certainly support this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Radogno, you want to close?

SENATOR RADOGNO:

Just ask for your support on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 968 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 3 voting No, no voting Present. Senate Bill 968, having received the required constitutional majority, is declared passed. Senator Emil Jones, on 980. Mr. Secretary, please read the bill.

SECRETARY HARRY:

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Senate Bill 980.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. Senate Bill 980 is merely a vehicle bill on the Gift Ban Act in the event we do need this bill for clean-up language later on. It's just a shell bill, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall Senate Bill 980 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. Senate Bill 980, having received the required constitutional majority, is declared passed. Senate Bill 981. Out of the record. Moving right along, page 14. Senate Bill 989. Senator Dudycz. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 989.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Senate Bill 989 creates the Motor Carrier Safety Inspection Fund. What the fund will do, it will actually increase the -- the bill will increase the CDL license fee by five dollars per year with the -- the proceeds to be used for the hiring of additional State Police officers to conduct

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truck safety inspections. The level one truck safety inspections would be increased by fifty-one percent under this legislation. Currently there are only fifty-four State Police officers who are involved in these inspections, and this legislation would add between twenty-seven to twenty-eight additional police officers. We have support from the Mid-West Truckers. The State Police supports it, and the Secretary of State's Office is neutral on the legislation. And I would -- I know of no opposition. I would hope that everyone support this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 989 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, 4 voting No, no voting Present. Senate Bill 989, having received the required constitutional majority, is declared passed. Senator Lauzen, on Senate Bill 990? Out of the record. Senate Bill 1001. Senator Philip? Out of the record. Senate Bill 1004. Out of the record. Senate Bill 1006. Senator Karpel? Out of the record. Senate Bill 1011. Senator Petka? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1011.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka. Out of the record. Senate Bill 1016. Senator Weaver? Out of the record. Senate Bill 1017. Mr. Secretary, please read the bill. 1017.

SECRETARY HARRY:

Senate Bill 1017.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. Senate Bill 1017 is a shell bill I'd like to send over to the House for possible action.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? If not, the question is, shall Senate Bill 1017 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 voting Yes, 6 voting No, 3 voting Present. Senate Bill 1017, having received the required constitutional majority, is declared passed. Senator Maitland, on Senate Bill 1020? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1020.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1020 amends the Judges Article of the Pension Code to reduce the early retirement penalty for judges who retire prior to age sixty with between twenty and twenty-six years of service in JRS. Currently, a judge who retires prior to the age of sixty with less than twenty-eight years of service receives an annuity that is reduced by one-half a percent for each month the judge's age is under sixty. This bill lowers this reduction by five-twelfth of one percent for every month of service in JRS in

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excess of twenty years. In effect, what this does is a participant with at least twenty-six years of service would be able to retire at age fifty-five without a reduction in the annuity.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall -- excuse me. Senator Molaro. Senator Molaro.

SENATOR MOLARO:

I would just like to go on record that this is a great idea. So if we want to vote for this, we can.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. The question is, shall Senate Bill 1020 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Yes, 4 voting No, 1 voting Present. Senate Bill 1020, having received the required constitutional majority, is declared passed. Inadvertently we passed over Senate Bill 1011. With leave of the Body, we'll go back to that. Senator Petka, on 1011. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1011.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. 1011 is a shell bill looking towards possible language for downstate judicial Appellate and Supreme Court redistricting.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the

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question is, shall Senate Bill 1011 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 2 voting No, 1 voting Present. Senate Bill 1011, having received the required constitutional majority, is declared passed. Senator Clayborne? Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1025.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Senate Bill 1025 is just a TIF extension, similar to what was done for Breese and Havana. There's -- the City of East St. Louis, as well as the school district, are in support of this bill. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1025 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, 1 voting No, no voting Present. Senate Bill 1025, having received the required constitutional majority, is declared passed. Mr. Secretary, Senate Bill 1026. Please read the bill.

SECRETARY HARRY:

Senate Bill 1026.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1026 provides local treasurers and custodians of public funds with another option for protecting public deposits. It expressly authorizes local treasurers and custodians to enter into agreements with any federally insured financial institution or trust company or with any agency of the U.S. government.

PRESIDING OFFICER: (SENATOR WATSON)

There any discussion? Any discussion? If not, the question is, shall Senate Bill 1026 pass. All those in favor, vote Aye. Opposed, vote No. 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 voting Yes, 1 voting No, no voting Present. Senate Bill 1026, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on 1039? Out of the record. Senator Lisa Madigan, on Senate Bill 1042. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1042.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President and Members of the Senate. Senate Bill 1042 addresses an issue that we should all be concerned about, and that is the safety of law enforcement officers. Senate Bill 1042 will protect police by prohibiting the installation and the use of what are known as traps. These traps, or what are

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so-called traps, are actually secret or false compartments that are integrated within a vehicle, and they are installed in a variety of places in a vehicle, but a -- a typical trap would consist of the removal of the passenger side air bag. That compartment would then be either put on an electromagnet or a hydraulic system and would then be used to conceal weapons. In another version, as was demonstrated before the Transportation Committee by a detective from the Chicago Police Department, we saw a car seat, a normal car seat, where the back had been modified, put on an electromagnet, and when it was operated, a machine gun dropped out of. After the demonstration and a review of videos of the sophisticated nature of these traps to the Transportation Committee, I think we all better understood the serious safety risks that these pose to officers. And I would also like to thank the Members of the Transportation Committee for working with me on this. We've modified the language in this bill to clarify that it would not prevent a person from hiding things in your car. You can still hide things in your glove compartment, under your seat, in an ashtray, in the trunk, under a floor mat, and in addition, you are also allowed to put in your car a toolbox, a shoe box, a picnic basket, a cooler and hide things in that. I was made aware of the -- of the problem that the police are having with this because a member of the Chicago Police Department came to me and he, in fact, had been shot in the neck because of a gun that was placed in one of these hidden compartments. So I would urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of Senate Bill 1042. As amended, I think it does what the -- the sponsor wants it to do. I would only add to her remarks that if a jewelry

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salesman or a diamond salesman or someone who has to travel through a -- a neighborhood where there might be smash and grabbing takes place with a purse, that if you do design or place a compartment in your vehicle and you design it for a legal purpose, that that is still legal under this bill. It's only when it's intended and designed for these illegal purposes and you can prove that, that the compartments are illegal. So I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Yes. The sponsor amended the bill in Transportation Committee. I think that clarified all the questions we had, and I think it's an admirable bill and she did a fine job, and I do support her efforts.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Further discussion? If not, the question is, shall Senate Bill 1042 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. Senate Bill 1042, having received the required constitutional majority, is declared passed. Senate Bill 1046. Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill 1046.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

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

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Senate Bill 1046 amends the Wastewater Land Treatment Site Regulation Act, and it provides local control regarding permits for lagoon irrigation systems. It only applies to Lake County, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1046 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. Senate Bill 1046, having received the required constitutional majority, is declared passed. Senate Bill 1054. Senator Watson? Mr. Secretary, please read the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson, on House... Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Bill -- Senate Bill 1054.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. This is the master teacher certification process. In 452, House Bill 452, which made significant changes in our education process in this State, we created a three-tier certification process: the initial certification; the standard certification, which we discussed today with Senator Cronin; and now the master certification. And what we're doing is creating an incentive for people to go ahead and receive this certificate. This -- this certificate will come from the National Board of Professional Teaching Standards. It's

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a very rigorous program by which teachers would go through classroom activity, extensive writing, videotaping. It's very extensive, very rigorous. And we want people -- we want teachers to go into this type of a program and receive this type of certificate so we're creating an incentive for them. One thing we do is we allow for reciprocity between states. We -- we create a three-thousand-dollar stipend for those people who have received this Master Certificate, and if they go back into their school and mentor with other teachers, we can -- we add an additional thousand dollars. So we're trying to get as many people involved in this program as possible. It's been very successful throughout the country, and we're trying to hang a couple of carrots out there for 'em to -- to get involved.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1054 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, 1 Nay, none voting Present. And Senate Bill 1054, having received the required constitutional majority, is declared passed. Senate Bill 1059. Senator Shadid. Out of the record. Senate Bill 1061. Senator Donahue. Senate Bill 1065. Senator Donahue. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1065.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This legislation was requested by

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DHS, the Department of Human Services, and is necessary to bring Illinois early intervention program into compliance with federal rules and regulations, also a federal court order. But we have a couple of other changes in here besides what the Department has requested, and one of the most important parts is that it requires DHS, by rules, to offer early intervention services to at-risk children. That's really a main component of this. There's some other things that have been put into the amendment that I will say there is some concern about that I think will be dealt with in the House, but as you can -- the number of things that are in here and the components of this bill - excuse me - I'd like to, for the sake of some of the rule making that is in here, establish some legislative intent. So for the record, the Department currently offers services to children with low birth weight, respiratory distress as a newborn, lack of oxygen, brain hemorrhage and infection. As a matter of legislative intent, as the sponsor of this bill, I intend for the Department to offer these services in the future. I would simply ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1065 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 1065, having received the required constitutional majority, is declared passed. On top of page 15, in the Order of Senate Bills 3rd Reading, is Senate Bill 1075. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1075.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1075 amends the Illinois Income Tax Act to create an education expense credit. This bill creates this credit in the amount equal to twenty-five percent of education expenses of qualified pupils, up to a maximum of five hundred dollars per family. It allows a credit in excess of the taxpayer's total -- no, it does not allow a credit in excess of the taxpayer's total liability. The education expenses are defined as those in excess of two hundred and fifty dollars incurred for tuition, book fees and lab fees. Qualified pupils are defined as residents of Illinois under the age of 21 and enrolled full-time in K through 12. Everyone knows the issue here. However, if I may just simply put it to you this way: This is an issue that has caused a little bit of debate and controversy, but that's good -- that's why we're here. This is not a public school versus private school issue, from my vantage point. We must continue to meet our obligation of public school funding, and I believe that we are, with the continuing appropriation, the increase in the foundation level, the fifty-one percent commitment from Governor Ryan. Having done that and having recognized that we must continue to meet that obligation, over here in a separate area, in the area of tax credits, to communities, different communities, that have received tax credits over the years, all we're saying is that this school -- this community of people is a worthy group of people, that they provide a valuable benefit and that this system of schooling and the sacrifices that the families make is recognized as a value to the State of Illinois. So I ask for your favorable consideration. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Weaver.

