

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

41st Legislative Day

May 7, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend Bill Burton, Asbury and Jerome United Methodist Church, Springfield, Illinois. Reverend Burton.

THE REVEREND WILLIAM BURTON:

(Prayer by the Reverend William Burton)

PRESIDENT PHILIP:

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

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 4th; Wednesday, May 5th; and Thursday, May 6th, in the year 1999, be postponed, pending arrival of the printed Journals.

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 House Bills 485, 520 and 1723 Do Pass; and House Bills 137, 658, 1234, 1700, 1959 and 2255 Do Pass, as Amended.

And Senator Rauschenberger, Chair of the Committee on Appropriations, reports House Bills 5, 52, 1532, 1534 and 2527 Do Pass, as Amended.

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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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 168, with House Amendment 1.

We have like Messages on Senate Bill 242, with House Amendment 1; 487, with Amendment 1; 667, with Amendments 1 and 2; 741, with Amendment 1; 989, with Amendment 1; 1024, with Amendment 2; 1025, with Amendments 1 and 2; 1054, with Amendments 1 and 2; and 1055, 1117 and 1158, all with Amendment 1.

All passed the House, as amended, May 6th, 1999.

PRESIDENT PHILIP:

House Bills 2nd Reading, top of page 18. And I hope the Members in their office would please up -- come up to the Floor of the Senate. House Bills 2nd Reading. House Bill 63. Senator Watson. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 63.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 90. Senator Clayborne. Take it out of the record, Mr. Secretary. House Bill 92. Senator -- excuse me. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 92.

(Secretary reads title of bill)

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

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Are there any other Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senator Parker, for what...

SENATOR PARKER:

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

PRESIDENT PHILIP:

State your point.

SENATOR PARKER:

I would like to introduce to everybody Matt Cohen from my district, who is an Honorary Page for the day. Please welcome him.

PRESIDENT PHILIP:

Please rise and be recognized by the Senate. House Bill 105. Senator Clayborne. Take it out of the record. House Bill 134. Senator Lauzen. House Bill 134. Senator Lauzen. Take it out of the record. House Bill 154. Senator Lauzen. Take it out of the record. House Bill 161. Senator Madigan. Senator Madigan. Take it out of the record. House Bill 230. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 230.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 236. Senator Shaw. House Bill 236. Senator Shaw. Take it out of the record. House Bill 305. Senator Radogno. Take it out of the record. House Bill -- take it out of the record. House Bill 371. Senator O'Malley. House

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Bill 371. Senator O'Malley. Take it out of the record. House
Bill 402. Senator Peterson. House Bill... Read the bill, Mr.
Secretary.

SECRETARY HARRY:

House Bill 402.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 429. Senator Walsh. Senator Tom
Walsh. Take it out of the record. House Bill 452. Senator
Mahar. House Bill 452. Senator Mahar. Take it out of the
record. House Bill 462. Senator O'Malley. Take it out of the
record. Senate {sic} Bill 470. Senator Petka. House Bill 470.
Senator Petka. Take it out of the record. House Bill 472.
Senator Walsh. Take it out of the record. House Bill 487.
Senator Dillard. Senator Dillard. Take it out of the record.
House Bill 521. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 521.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

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No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 523. Senator Bowles. House Bill 523. Senator Bowles. Take it out of the record. House Bill 526. Senator Dudycz. Take it out of the record. House Bill 534. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 534.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 542. Senator Radogno. Senate Bill... Take it out of the record. Top of page 20. House Bill 578. Senator Rauschenberger. House Bill 578. Senator Rauschenberger. Take it out of the record. House Bill 538 {sic}. Senator Petka. House Bill 583. Senator Petka. Take it out of the record. House Bill -- House Bill 668. Senator Silverstein. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 668.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 702. Senator Clayborne. House Bill 702. Senator Clayborne. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 702.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been

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approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 777. Senator Watson. Read the bill, Mr. Secretary. I'm sorry. I skipped one. House Bill 737. Senator Jones. I know. Senate -- Senate Bill 737. Senator Emil Jones. Take it out of the record. House Bill 777. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 777.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 839. Senator Klemm. House Bill 839. Senator Klemm. Take it out of the record. House Bill 842. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 842.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