SENATOR WEAVER:

I'd move the previous question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are four additional speakers, Senator Weaver. I beg your pardon. Five additional speakers. Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. When evaluating, I guess, a bill, I have to look at the communities that I represent to see how they would benefit, to see how the -- the neediest communities in my district will benefit. And based upon that analysis, I -- I have some questions, Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Clayborne.

SENATOR CLAYBORNE:

As I understand this bill, Senator Cronin, once you determine what the tax liability is, before you take any tax credits, that is how this tax credit -- that's how you determine whether this tax credit fits in. For instance, on line 16 of the Illinois income tax, where you determine -- you divide three percent of -- of your net income to come up with your tax liability, and if that is positive or -- or in excess -- well, it shows that you owe some money. For instance, the example in here, there's a twenty-four-thousand-dollar net income. Three percent of that turns out to be seven hundred and thirteen dollars. Once that's determined, then that shows that you have a tax liability of seven hundred thirteen dollars. Then you're allowed to take the maximum if you've paid -- or, you're allowed to take the credit if you've -- if you've paid in excess of two hundred fifty dollars. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

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SENATOR CRONIN:

That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

So it doesn't matter how much has been withheld. Am I correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

So, as I understand this, if you owe seven hundred and thirteen dollars and you've withheld a thousand dollars, then you get the difference, because you've paid in -- you've paid more into it. Am I correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

In your case, you probably should see a better accountant because your -- you have withheld too much money, so your -- your liability is still seven hundred and thirteen dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, however you want to -- you could -- you could respond in whatever negative way you want to respond, but my -- my question is, if you'll address the question, because if this bill -- if this bill means that much to you, Senator Cronin, you wouldn't talk about the accountant that I've hired; you'd answer the

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question because this should mean that much to -- to you. You wouldn't become personal. But, see, because you've become personal raises more flags that you're trying to get something over, that you -- you really don't want me to take the mask off to show that this is really an upper-class tax break. So if -- if you'll answer the question, because it means that much to you, instead of getting personal, then maybe we could see what this -- this bill is truly about.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Forgive me, if -- if -- I didn't mean to make light. This is important to me. With all due respect, Senator Clayborne, this is a bill that benefits people of lower income, no question about it. You're focusing on the amendment that we debated last evening that says, if you don't have a tax liability, you don't get a tax credit. Now, right now, under the State of Illinois, the way it's set up, if you are a family of four with an income level of sixteen thousand dollars, you would have zero tax liability. And if those folks who have a family of four and annual income of sixteen thousand dollars choose to send their children to a parochial school and pay tuition of two thousand dollars to qualify, or up to two thousand dollars, which would be twenty-five percent of the educational expense, those folks would, unfortunately, not be able to avail themselves of this tax credit. However, I'd like to point out to you, number one, a practical consideration. I'd like to help those folks, but I don't know that there are a lot of them. Even if there's one, I'd like to help them, but -- but we have this amendment on there for certain practical considerations. But -- but these folks, by and large, based on the information that I have gathered, are the recipients of scholarships. There are a fairly significant number of

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families and students on scholarship, particularly in the Chicago Catholic school system, and I've been given some information from the Big Shoulders Foundation about those folks that fall below the poverty level and I think it's fair to say that -- that, at least in that school system, they are offered scholarships. With respect to people that make twenty thousand dollars a year or thirty or forty and break their tail to make ends meet and sacrifice to send their kids to a parochial school, those are the folks in your community that I'd like to help.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Senator Cronin, I -- I -- I've been told, even before I got here, that -- that you were an excellent lawyer and -- and that you could advocate on behalf of your client; however, I, too, am a lawyer and you have not answered my question. So maybe I'll -- I'll reask the question. If you have -- if line 16 says you have tax liability of seven hundred and thirteen dollars - and I'll even simplify it - and you have withholding of seven hundred and fourteen dollars, so now you're going to -- you know you're going to get at least a dollar back. Because you've paid the maximum into this -- into the parochial schools - twenty-two fifty - then you qualify for the five-hundred-dollar tax credit. Now, based upon that scenario, would you get a refund of five hundred and one dollars?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

You get an overpayment refund and, yes, you get the tax credit because your liability is still seven hundred and thirteen dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Senator Cronin. You probably could have answered that fifteen minutes ago. I -- I have a couple of more questions for you, Senator Cronin. What is the percentage of people in the State of Illinois who have tax liability of five hundred dollars or less? Do you know that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Do you know what the percentage of people -- the percentage of people who pay -- who have tax liability of two hundred and fifty dollars or less, Senator Cronin?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Well -- well, it seems to me, if you're trying to help the most needy, the poor, that you would have this information, but, again, I guess what has happened, Senator Cronin, that the higher your income is, the more likely that you're going to have liability in excess of five hundred dollars. So therefore, once again, we're dealing with something that doesn't help the poor. It doesn't help those who need it the most. What we've done is we -- we're creating something that helps the few. When this bill came

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up, Senator Cronin, you told me, you said, "Think about it. Think about it." And I did. I called a lady who's a secretary in -- in my office, and I asked her, I said: This tax credit is coming up. What do you think about this tax credit? And she says: I -- I'd like to get that five hundred dollars. But I asked her, I said: What is your tax liability? And she told me her tax liability was less - was less - than fifty dollars. She's a hardworking lady. Her husband's a hardworking man. They have one child. They don't even -- they don't even own a home, so they don't have property tax -- or, get a property tax credit. But she, like millions of others in this State, are under the impression that they're going to get five hundred dollars back. And when I tell you what's going to happen today, we're going to give that tax credit to those who -- who are not the neediest, but we're going to give it to those -- we're not going to give it to those who need it the most, but we're going to give it to those who don't need it the most. And unfortunately, once again, we're sending the wrong message. We should be trying to make sure, if this is such a good idea, that it does touch the people who truly make the sacrifice to send their kids to these parochial schools. We should tailor it to make sure that they are the ones that receive the benefit and maybe we'd put -- put a income ceiling on it. But we're not going to do that. We're going to make sure that those who -- who make the most in Illinois are going to be the ones who receive this benefit, and that is unfortunate. And it's really unfortunate, Senator Cronin, that you have not done your homework to find out what percentage of people who are at the bottom of the low-income level would benefit from this. And if you want to know, I'll tell you, 'cause I know, Senator Cronin. I did my research. And I can tell you the percentages of people who make -- who get a -- who have tax liability of two hundred fifty or less, and I could tell you the percentage of people who have tax

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liability of five hundred dollars or less. I -- I tell you today that we have unmasked the true identity of this tax break. And I know for some it doesn't make a difference because they're going to support it anyway. But if this bill is truly designed to help the poor and those who truly make sacrifices, then we would tailor this bill to make sure that it actually does that. And based upon that, I urge that you vote against this bill and make sure that little Johnny and little Sue and the parents who truly make the sacrifices, who send their kids to these schools, who work every day, who can't afford to miss one day of work, one week of work, that they truly benefit from this -- this tax credit. So I urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Ladies and Gentlemen, at this rate, we will be here way past midnight. Further discussion? Senator Bomke.

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Bomke.

SENATOR BOMKE:

My question is pretty quick, Senator Cronin. Is this tax credit the five hundred dollars per family or per child?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Per family.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I stand in opposition to the bill, and let me give you a few reasons why. Number one, I have a memo here from the American Civil Liberties Union that indicates that

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the provisions of this bill, in effect, advance religion in violation of the provisions of the Illinois Constitution. So what we are going to find is that tens of thousands of dollars, and that might be an underestimate, is going to be spent, if this bill passes, for defending this bill by the Attorney General of the State of Illinois on a unconstitutional provision that will be fostering religion. Let me move to perhaps a somewhat more practical question. I have...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

Well, I -- no, I -- I just have an example here. I didn't really have any questions for the sponsor. We've gone over this...

PRESIDING OFFICER: (SENATOR DUDYCZ)

The sponsor still will yield to your comments, Senator Berman.

SENATOR BERMAN:

We've exchanged our questions and answers ad nauseam. We have a category of people in this State who may think that they're going to be the beneficiaries of this bill, who won't be, and let me tell you who those people are. For those of you who represent constituents along the borders of adjoining states, and if we have a John and Jane Doe who work in -- in St. Louis, and let's say that they have a combined income of fifty thousand dollars but they live in -- in Illinois. Let's say they live in a town called Aviston, Illinois, which I think is Senator Watson's district. They pay property taxes to their local public school. They pay twenty-five hundred dollars a year to send their kids to the local Catholic school, and under this bill, they are probably expecting to get five-hundred-dollar tax credit. They will not get any tax credit because their income is taxed in the state in which they are employed, namely Missouri. And therefore, there is no

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Illinois income tax liability, and under the provisions of this bill, they don't get any tax credit under Senate Bill 1075. Let me also expand on the language on the amendment dealing with the nonrefundability of the -- of the tax credit. I would respectfully suggest that the examples that we have received from the Department of Revenue dealing with -- dealing with line 16 of our Illinois income tax return would be fine, except I would suggest to you that the language of the amendment is not specific enough to assure the tax credit for the -- for the hypotheticals that we had yesterday in our debate and that Senator Clayborne gives tonight in our debate. It is going to give the Department of Revenue, I would suggest, an outrageous power to deny the credit to people who believe that they are entitled to it. And let me add, in closing, one other item, and aside from the constitutional question, aside from the question of the deliverability of this for people that need it. Actually, there's two other items. Number one, the Archdiocese of Chicago announced the other day that they were going to have to close three schools on the south and west sides of the City of Chicago. I'm not very familiar with those communities, but I talked to some of my colleagues who represent people in those communities. They are low-income communities. Low-income communities. We've debated today, we -- we sat in Revenue Committee, and we hear bill after bill that when we give certain benefits to corporations, if they can't take the benefit of -- of our Statutes in year one, they carry it over to year two. We've got a provision here, with the amendment that we adopted last night, that won't help the schools - strike that - that won't help the parents who send their children to the schools in those communities, namely the specific ones of those three schools, because it's low-income under the definition that the Department of Revenue is going to apply. These people will never see five hundred dollars' refund, and it just

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won't be delivered to the people that need it or to the schools of the Archdiocese that deserve it. I think the Archdiocese does a great job for their children and the families that make this choice. I'm disturbed by the lack of specificity in that amendment that's not going to be -- be able to deliver for the parents of those three parochial schools. And lastly, depending upon what day of the week and what month of the year we have asked for a estimate of the costs of this bill, I have seen estimates anywhere from fifty million, a hundred and twenty-eight million, and a hundred and sixty-one million. Take your pick. I would suggest to you that our obligation with any of those three figures - and some might be higher, some might be lower - our first obligation is to make sure that the public schools are adequately funded, and I'll give you one example. For decades we have underfunded - purposely underfunded - special education. Courts are ruling that additional services must be given to disabled children and those costs must be borne by the public schools, and we still underfund special ed. Those children going to those public schools and getting those services demanded by our public laws in those public schools deserve this money. Even though the private and parochial schools do a good job, our obligation under our oath of office and under our Constitution is to take care of the obligations of our public schools first and foremost. I ask for a -- a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I rise tonight to speak on this issue for, frankly, very selfish reasons. I've heard today in this Chamber a number of times where we've talked about government getting more involved in this and government more involved in that and we ought not do it. We have

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in this country a dual school system, where we have a -- a public school system that's doing a fine job and we support it very strongly. We also have a separate private and parochial school. I personally have served on a parochial school board and my selfish approach tonight is that I very -- I very jealously guard the right of my parochial school to be able to openly pray, to teach the faith of my religion in that school, totally unencumbered by government. I will admit to you that this legislation is insulated a bit more than some we've had in the past, but it's moving my colleagues in the wrong direction. We ought not do it. Those of us who support private and parochial schools with our money and our contributions do it for a reason, and I can absolutely assure you, having been in this Body now for twenty-one years and seen how we function, when we begin to move money in the direction of an entity or an issue, we then move controls and we move in and allow big government to take over. I'm, frankly, very disappointed in the church groups who support this as strongly as they do. I think they are doing it for selfish reasons, for money. I am opposing this bill for selfish reasons, because I believe in my Christian public and parochial schools. I would urge defeat of Senate Bill 1075.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam -- Mr. Chairman. I, personally, stand up for this particular bill because I believe in the Christian ways. My grandchildren are all in Christian schools, thank God. Personally and honestly, we allow the schoolteachers today to have their own particular -- if they don't want to participate in Social Security, we allow them their own retirement plan. Why not the children of this State that have an opportunity, the parents that have sacrificed all of their lives? And many of them -- you say

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the -- the poor won't gain from some tax credit. I'm not a expert CPA, but I can tell you one thing: It's about time that we have a little bit of relief towards people that are sacrificing to send their children to Christian schools. Many of the children that are in Christian schools today in the inner city, the suburban areas, are not Catholic, sometimes they're not even Baptists, but many people choose to have them in those schools because they believe in those Christian ways. We have the opportunity here tonight to make a real contribution to people that feel the need. The public school system is great, but a lot of this private school system is even more beneficial to a lot of us that believe in Christian ways and Christian values. I heard Cullerton, Senator Cullerton, get up here today and from the bottom of his heart, and Senator Luechtefeld, who said the problems of divorce are almost sixty percent and we ought to address the issue. When we don't -- you know, you don't have to make fun of me, Mr. Molaro. I don't particularly find that very pleasing, and I don't find it very easy to get up here and try to convince anyone, when most of you already have your minds made up. But I certainly think when someone says to me this is a bill only for the rich, I can't buy it. We need some relief, and this is our opportunity to give something back to people that have been sacrificing to send their children to Christian schools with Christian values. I beg of you to give consideration on this side of the aisle.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Final speaker, Senator Emil Jones.

SENATOR E. JONES:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jones.

SENATOR E. JONES:

Senator Cronin, could you tell the Body the approximate cost

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of this legislation? What would be the fiscal impact?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I think the estimation has been about seventy, seventy-five million dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

In the bill, you talk about educational expenses that one -- the parent will be reimbursed for. Could you tell the Body, what are those educational expenses that a parent -- the school would give the parent and they in turn will file as a rebate for -- if they have any coming on their tax return?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

"'Qualified education expense' means the amount incurred on behalf of a qualifying pupil in excess of \$250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year."

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

So, I want you to run us through the mechanics. If a parent has a -- one or more children in -- in a school - a private school - and the expenses may, say, average a thousand dollars per child. Now, I know when my children were in school, we'd have fund-raisers, we raised -- we had raffles and you get credited -- credited with a certain amount of -- towards your tuition. Now, what I -- what I want to know is this: If a parent has two hundred dollars in raffle tickets they must sell that goes toward

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that tuition, will -- will they be given a -- a statement saying that they paid this much in educational expenses?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

I don't -- I don't think raffle tickets, as a way to raise money or a fund-raising mechanism to defer the cost of tuition, would be the appropriate number to measure. I think it's tuition, lab fees or books.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

Well, I just want to point out to you, if you're unfamiliar with it, most of the schools have -- parents are assessed so much that they have to -- to raise toward their tuition. And they do this in most of the private schools. I know my parish school does the same identical thing. But the reason why I asked that question, because the parents who receive the receipts from the school who in turn must file them with their State income tax to receive the credit, is -- are there any provisions in this legislation for a audit, more or less, to -- to be assured that we -- what we are doing with this seventy or eighty million dollars is -- are there any provisions to periodically check, as we do with other entities where we give tax credit to, that we can audit it to assure that the proper procedures are being taken?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

The procedures that would apply in the case of this tax credit are no different than any of the procedures that are employed for any other tax credit. So, you know, when you do your taxes, and the way you answer your questions, and the deductions and credits

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and exemptions that you file and swear to on your statement are no more subject to an audit than the information that would be filled out on this -- or, equally as subject to.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

Well, I rise in opposition to the bill. I was one of the four who met with the Cardinal, along with Senator Philip, the Governor, Lee Daniels, Mike Madigan, and we discussed this issue. There were several proposals that they had to deal with helping parents or helping the private and parochial schools. Of all the proposals that we -- we looked at, the one that is most unfair is the one we have before us. Because the way the bill is drafted, it takes care of those who are in upper-middle income and higher income. It's more or less an elitist form of legislation. I don't think anyone on this Floor can claim that they are more Christian than others. But the Christian teaching is one that I learned that you take care of those who can least afford to take care of themselves. When you speak about the Big Brother program that helps the poor, Senator Cronin, I have the list and I can give you the numbers, school by school, and it is so, so small, it does not really have an impact. If we are really talking about taking care of those who -- parents who send their children to private schools, then we would have made this tax credit five hundred dollars across the board. And -- therefore, those who can least afford to send their children to school, the five hundred dollars mean more to a family making twenty-five or thirty thousand dollars a year than a person who's making seventy-five to a hundred thousand dollars a year. And that is the Christian way of doing. In our -- in our parish - and we have a school - every month we raise money to try to help those schools who are considered poor parish schools. That's the Christian way of doing

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it. I'm very shocked at this legislation and the amendment that was pushed on yesterday, which eliminated many of those persons who could least afford to send their children to private school - it eliminated them. I was ready and prepared to support a tax credit that was fair to all. But this bill, as it is drafted, only takes care of the upper-middle income. It takes care of the elite. It's not in favor of all. It is an elitist form of legislation, and I urge a No vote on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, to close.

SENATOR CRONIN:

Thank you very much, Mr. President. Briefly, if I may just respond to some of the remarks that have been made. Number one, my colleague, we have had proposals. We've had proposals for the last nine years, since I've been here, from a voucher program statewide to a pilot voucher program, to the pilot voucher program in the Chicago area that was targeted at low-income people, the only people that could access it. We had a tax credit bill last Session that did have the five hundred dollars that would go to anyone. And you know what? I checked the record and there was no support for those measures by some of the critics, some of those who have spoken here today. Secondly, there's been a lot of references to Christian schools and Catholic schools. Let me make it clear for the record that "school", in the legislation, means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of (Section) 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify (for) the credit under this Section. That means the school can be a Christian school, any denomination school, can be an Islamic school. There's -- there's an Islamic

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school in the neighborhood that I represent. There are Jewish day schools. There are all sorts of folks that can take advantage of and access this. Next, in regard to the dispute or the created issue about the uncertain language that describes the credit and the qualifying amount of money and the liability and so on and so forth, please be advised that the language in Senate -- the Senate amendment that we proposed last night and which is part of the bill is -- is called -- is referred to commonly as "boilerplate" language, and it states: In no event shall a credit under this subsection reduce the taxpayer's liability under this section {sic} (Act) to less than zero. No other income tax credit exists that can reduce the taxpayer's tax liability below zero. This amendment will make and this part of the bill makes this income tax credit consistent with every other credit in statute. Next, there was a question about the total tax liability, and an example that was given about a secretary and how she wouldn't be able to avail herself of this. You know, perhaps, with all due respect, perhaps there's some confusion about the difference between total tax liability and what that secretary owes at the end of the year when she fills out her form. It's very clear. Tax liability is what is the threshold here. If you have liability, you're eligible for the credit. The only people that don't have liability in this State, if they're working and earning an income, are those that make sixteen thousand dollars or less. I would urge you to think about the folks that -- that make twenty thousand, thirty thousand, forty thousand, that break their tail to -- and sacrifice greatly to send their kids to a parochial school. They pay their taxes, they pay their property taxes, and they make a choice. I'd like to help those folks out that make less than sixteen thousand dollars a year. We have scholarship programs, and I'd like to come back at this. And you know what? I invite my critics on the other side of the aisle to join me when