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No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 878. Senator Watson. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 878.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 928. Senator O'Malley. Take it out
of the record, Mr. Secretary. House Bill 934. Senator Radogno.
Take it out of the record. House Bill 943. Senator DeLeo.
Senator DeLeo. Take it out of the record, Mr. Secretary. House
Bill 1117. Senator Dillard. Senator Dillard. Take it out of the
record, Mr. Secretary. House Bill 1177. Senator Syverson.
...the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1177.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1232. Senator Obama. House Bill
1232. Senator Obama. Take it out of the record. House Bill
1268. Senator Peterson. House Bill 1268. Senator Peterson.
Take it out of the record. House Bill... House Bill 1278.
Senator Bowles. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 1278.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1279. Senator Noland. House Bill 1279. Senator Noland. Take it out of the record. House Bill 1281. Senator Sullivan. Take it out of the record. House Bill 1282. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1282.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 1285. Senator Petka. House Bill 1285. Senator Petka. Take it out of the record. House Bill 1286. Senator Petka. Take it out of the record. House Bill 1334. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1334.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1348. Senator Madigan. Take it out of the record. House Bill 1370. Senator Bowles. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 1370.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1383. Senator Maitland. Take it out of the record. House Bill 1392. Senator Bowles. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1392.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1409. Senator Rauschenberger. Take it out of the record. Top of page 22. House Bill 1443. Senator Mahar. Senator Mahar. Take it out of the record. House Bill 1622. Senator Parker. Senator Parker. Take it out of the record, Mr. Secretary. House Bill 1688. Senator Peterson. Take it out of the record. House Bill 1695. Senator Peterson. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1695.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1713. Senator Radogno. Take it out of the record. House Bill 1720. Senator Syverson. Senator Syverson. Take it out of the record. House Bill 1740. Senator Walsh. House Bill 1740. Senator Walsh. Take it out of the record. Oh. I'm sorry. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1740.

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(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1743. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1743.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1769. Senator Silverstein. Senator Silverstein. Take it out of the record. House Bill 1773. Senator Syverson. Senator Syverson. Take it out of the record. House Bill 1774. Senator Karpel. Senator Karpel. Take it out of the record. House Bill 1778. Senator Jones. Senator Emil Jones. Take it out of the record. House Bill 1780. Senator Burzynski. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1780.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 1805. Senator Sieben. Take it out of the record. House Bill 1812. Senator Lauzen. Senator Lauzen. Take it out of the record. Top of page 23. House Bill 1813. Senator Radogno. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 1813.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1825. Senator Sieben. Take it out of the record. House Bill 1837. Senator Walsh. Senator Tom Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1837.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1845. Senator Jones. Senator Wendell Jones. Senator Jones. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1845.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 1869. Senator Shadid. Take it out of the record. House Bill 1896. Senator Klemm. Senator Klemm. Take it out of the record. House Bill 1897. Senator Donahue. Senator Donahue. Take -- take it out of the record, Mr. Secretary. House Bill 1905. Senator Clayborne. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 1905.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1966. Senator Petka. 1966. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1966.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 1968. Senator Luechtefeld. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1968.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senator -- House Bill 1987. Senator Clayborne. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1987.

(Secretary reads title of bill)

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

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PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 2005. Senator Trotter. Senator Trotter. Take it out of the record, Mr. Secretary. House Bill 2023. Senator Molaro. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2023.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 2031. Senator Radogno. Take it out of the record. Top of page 24. House Bill 2038. Senator O'Malley. House Bill 2038. Senator O'Malley. Take it out of the record. House Bill 2081. Senator Shadid. Take it out of the record. House Bill 2098. Senator Bowles. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill -- House Bill 2098.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 2103. Senator Dudycz. Take it out