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we come back and try to help those people in poverty. Last, but not least, you know -- you know, there's been a lot of discussion about this and public versus private. In my opening remarks, I said: Please, this really shouldn't be cast as a public education versus private education debate. And for those that do, I think it's most unfortunate and it's, quite frankly, in my opinion, irresponsible. We need to -- and I am devoted to the principle of public education. We need to support it. We have an obligation to fully fund it. And as we continue to fulfill that obligation, we can look at a community of people who sacrifice, who work hard. These are nice people. They live down the street from you. You know? They pay their property taxes. They vote in referendums on local school issues. And you know what? They -- they work hard to send their kids somewhere else. These people are valuable. They turn out a good product. They're -- they're no less valuable than farmers, manufacturers, and others that receive the credit. Please, Ladies and Gentlemen, do something for these folks. Please support this bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1075 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 35 Ayes, 21 Nays, 1 voting Present. And Senate Bill 1075, having received the required constitutional majority, is declared passed. Senate Bill 1081. Senator Maitland. Senate Bill 1087. Senator Karpziel. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1087.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1087 is Governor Ryan's Open Land Initiative. As amended, this bill creates the Open Land Trust Program to acquire real property from willing sellers for conservation and recreation purposes. Originally the bill contained some provisions that were opposed by the Realtors, the Home Builders, and the Farm Bureau. But the amendment removed their objections and now they are neutral on the bill, and it is strongly supported by a whole long list of conservation, and open land groups, including Pheasants Forever, Ducks Unlimited, the -- Illinois Park Districts, Environmental Council, Nature Conservancy, and many others. This four-year program has an allocation in the Governor's budget that we passed earlier today. It has an allocation of forty million a year for a four-year program, and I ask your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, I was looking at the original bill and you had a section called development rights, and it would have set up a -- a system, apparently, where you could purchase -- the Department of Agriculture could purchase from this Fund development rights for farmland preservation. I assume that -- this was in your original bill that you filed. And I assume that the way that would work is you -- you take money from this Fund -- I know you took it out. I'm going to ask you why you took it out. Okay? I want to make sure I understand how it worked and then ask you why you took it

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out. The -- the -- you could use this money from this Fund to go to a farmer and say, "We want to purchase your development rights" - that is how much money I guess you'd make if you made it into a subdivision - and that guy could then keep his farm, forever. It would be farmland. It wouldn't become a subdivision. He'd be paid out of this Fund. Why did you take that out?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

That was taken out at the request of the Realtors and the Home Builders.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Why did you give in to 'em? It sounded like a great idea. It sounded like a good idea. That's what the money's in the Fund for. This is designed to preserve farmland. At the same time, it would keep open -- open lands, which is what the purpose of the bill is, I would have thought.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Well, part of, I believe, the Governor's purpose in -- in the bill and part of my purpose was to keep open land that is, oh, the type -- kind of land that would have either woods on it, maybe wetlands, endangered species, that type of property that we want to maintain as natural and open space. Farmland is nice to have as open land, I suppose, but isn't the same kind of quality of open land that we really are looking for.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you. I -- I really hate to rise to speak on this particular piece of legislation, but we all recall a few years back when we had the opportunity to purchase sixteen thousand acres, which we just renamed the other day, one day this week. And I would submit to you, anybody that has a State park or State facility in your district, spending forty million dollars a year for the next four years to purchase additional properties for DNR will detract from our ability to get the things we need in our current State parks and facilities. So just a word of caution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is there any condemnation proceeding in this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Eminent domain has been taken out of this bill completely, both on the State's part and the local government's part.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR KARPIEL:

Well, thank you. I would like to just say that Illinois ranks forty-eighth among all states in terms of land available for public outdoor recreation. And the State's landscape includes less than one-tenth of one percent of the natural communities that were here prior to settlement. The State feels, the Governor feels, I feel, that it is very important to keep open space, particularly the kind of property that we're envisioning to

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purchase here, for our -- our children and our grandchildren and people beyond that so that we don't have one strip mall from the northern part to the southern part of the State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1087 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, no Nays, 2 voting Present. And Senate Bill 1087, having received the required constitutional majority, is declared passed. Senate Bill 1111. Senator Parker. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1111.

(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 is a bill for the Illinois Act on Aging and it helps them -- the Department on Aging with an audit and for them to comply. It provides that the designee or designees of any or all the Directors of specified agencies may serve on the Coordinating Committee of State Agencies Serving Older Persons. I would ask -- or, ask for an Aye vote and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1111 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 1111, having received the required

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constitutional majority, is declared passed. Senate Bill 1112.
Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Governor George Ryan campaigned for Governor on a proposal to enact a "15-20 & Life" firearm penalty enhancement law, modeled after a California law. And the proposal, very succinctly, states that there's a fifteen-year enhancement for committing a specified felony while carrying a gun, a twenty-year enhancement for intentionally discharging a gun during the commission of a specified felony, and a twenty-five-year-to-life enhancement if a bullet strikes any person and causes any great bodily harm. It's interesting to note in California, to hear the chief of police in Fresno, California, talk about what happened in their state when this type of proposal was enacted. He said, quote, "We had gang shootings and guns going off all night. It was really terrible. People were afraid to be out in their own yards." But, a year ago or so, California enacted this 15-20 & Life proposal, similar to the one that's here tonight. And then the police chief said there was a -- "In our neighborhoods, things changed." The whole lifestyle changed, according to the chief of police there, and he said, "We've had real big reductions in all of the crimes involving firearms, and we know that the crooks are talking about it," he says, "because we hear 'em talking about it. They don't want to get caught with a gun in the State of California" - just like they probably won't want to get caught

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with a gun here in the State of Illinois. And in California, within a year, murders with guns were down forty-three percent, assaults with firearms were down thirty-nine percent, and robberies with firearms are down forty-four percent. This is a good law from the Illinois State Rifle Association to the Citizens Against Handgun Control. I think all sides of gun control issues are in support of this and this will make the streets of Illinois safer, but most importantly, send a very strong message that we will not tolerate the use or possession of a firearm when committing a crime in Illinois and that anybody that has one is going to do significant, significant time. And coupled with our new truth-in-sentencing laws in Illinois, you could be locked up for life.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further -- any discussion? Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. I'm sure it's no surprise, I rise in enthusiastic support of this legislation. But I would ask the sponsor if he could clarify for us the legislative intent of this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Sullivan.

SENATOR SULLIVAN:

Senator Dillard, will you -- will you please clarify the legislative intent of this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Certainly, Senator Sullivan. The purpose behind the sentence enhancements in Senate Bill 1112 for the use of a firearm in the commission of specified serious felonies is to deter the use of firearms in the commission of these violent and serious crimes.

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And unlike other weapons, like knives and clubs, the use of a firearm in the commission of a criminal offense significantly escalates the potential for bodily harm and the further increases -- and further increases the potential for harm to more than one person. Not only are there victims and bystanders at greater risk when a firearm is used, but also law enforcement, whose duty is to confront and apprehend armed suspects. They're at far greater risk, too. And also, unlike other weapons, firearms greatly facilitate the commission of a criminal offense because of its more lethal nature and the increased fear produced in those confronted by a person wielding a firearm. Therefore, it's appropriate, I think, for a greater penalty to be imposed when a firearm is used or discharged in the commission of a violent or serious offense than the penalty imposed for using other types of weapons. And I guess just, Senator Sullivan, for the last purpose of legislative intent here, and what our intent actually is, is current law does contain some enhancements for the use of a gun in the commission of an offense; however, it's the intent of this bill that additional firearm enhancements are necessary and appropriate for deterring use of a firearm in the commission of our most serious offenses. Most of these offenses covered in this bill entail the significant threat of harm or the use of force against others, including our most vulnerable victims: children and senior citizens. The selected drug offenses are those related in this bill to drug trafficking, drug conspiracies, and big-time drug dealers, in which firearms are used to defend the illicit network of trade and the dangerous substances that represent such a significant threat to the public health and safety. Lesser offenses remain covered by the current lesser firearm enhancements.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate

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Bill 1112 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 1112, having received the required constitutional majority, is declared passed. Senate Bill 1121. Senator Molaro. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1121.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In the law now, if a police officer stops a minor and -- police officer stops a minor under the age of seventeen or under and he holds him or arrests him, he must make an immediately -- immediately make a reasonable attempt to notify the minor's parents. So if he grabs a fourteen-year-old for stealing or stealing a bike, when they bring him -- as soon as he brings him to the station and as soon as he arrests him, he must make an immediate and reasonable attempt to notify the parents, in case they're out there looking for him, so they don't wind up, you know, calling in missing -- missing persons. Well, in the retail theft law, we've given the authority to the merchant to stop a minor if they think the minor actually is, in fact, stealing something. But what we put in the law, and apparently it must have been an oversight, it says that you can inform a peace officer or the parents. So therefore, if they grab a minor, bring him to the back, take an hour or so to find out if he did anything, get him to sign whatever they need to sign, call a

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police officer, takes another half hour to get there, then maybe another hour in the station, it could be three or four hours before the parents are notified. So all this bill does is say that they can call a police officer, but they have to do any reasonable attempt to immediately notify the parents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1121 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 1121, having received the required constitutional majority, is declared passed. Senate Bill 1122. Senator Emil Jones. Senate Bill 1131. Senator Bowles. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1131.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. Chairman -- I'm sorry, Mr. President. Senate Bill 1131 is a vehicle. I would appreciate a positive vote, an affirmative vote on this bill in order to move it to the House where we can continue to negotiate with the various agencies with whom we've -- we have been negotiating for the past five years.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1131 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

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question, there are 58 Ayes, no Nays, none voting Present. And Senate Bill 1131, having received the required constitutional majority, is declared passed. Senate Bill 1146. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1146.

(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. This bill changes the group health insurance contribution for the State -- for the State superintendents to 12.5 percent for each year of credit. Superintendents with eight years of credit, then, would fully be vested. Now, this is health insurance; this is not pension. Prior to the passage of 2.2 a couple of years ago, regional superintendents were vested after five years and they were left out of that, and this -- this brings them back into where they were before.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1146 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, 1 Nay, and none voting Present. And Senate Bill 1146, having received the required constitutional majority, is declared passed. Senate Bill 1148. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1148.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 1148, as amended, requires the Illinois Department of Commerce and Community Affairs to submit an annual report to the Governor and the General Assembly concerning the effectiveness of its economic development programs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1148 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 1148, having received the required constitutional majority, is declared passed. Senate Bill 1151. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1151.

(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 1151 addresses a problem that many of us are having now. The Chicago and East St. Louis areas are classified by the USEPA as severe ozone nonattainment areas. So we have vehicle inspection and maintenance programs that are required by the federal government. Recently, a tougher test was required by the federal government and many motorists are complaining that the new

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test and the incompetence of the treating crews has resulted -- the testing crews has resulted in cars being damaged: their brakes, their transmissions and their tires. What this bill does is it says that the citizen can take Enviro-Test, who is the firm who conducts all of these tests, to court, and if they do win, the citizen receives triple damages and Enviro-Test pays attorney fees. We are trying to get their attention. They are not being competent in their testing, and I would ask for an Aye vote and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, in committee -- and -- and I support your bill, but I think, as this goes to the House, you need to perhaps tighten up the proximate cause language. And also, in regard to the awarding of attorney's fees, you should insert the word "reasonable" attorney's fees.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I just want to support this bill because I've had more complaints in my area of the stupid type of testing they've done.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further discussion? If not, Senator Parker, to close.

SENATOR PARKER:

Thank you. We have discussed this, Senator Hawkinson, and I

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will work on that in the House, and I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1151 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 1151, having received the required constitutional majority, is declared passed. Senate Bill 1158. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1158.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the last in a series of four bills that goes in and modifies the procedures of the Joint Committee on Administrative Rules, of which I'm a member. The goal of these four changes that I'm going to discuss are to give JCAR, as an entity, more time to review rules proposed by Executive Branch agencies. The first part of the bill extends the first notice period from forty-five days to sixty days, which gives us two full JCAR meetings to -- to consider a first notice. The second part of the bill changes the second notice period from when JCAR receives written notice to when notice is printed in the Illinois Register. The third provision extends the agency's second notice period from forty-five to sixty days. And the final provision allows the agency and JCAR to agree to an extension up to sixty days - currently, the statute only permits a forty-five-day extension -

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and allows an unlimited amount of additional extensions if they're agreed to by both parties. JCAR's staff has read and helped us with the language, is interested in all of these changes. It's not a committee bill, but it's -- I think they're four good changes for us to consider. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1158 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 1158, having received the required constitutional majority, is declared passed. Senate Bill 1163. Senator Philip. Senate Bill 1172. Senator Philip. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1172.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1172, as amended, amends the County Codes {sic} (Counties Code). It would allow the county board, by ordinance, to provide for either an elected official or a retired employee to continue their health and life insurance...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion?

SENATOR PHILIP:

...at a small part of a fee or for the whole thing. I'll 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 1172 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all -- have all voted who wish? Ding. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 5 voting Present. And Senate Bill 1172, having received the required constitutional majority, is declared passed. Bottom of page 15 of your regular Calendar, in the Order of Senate Bills 3rd Reading, is Senate Bill 1182. Senator Lauzen. Senator Lauzen. Top of page 16 of your regular Calendar, in the Order of Senate Bills 3rd Reading, is Senate Bill 1183. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1183.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This is the initiative of the Attorney General's Office and it is the model statute required by the tobacco settlement. It creates the Tobacco Product Manufacturer's Escrow Act, which requires tobacco manufacturers selling cigarettes in Illinois to do one of two things: either join in the settlement, or place specified amounts into an escrow account to be used for future settlements for action -- brought by the State, its local governments or other entities. Fines are included for failure to pay the stipulated amounts.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1183 pass. All those in favor will vote Aye. Opposed

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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 1183, having received the required
constitutional majority, is declared passed. Senate Bill 1184.
Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1184.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
Just permissive legislation. Allows housing authorities, as a
result of federal action, to increase, if they so desire - it's
permissive - to appoint seven, rather than five, commissioners. I
would ask your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall
Senate Bill 1184 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 1184, having received the required
constitutional majority, is declared passed. Senate Bill 1192.
Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1192.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill is an initiative of the Chicago Principals Association, sort of a work in progress. There's a number of provisions in it. But it passed out on a unanimous roll call in the -- in the committee and we're looking to perhaps amend it over in the Senate -- or, in the House. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1192 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 1192, having received the required constitutional majority, is declared passed. Senate -- Senate Bill 1199. Senator Maitland, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Maitland seeks leave of the Body to return Senate Bill 1199 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 1199. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. This is the amendment to Senate Bill 1199 that is the agreement that we've reached this week with respect to large hog operations.

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I would seek to move for the adoption and debate it on 3rd Reading.

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. Any further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is Senate Bill 1199. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1199.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Mr. President, Members of the Senate, thank you very much. Again, this is the -- the effort by a number of people, this past week, to come to a resolution with respect to large livestock operations in Illinois. And I would like to, first of all, thank Governor Ryan for the leadership that he has given to all of us on this issue, going clear back to last summer when he was a candidate and made this a focal point of his campaign, to resolve this issue soon after he was elected, if he were to be elected. In addition, this issue's been going on for some four years now and there are people in this Chamber that deserve a lot of credit for what has gone before us: Senator Donahue, Senator O'Daniel, Senator Sieben, Senator Shadid, Senator Hawkinson - when he was in the House, of course, there was some activity over there, too - also, the Governor's staff, Kevin Wright, who was with us all

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week, Brad and Lisa, who have been very much a -- a strong focal point in all of this, in bringing all of this together. But last Friday, we called the group together and made a pledge to them -- I made a pledge to them, they made a commitment to me, that we would resolve this issue within a week. A week would be tomorrow. We had this resolved yesterday and I'm very thankful for that. There was a lot of give-and-take, Ladies and Gentlemen, in this issue. The livestock producers, the environmental groups, what we now call affectionately the "Peoria Six", the Governor's Office, and others. But we worked together and we have come together with -- with a very good package here that I think is -- is acceptable to -- to everyone. Let me mention just a couple of major issues here that I think are important and then allow you to respond to any of the other issues that are within the -- in the amendment. First of all, a very critical issue in this legislation was the whole area of construction standards; very controversial among the livestock groups and -- and others. And the agreement we reached was that the Pollution Control Board would promulgate the rules with respect to construction standards according to some very precise guidelines, technical manuals, if you will, that are available. And everyone agreed with that, and everyone is happy with that. With respect to the rest of the bill, the administration of the Act and all of that - all of that - those rules will be promulgated by -- by the Department of Agriculture, with advice from a technical committee that is in the Act also. I frankly believe that this is a -- a good-faith effort. It is one, now, that I believe will work. I think we need to pass it out of this Chamber, move it over to the House. I believe it'll move out of the House with -- with no amendments, and allow this -- allow this to work for a couple or three years before we even attempt to change it. It's a step in the right direction. Again, a lot of wonderful people have made this happen. And, Mr. President, I'm

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-- be delighted to respond to any questions that any Member might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Shadid.

SENATOR SHADID:

Yes, Mr. -- thank you, Mr. -- Mr. President. I just have a comment or two I'd like to make. I want to take this opportunity to thank Governor Ryan for showing the leadership that he showed to put this all together for us and get us together and get this finally done after four years, and I was beginning to think it was going to be a career. I also want to thank Senator Maitland, for assuming the Chairmanship and, from my understanding, you did a great job, Senator. I really thank you very much. And I'm urging everybody on this side of the aisle to vote for this and support this legislation. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor will yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you tell -- would you tell us what -- would you tell us what PCB means in the -- in our analysis?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Senator Geo-Karis, that means the Pollution Control Board.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR MAITLAND:

Mr. -- Mr. President, I would just appreciate...

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PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon. Senator Hawkinson.

SENATOR HAWKINSON:

I apologize, Mr. President. Will sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator Maitland, does this bill provide equal liability for all ownerships in a livestock facility, including any out-of-State or corporate interests that may own or contract with the farmer?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator, it does. Should any spill, release, or water pollution occur at a facility, all interests would continue to be held equally responsible. This is the case now under the Environmental Protection Act, and this would not change in any way under this Act.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

If there is a spill or release that resulted in water pollution or groundwater pollution, are you saying that the outside company or contractor is not immune from penalties under this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

That is exactly correct, Senator Hawkinson. All would be treated the same.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR MAITLAND:

I would just appreciate support from the Body, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1199 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 1199, having received the required constitutional majority, is declared passed. Senate Bill 1205. Senator Weaver. Senate Bill 1206. Senator Weaver. ...information of the Membership, we will be going back through the Calendar to pick up some additional bills on 3rd Reading. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Approved for Consideration - Senate Amendment 2 to Senate Bill 773.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Okay. In the middle of page 4, in the Order of Senate Bills 3rd Reading, is Senate Bill 276. Senator Cronin, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Cronin seeks leave of the Body to return Senate Bill 276 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 276. Mr. Secretary, are there any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

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Thank you very much. Amendment No. 3 provides that a commercial driver's license shall not be issued or renewed to a person who does not meet the hearing requirements, with or without the use of a hearing aid. From this point forward, all must meet the hearing requirement.

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. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is Senate Bill 276. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 276.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President. This is a bill that was requested by a organization known as the Illinois Risk Management Association. It's a group of some ninety municipalities and local governments. They pool their resources for purposes of managing risk. And there was a concern from them that because the U.S. Department of Transportation regulations require applicants for a CDL to have minimum hearing levels and the federal motor carrier regulations contain an exemption for transportation performed by government - federal government, State or a political subdivision of the State - there was a concern that there may be someone driving a dump truck or a snowplow out there, working for local

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government, that can't hear. They can't hear a siren, they can't hear a train coming, and that this is a risk. And this risk management agency, doing their job, they wanted to manage risk and they wanted to prevent a situation that could be a tragic one. And so now, if someone wants to get their commercial driver's license, they have to have, from this day forward -- those who currently have a CDL will be able to use it until it expires, but when they go get their new CDL, they're going to have to meet certain minimal hearing requirements.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There any discussion? Senator Shaw.

SENATOR SHAW:

Yeah. Just -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shaw.

SENATOR SHAW:

Just for purpose of information. Who's going to be giving this hearing test?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

People that are seeking to get a commercial driver's license and they're going to be -- it's a requirement that if they seek to get their CDL, they would have to pass certain minimum hearing requirements.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Yeah. I understand the bill, but I'm -- I'm saying, who's picking up the cost of this? Do -- would the -- would the municipality whose snowplow or dump truck he's driving -- he or she is driving, would they have to go to their doctor -- to the

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city's doctor or the village doctor, whatever the case is, and get a certificate and present it to the -- to the Secretary of State's -- motor vehicle driver's license section when they go to take the test? How -- how would this come about - that's what I'm asking - under this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

The -- the legislation doesn't contemplate any additional cost or burden to the individual. It merely says that an individual who is seeking a commercial driver's license shall have a minimum hearing level or proficiency. And it's my understanding that those who seek to get a CDL have to go through sort of a routine examination. Part and parcel of that examination will now be a hearing requirement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

The -- I think that my question is, is the Secretary of State going to be doing this? Will they be offering this, or will the city or village offer it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

My understanding is, is that when you -- when you go to get a CDL, you have to, before you arrive, even today without this legislation, have gone and got some sort of physical exam from your doctor, and -- and now, with this, you're going to have to have your doctor test your ears, as well.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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My understanding is that when you -- when you go to get your -- your -- your license, you -- there is a physician there who will do the testing -- will give you a physical and that will include the hearing -- that always includes the hearing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR CRONIN:

I ask for your Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 276 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 56 Ayes, no Nays, none voting Present. And Senate Bill 276, having received the required constitutional majority, is declared passed. Senator Mahar seeks leave of the Body to return Senate Bill 307 to the Order of 2nd -- Senator -- Senator Mahar, what purpose do you rise?

SENATOR MAHAR:

Thank you. To address this bill. We do not -- I do not seek leave of the Body to do that. This is the legislation that was under intense scrutiny the past couple of days from the electric utility industry. I'm happy to say that Senator Bowles and Members of the committee and I had the opportunity to meet with the chairman of ComEd and we think we've developed a -- a working relationship to cover the issues that need to be addressed on behalf of the consumers of this State over the next two months. And I want to thank all the Members of the committee, who I've totally annoyed, I'm sure, over the last two days on this topic. And with that, I'd like to take it out of the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. On bottom of page 6 is Senate Bill 556.

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Senator Cronin, do you wish this bill returned to -- to 2nd Reading for purposes of an amendment? Senator Cronin seeks leave of the Body to return Senate Bill 556 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 556. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 556 is the culmination of a lot of work and hard negotiation on a number of different parties interested in teacher recertification. Many of you know that the process of recertification today, under current law, is that a teacher simply pays a four-dollar fee every five years and they're automatically recertified. Well, today I'm happy to announce to you that we have a vast improvement over that current approach, and it is as follows. In a nutshell, the recertification under this proposal will be valid for five years. Teachers must develop a certification renewal plan that contains certain purposes and activities in order to improve the teacher's knowledge and skill as a teacher. The plan will incorporate one of the following four goals in order to renew a valid and active certificate: one, a teacher must earn at least eight semester hours of coursework; two, earn at least twenty-four continuing education units; three, complete the National Board for Professional Teaching Standards process, get a Master's Teacher Certificate; or, four, earn a hundred and twenty units of continuing professional development units. This is a huge improvement. Everybody likes it,

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especially Senator DeLeo. There is also a -- a provision that will allow the exclusive representative to select the teachers and other non-administrative certified employees, while the school district picks the member at large. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I've had a number of my superintendents who were not very happy with the bill. Have -- have their concerns been addressed?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments -- or, Amendment...

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading.

SECRETARY HARRY:

Wait a minute. Pardon me, Mr. President. Amendment No. 3 is offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

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SENATOR CRONIN:

Yes. That's a technical amendment. It allows the exclusive representative to select the teachers and other non-administrative certified employees, while the school district picks the member at large.

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. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of Senate -- on the Order of 3rd Reading is Senate Bill 556. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

This is a wonderful bill. I'd be happy to answer any questions that anybody may have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 556 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 556, having received the required constitutional majority, is declared passed. On the top of page 7, in the Order of Senate Bills 3rd Reading, is Senate Bill 579. Senator Thomas Walsh seeks leave of the Body to return

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Senate Bill 579 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 House -- is Senate Bill 579. Mr. Secretary, are there 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 and Members of the Senate. The amendment represents an agreement between the Medical Society and various business groups and -- or, various groups, including business groups and chiropractic doctors and others. The language goes a long way to add some important provisions. Among those, the term "physician" was redefined to add language to ensure that the plan can offer enrollees a choice among qualified health care providers to coordinate their care. The amendment also clarifies the section on gag clauses to ensure patients will have the ability to discuss all of their health care options with their -- with their doctors. The amendment also guarantees that patients facing emergency conditions will have the proper access to care, with qualified personnel in charge of their treatment actions. Finally, the amendment adds further changes to make the bill technically sound. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Watson. Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Madigan.

SENATOR R. MADIGAN:

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Senator Walsh, does -- the language for any willing provider insofar as pharmacy or pharmacists included in this -- in this amendment?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

No. But we would be happy to, you know, sit down and -- and talk to anybody about that. But that is not included in the amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just questions for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, unfortunately, I am a little confused on the -- the agreement that you're speaking of. With some of the business groups' agreement, you mean that they are for the bill? And if so, which -- which management groups are for the bill, as amended?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Well, there were several different groups that -- that -- that filed slips in support of the bill in committee, including the Employment Law Council - yes - the Chamber, for -- for the amendment, yes. I don't think that there were any of these groups that were opposed to it, to be honest with you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Are the -- would you yield for a question?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Are the chiropractors included, too? I hope.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Put your light on. Senator Geo-Karis.

SENATOR GEO-KARIS:

I had it on, honestly, Mr. President. Don't you think I light it enough? Anyway...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill was patterned on one we passed in the Senate last time, and it's improved considerably, and believe it or not, Senator Walsh, I'm supporting it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On -- on the Order of 3rd Reading is Senate Bill 579. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 579.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. This is a bill that we've worked on for a couple of years now. I talked about it last time - 974, which was a bill that we had bipartisan support on in this Chamber about a year ago. I think we got fifty-four votes on it. I think 974 is a better bill now with the amendments that we have just put on it. I'm going to quickly highlight some of the provisions that are included for the patients, for our -- our constituents, in the bill. The bill includes a patient's bill of rights, which outlines access to quality medical care, the ability to choose a physician, the right to privacy, guaranteed appropriate doctor/patient relationships, the ability to purchase additional coverages. The bill also has physician choice and access to specialists. The bill covers any type of discrepancies that there may be with emergency room coverage. The bill has the accreditation of URAC standards for utilization review. This is where medical decisions are being made by HMO -- HMOs. The bill prohibits gag clauses. This is something that really has almost brought about the -- all the reforms that we're talking about now. This is where the doctor can't be prohibited from telling a patient when something is wrong with them or what type of care they should have. It also has a consumer advisory panel and it also has quality assessments with oversight by the Department of Public Health. I would be happy to answer any questions and would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Berman.

SENATOR BERMAN:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Because of the action of the Illinois House of Representatives yesterday, we have two choices tonight. The House, yesterday, passed House Bill 626, and tonight the Senate is provided Senate Bill 579. And so I suggest to you that the question is: Which is a better bill? And I would suggest to you that House Bill 626 addresses many of the concerns that were not involved in the negotiations of Senate Bill 579. In the Insurance Committee, there were people that came forward that represented businesses; there were groups that came forward that represented the doctors; there were groups that came forward that represented the HMOs. But the group that is not represented in Senate Bill 579, and I would suggest to you is represented in House Bill 626, are the patients, the members of the programs, your constituents. They are not addressed by this bill. Let me give you an example. I'm reading from Senate Bill 579. And probably everyone of us have received a call from a constituent who has had a complaint regarding HMO lack of response to their medical needs. And what we've had -- what we have found out, when we start making some inquiry, is that these people had no relief or structure to provide relief under their HMO plans, and when we referred it to the Department of Insurance, the Department gives them an answer, "Well, that's the terms of your plan; you're stuck with that." And that's what's really happened. The Department has no power, and exercises no power, to address these complaints by patients of these HMO programs. Section 75 in Senate Bill 579 says -- the title of Section 75 deals with "Complaints." And I apologize, but I think it's important, because it's important to you and me because it's important to our constituents. Paragraph (a), "A health care plan shall establish and maintain a complaint system providing reasonable procedures for resolving complaints initiated by enrollees (complainant) which shall provide for an expedited

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review of cases involving imminent threat to the health of an enrollee. Nothing in this Act shall be construed to preclude an enrollee from filing a complaint with the Department" - oh, that -- that's a great opportunity for relief - "or as limiting the Department's ability to investigate complaints. In addition, any enrollee not satisfied with the plan's resolution of any complaint may appeal that final plan" - listen to this - they "may appeal that final plan decision to the Department." Well, Ladies and Gentlemen, the Department doesn't -- hasn't done anything for these people - I'm not sure they have the power to do anything for these people - in the past, and that's all that we're giving them under paragraph (a). Now, let me tell you about paragraph (b), if you want to see some real response -- real response to the complaints of your voters because of a lack of proper medical treatment under their HMO plans. "When a complaint against a health care plan...is received by the Department, the respondent" - who's the company, the HMO - "shall be notified of the complaint. The Department shall, in its notification, specify the date when a report is to be received from the respondent, which shall be no later than 21 days after notification is sent to the respondent." So the -- the HMO has twenty-one days to just respond to the Department's letter. And listen to this - I want you to know about the heavy responsibilities, the heavy penalties that are going to be involved if the -- if the HMO doesn't respond within twenty-one days. You ready? "A failure to reply by the date specified may be followed by a collect telephone call or collect telegram." Now, how's that? Those HMOs are -- are shivering in their boots. Repeated instances - repeated instances - they don't only neglect -- complaint number one, but there's complaint number five hundred - if there's repeated instances of failing to reply by the date specified, it "may result in further regulatory action." Now, how's that for really teeth on behalf of

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our voters, our citizens, our fellow citizens who need HMO coverage? Is -- is that enforcement? That's the point I'm making regarding Senate Bill 579 has taken care of, what I'll call, the vested interests - the doctors, the HMOs, the companies that pay for the programs - and the people that are left out are the citizens and the members: the people that need the care. 626 has teeth in it. And 626 does something that we, in this country, are very proud of. Sometimes we have criticism of it, and it may not be a perfect system, but it's the best -- it's the best system in the world - and that's the judicial system. Very few times, if ever, are the courthouse doors locked to citizens of this country. Under 626, the courthouse door is not locked. Under Senate Bill 579, the door house -- the courthouse door is locked. They cannot sue for negligence, for willful and wanton, for mistreatment, for lack of responsiveness, for lack of diagnosis, or any of the other things that they ought to have the right to go to court for. That's what we all have rights on. Not under 579. That's a terrible denial for our citizens. I urge a No vote on 579, and I ask for a Yes vote on House Bill 626.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Photographer Greg Daniels requests permission to shoot photographs. Hearing no objection, leave is granted. Further discussion? Senator Molaro. Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I can't help but rise on this occasion because I agree with my esteemed friend, Senator Berman, that we, on this side of the aisle, would prefer to see Senate {sic} Bill 626. Where I perhaps differ with my colleague, is that we don't have 626 in front of us, and I don't think we, in this Body, would see House Bill 626. So the bill before us, Senate Bill 579, has come a long way, and I think that, as was stated, it's taking care of the vested

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interests, including AARP, which is a part of the vested interest groups. I think that we have here a pretty good package. I think by the time we send it over to the House, I'm sure they'll do a little massaging with it, but I think it's the only bill we got before us. I think it's the only chance that we, as Senators on this side of the Rotunda, are going to have on voting for managed care, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. -- Mr. President. I recognize how complicated and how difficult this is, and I certainly congratulate the sponsor on the diligent work that -- that he and other Members of this Body have put into it. There are many good reforms that I support in this, but several questions. On the positive side, the amendment, I believe, specified - I think it's Section 240 - where the HMO can set criteria now for primary care. So that was taken care of?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

All right. Let's see. Then, is it -- has -- one of the concerns was that HMOs would be forced to offer to new HMO enrollees for a ninety-day period of time of non-HMO physician care, that it applies to anyone with an ongoing condition. One person had called in and said, "Even if that was a skin rash." The suggestion was made that it should be limited to, you know, those -- those folks who have a life-threatening situation. Was

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that concern addressed in the amendment?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Well, what we did is, we limited it to ninety days.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Okay. I understand. Thank you. Expands liability for HMO - does this bill expand liability for HMOs dropping a physician? Does it make -- make it harder on HMOs to drop a physician from their group?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

We just -- it does not. What we do -- what we do is we require a notice.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

In the interest of the hour, I guess, it's one -- one other question. Prevents -- does this prevent HMOs and physicians from making voluntary agreements about liability - who's going to have the liability?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Okay. Yeah. It doesn't with IPAs and PPOs, which is in -- right.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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Mr. President, Ladies and Gentlemen of the Senate, I share some of the concerns of Senator Berman. And I hope and I'm sure they will be addressed in the House. And this is the only bill in town right now, and we got to do something. I support it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. And I want to thank Senator Jacobs for his words of encouragement over there. And I want to just point out to -- to you all that there are consumer groups, as was pointed out, that do support this bill. And I think one of the largest consumer groups that comes and lobbies us on almost a daily basis down here, AARP, is in support of this bill. They were in support of the previous bill. They're in support of the amendment. They're in support of 579 right now. And you're hearing from them on a regular basis. With regard to some of the concerns that were brought up, there are additional fines on -- that can go onto HMOs. There are rules that will be set up by the Department of Insurance and the Department of -- of Public Health. There can be fines up to five thousand dollars and cease and desist orders put on HMOs, and that's written inside this bill. Furthermore, with the right to sue an HMO, this is a decision that is being made in the courts right now, and I'm going to read what has been done. There's the Petrovich case, which some of you may be familiar with, and I'll read directly: In Illinois, HMOs can be held liable for medical malpractice based on the following theories: vicarious liability through respondeat superior or ostensible or apparent agency; (2) corporate negligence as a result of negligent selection and control of the physician who rendered care; or (3) corporate negligence as a result of the corporation's independent acts of negligence. HMOs could also be liable for malpractice under a

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breach of contract or breach of warranty theory. We've worked for a long time on this bill. I think it's a good bill, and I'd ask for a favorable -- favorable roll call. Wait. Let me just quickly -- I need to read some legislative intent. For the purposes of legislative intent, I wish to make clear that Section 90 prohibits a health care plan and its subcontractors from transferring liability through indemnification, hold harmless, or contribution requirements to a health care provider. A health care provider is any physician, hospital facility or other person that is licensed or otherwise authorized to deliver health care services. This amendment specifies that nothing in this Act shall be construed to -- to define independent practice associations, IPAs, or physician-hospital association as -- as health care providers. Nothing in Section 90 prohibits health care plans, independent practice associations or physician-hospital associations from mutually agreeing by contract to transfer liability. Under Section 90, health care plans may continue to pay health care providers under financial terms, such as capitation, for the provision of care or treatment of an enrollee. Thank you for your indulgence. I'd appreciate a -- a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 579 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 36 Ayes, 3 Nays, and 19 voting Present. And Senate Bill 379 {sic}, having received the required constitutional majority, is declared passed. Top of page 10, in the Order of Senate Bills 3rd Reading, is Senate Bill 617. Senator Rauschenberger seeks leave of the Body to return Senate Bill 617 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 617. Mr. Secretary,

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are there...

SECRETARY HARRY:

Amendment No. 3, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 3 to Senate Bill 617 combines the appropriation onto one bill for both the Civil Service Commission and the State Universities Civil Service Commission in order to simplify, in some ways, the actions in the House. Both bills permit -- both budgets permit four-percent growth across all operational lines. I'd appreciate adoption of the amendment.

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. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is Senate Bill 617. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd appreciate a favorable roll call. This is the budget of the Civil Service Commission and the State Universities Civil Service

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Commission.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Will -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Trotter.

SENATOR TROTTER:

Senator Rauschenberger, the amendment that we -- the amended bill, does it -- excuse me -- does it include the same language from bill -- Senate Bill 592 this afternoon that -- that died on 3rd?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, Senator Trotter, it does. It adds that language to the original Bill 617.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Have you done anything different to make it better? Okay.
Mr....

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No. No, we haven't made any changes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. For those reasons, I still am in opposition to the bill, that it has -- not meet the Governor's threshold, and I would ask Members on this side to -- to vote

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Present.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 617 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, no Nays, 25 voting Present. And Senate Bill 617, having received the required constitutional majority, is declared passed. In the middle of page 12 is Senate Bill 773. Senator Dillard seeks leave of the Body to return Senate Bill 773 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 773. Mr. Secretary.

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill just removes Chicago from the provisions of the bill. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor -- Senator Jacobs. Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is Senate Bill 773. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 773.

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(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 was written and introduced at the request of the Illinois State Crime Commission after it had a task force that worked for eighteen months and reviewed the laws of all fifty states with respect to setting standards for law enforcement personnel to adhere when using and operating underage drinking sting operations. In addition to the support from law enforcement, it has the various associations in the licensed beverage industry in support. The Licensed Beverage Association, the Retail Merchants Association, the Association -- the Associated Beer Distributors of Illinois, the Illinois Restaurant Association, and the Illinois Petroleum Marketers, in favor of this thing. And currently there are no standards which law enforcement personnel follow when conducting underage or minor sting operations. This has caused confusion. Court cases have been lost, and a general skepticism about the impact of such operations on illegal purchases of alcoholic beverages by minors have been called into question. I'd be happy to answer any questions people have at this late hour about this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Thank you very much. First, an inquiry of the Chair.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield.

SENATOR TROTTER:

Yes. No, inquiry of the Chair.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon. We're just...

SENATOR TROTTER:

Yes. How many votes does it take for passage for this legislation? Whichever one wants to answer.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter, it takes thirty-six votes.

SENATOR TROTTER:

Thirty-six votes. Thank you very much. This bill does preempt home rule. Senator -- would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator.

SENATOR TROTTER:

Senator Dillard, is the City of Chicago opposed to this legislation?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

This legislation does not affect the City of Chicago. Amendment No. 2 just took the City of Chicago out of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Okay. But do you know if the City is still opposed to the bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

I would...(microphone cutoff)...think the City of Chicago's opposed to a bill that doesn't even apply to 'em. Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

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SENATOR TROTTER:

Have there been instances that actually has brought you to this level? Or why are we now making this law? Seemingly like it's just an industry bill. What -- what has actually happened to make you...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

I don't think the Illinois State Crime Commission and its task force that worked for eighteen months is an industry of any kind, other than a law enforcement industry. So it's not an industry bill. It comes from the Illinois State Crime Commission.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Okay. Just to the bill, because the lateness of the hour. I -- in my other life, I actually run the sting operations for the County of Cook dealing with the tobacco industry, and this seemingly is something also that they would -- would be interested in. We use -- children, who are fifteen years old, with ponytails, who go in and purchase cigarettes, and it's certainly against the law, under the laws of -- of County of Cook. This bill seemingly will preempt -- or any individual from actually having young kids, fifteen and sixteen years old, to do this to catch these individuals who are -- are selling alcohol, in this case, to under -- underage children. And this protects the industry when, again, we are now -- should be protecting the child. And for that reason, I'm opposed to it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President. I know that this amendment does

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alleviate some of the problems that Chicago had with the bill, but according to my records, the Illinois Municipal League is still against it. They do believe that the -- because of the preemption, they feel that they can still take care of this better.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

There's a provision in the bill dealing with sting operations as it relate to young people. You have it where that you can only -- it -- did you put an amendment on the bill where that you could only use eighteen- to twenty-year-old people for sting -- for a sting operation?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Yes. That's the bill. The people that go in under cover have to be between eighteen and twenty years of age.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Shaw. Just put your light on.

SENATOR SHAW:

That's -- that's my problem -- one of the problems that I have with the bill, and I think you all -- those of you who live in cities or towns around Illinois, you should have some problems with that, too, because what happens here, if a sixteen-year-old go into a -- a liquor establishment, buy some liquor and he go back home, tell his parents that he bought the liquor at that store, my police chief call up the parents and say, "Miss Jones,

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now that your son or daughter who's sixteen years old bought the liquor in the store, can I -- would you give me your permission to use your daughter or son for the sting operation?" This bill prohibits that. It is a bad concept, and what this bill will do, the local community that -- and the local liquor commissioner in every community in Illinois will have no power to regulate alcohol establishments in his or her town. I think this is a bad concept. I think that we should think about this, and I would ask Senator Dillard to take it out of the record. Let's work on this awhile and come back next year and maybe we can come back with a better bill. But -- can we get a little order? We could come back with a better bill, but this bill -- I don't know what -- what you're trying to do here, but certainly sting operations -- we don't want to use the local-option method in terms of voting everything dry and putting everybody out of business, but you might as well not have a local -- you might as well not have a local liquor commissioner if you're going to pass this legislation, because it strips that local liquor commissioner, along with the police chief and the police department.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion?

SENATOR SHAW:

I ask a No vote. I ask a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR DILLARD:

Just -- this bill comes from the Illinois State Crime Commission, and, you know, it's after a long culmination process of a blue-ribbon committee that put these recommendations together and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

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The question is, shall Senate Bill 773 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- or, there are 35 Ayes, 12 Nays, 9 voting Present. Senate Bill 773, not having received the required three-fifths majority, is declared failed. We are going to proceed to -- at the request of some of our Members to go to the Order of 2nd Reading. If you wish your bill to be heard, please light your speaker button, if you would, please. Senator Dudycz, on Senate Bill 550. Read the bill, Mr. Secretary. Out of the record. Senator Dudycz, on Senate Bill 235. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 235.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Cronin, on Senate Bill 812. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 812.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

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Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

This amendment fixes two typographical errors and removes the section of the original bill that deals with the completion clause. The amendment removes the mandatory arbitration language in the original bill and makes the changes requested by the committee. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Myers, on Senate Bill 916. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 916.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there further Floor amendments approved for...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. ...could have the Membership's attention, we are now going to proceed to Senate Calendar Supplemental No. 1. It's been distributed earlier this evening. Read the motion, Mr. Secretary.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 20 passed.

The motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. Senate Bill 20, I think, is a very important piece of legislation and it got caught up in the middle of some things earlier this afternoon that I -- I don't think were appropriate. I think that this is the kind of bill that we ought to reconsider the vote on and it either ought to receive bipartisan support or maybe we're just not ready to make that ninety-three-million-dollar commitment. So I'd appreciate the support of the Chamber to return this to the Calendar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, having voted on the prevailing side, Senator Rauschenberger moves to reconsider the vote by which Senate Bill 20 passed. Senator Trotter.

SENATOR TROTTER:

Yes. I just wanted to ask him why. What were -- what were his reasons that he feel that this had to be reconsidered?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President. In responding, you know, a ninety-three-million-dollar commitment where we had an

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Appropriation Committee meeting and a lot of discussion, I think either this is something that we support with bipartisanship and it has the support of this Chamber, or I don't want to be over there trying to make arguments with the Executive Branch or the House on how important this bill is, with -- with a partisan roll call. So I think we ought to reconsider this roll call and either have bipartisan support or -- or we need to move on in the process.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Yes. What -- what -- can we just take it out of the record and then discuss it -- and then discuss it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? All those in favor will say Aye. Opposed, Nay. All right. A roll call has been requested. All those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 22 Nays, 3 voting Present. And the motion carries. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

I move we adjourn.

PRESIDING OFFICER: (SENATOR DONAHUE)

...Senate Bills on the Order of 3rd Reading, Senator Jacobs. On the Order of 3rd Reading is Senate Bill 20. I know. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 20.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd like to take this out of the record for this evening. It's probably not the night to -- to make this debate. But I -- I do think when we come back to Senate Bill 20, it really shouldn't be caught up. I mean, you want to argue about how we do the Governor's budget, but either we do support a medical school in Chicago or we don't. But I realize the hour is late. It's probably not the night to put people on the line.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Just want to thank the Chairman for his consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

You're welcome. Senator Philip, for what purpose do you seek recognition?

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Let me suggest, we're coming in tomorrow at 8:30. We will just do a few 3rd Readings. Hopefully we'll be out by 10 o'clock at the latest. So get a good night's sleep and please be on time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Rest of the business that we will be taking up is simply perfunctory and moving paper, so come back by 8:30 in the morning. Resolutions.

SECRETARY HARRY:

Senate Resolution 73, offered by Senator Rea and all Members.

Senate Resolution 74, offered by Senator Demuzio.

They're both death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar.

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SECRETARY HARRY:

Senate Resolution 75, offered by Senator Hendon.

And Senate Joint Resolution 30, offered by Senator Fawell.

They're both substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 424, offered by Senator Parker.

(Secretary reads title of bill)

House Bill 472, Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 502, by Senator Sieben.

(Secretary reads title of bill)

House Bill 729, Senator Clayborne.

(Secretary reads title of bill)

House Bill 1111, by Senator Parker.

(Secretary reads title of bill)

House Bill 1151, by Senator Sieben and Senator Wendell Jones.

(Secretary reads title of bill)

Senator Sieben offers House Bill 1308.

(Secretary reads title of bill)

Senator Cullerton offers House Bill 1331.

(Secretary reads title of bill)

House Bill 1697, Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 1738, Senator Radogno.

(Secretary reads title of bill)

House Bill 1743, by Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 1782, by Senator Cullerton.

(Secretary reads title of bill)

House Bill 1813, Senator Radogno.

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(Secretary reads title of bill)

House Bill 1852, Senator Sieben.

(Secretary reads title of bill)

House Bill 1858, by Senator Bomke.

(Secretary reads title of bill)

Senator Bomke offers House Bill 1860.

(Secretary reads title of bill)

House Bill 1874, Senator Bomke.

(Secretary reads title of bill)

House Bill 1909, presented by Senator Weaver.

(Secretary reads title of bill)

House Bill 1967, by Senators -- Bowles and Larry Walsh.

(Secretary reads title of bill)

Senator Noland offers House Bill 1972.

(Secretary reads title of bill)

Senator Cronin offers House Bill 2045.

(Secretary reads title of bill)

House Bill 2210, Senator Radogno.

(Secretary reads title of bill)

House Bill 2323, Senator Radogno.

(Secretary reads title of bill)

House Bill 2346, Senator Myers.

(Secretary reads title of bill)

House Bill 2360, Senator Wendell Jones.

(Secretary reads title of bill)

House Bill 2492, Senator Dillard.

(Secretary reads title of bill)

House Bill 2590, by Senator Link.

(Secretary reads title of bill)

House Bill 2362 {sic} (2632), Senator Peterson.

(Secretary reads title of bill)

House Bill 2730, by Senator Watson.

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(Secretary reads title of bill)

House Bill 2732, Senator Watson.

(Secretary reads title of bill)

House Bill 2735, Senator Watson.

(Secretary reads title of bill)

House Bill 2753, by Senator Wendell Jones.

(Secretary reads title of bill)

House Bill 2771, by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 2783, Senator Tom Walsh.

(Secretary reads title of bill)

House Bill 2824, by Senator Radogno.

(Secretary reads title of bill)

Senator Sieben offers House Bill 2826.

(Secretary reads title of bill)

House Bill 2842, Senator Dillard.

(Secretary reads title of bill)

House Bill 2843, by Senator Dillard.

(Secretary reads title of bill)

House Bill 2844, Senator Dillard.

(Secretary reads title of bill)

House Bill 2845, Senator Dillard.

(Secretary reads title of bill)

House Bill 2846, Senator Dillard.

(Secretary reads title of bill)

House Bill 2847, by Senator Dillard.

(Secretary reads title of bill)

And -- House Bill 2848, by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

If there's no further business to come before the Senate,

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Senator Weaver moves that the Senate stand adjourned until the hour of 8:30 a.m., Friday, March 26th. Senate stands adjourned.

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