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of the record. House Bill 2004 {sic} (2104). Senator Cullerton.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2104.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. House Bill 2147. Senator Clayborne. Take it out of the record. House Bill 2148. Senator Clayborne. Take it out of the record. House Bill 2163. Senator Dudycz. Senator Dudycz. Take it out of the record. House Bill 2219. Senator Geo-Karis. Take it out of the record. House Bill 2263. Senator -- take it out of the record. House Bill -- take it out of the record. House -- House Bill 2271. Senator Madigan. Senator Madigan. Take it out of the record. House Bill 2330. Senator Klemm. Take it out of the record. House Bill 2492. Senator Dillard. Senator Dillard. Take it out of the record. House Bill 2574. Senator Syverson. Senator Syverson. Take it out of the record. Top of page 25. Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR FAWELL:

We have a former colleague on the Floor. In fact, he's -- he's standing just about where he sat for many a year, and that's our former Senator Forest Etheredge, who is now working in my district. And I think we should all welcome him.

PRESIDENT PHILIP:

Forest, nice to have you back. House Bill 2610. Senator Maitland. Senator Maitland. Take it out of the record. House

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Bill 2616. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2616.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 2617. Senator Klemm. Take it out of the record. House Bill 2644. Senator Burzynski. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2644.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 2645. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2645.

(Secretary reads title of bill)

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

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adopted one amendment.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House Bill 2648. Senator Dillard. Senator Dillard. Take it out of the record. House Bill 2713. Senator Madigan. Senator Madigan. Take it out of the record. Senate {sic} Bill 2770. Senator Emil Jones. Senator Jones. Take it out of the record. House Bill 2790. Senator Donahue. Take it out of the record. House Bill 2845. Senator Dillard. Senator Dillard. Take it out of the record. Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

Thank you -- thank you very much, Mr. President, Members of the Senate. Senator Fawell has already introduced my former seatmate and former colleague on the Appropriations Committee, Senator Etheredge, but I'd also like to introduce, in the gallery behind the Democratic side of the Chamber, five Dunham Scholars from Aurora University. And they're -- they're accompanied by one of the faculty members, Doctor Sheldon Stahl. If they would kindly rise and be recognized by the Senate.

PRESIDENT PHILIP:

If you'll please rise and be recognized by the Senate. Senator Dudycz, for what purpose do you rise?

SENATOR DUDY CZ:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR DUDY CZ:

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Thank you, Mr. President. Ladies and Gentlemen, in...

PRESIDENT PHILIP:

Can we have some peace and quiet, please?

SENATOR DUDYCZ:

In every person's life, there are events that are so momentous that you remember where you were when this event happened. Most of us remember where we were when President Kennedy was killed. We remember where we were when the first man landed on the moon -- stepped on the moon. These are events that we really, really remember, and it stays in our minds. Well, fifteen -- or, actually, fourteen years ago, I remember there was a very momentous event that happened in this Chamber. One of our colleagues, and Senator Etheredge will recall - he was here at the time - and one of our colleagues celebrated a very, very important milestone in his life. Way back in -- 1985, this gentleman celebrated his fiftieth birthday, so he claims. I think he was much older then, and -- sure is quiet here, listening to... Well, Ladies and Gentlemen, rather than -- rather than -- rather than disclose the -- the individual who is celebrating this very monumental day in his life, I'd like to defer to his roommate, Senator George Shadid, who would like to continue with this very important presentation.

PRESIDENT PHILIP:

Senator Shadid.

SENATOR SHADID:

Thank you very much, Senator Dudycz and Mr. President. You know, I think you embarrassed Vince Demuzio when you said he was my roommate. He's my idol, and I really do love him. I mean, what's wrong with love? I mean... It's better than hate. I love him. There's a fine line. But I am very pleased. The -- the old guy, he claims he's only fifty-eight, but he can collect Social Security any day. So, Vince Demuzio, happy birthday, and there's

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cake there. And sit in your wheelchair and take it easy. Thank you.

PRESIDENT PHILIP:

May I have your attention. With leave of the Body, we've had a request to go back to a couple of 2nd Readings. So, my intention is to do that. Is leave granted? Leave is granted. On page 19, House Bill 523. Senator Bowles. Senator Bowles. Senator Bowles. I'm not going to do it for the third time. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 523.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. On -- on page 20, House Bill 928. Senator O'Malley. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 928.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

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PRESIDENT PHILIP:

3rd Reading. On page 20, House Bill 943. Senator DeLeo.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 943.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

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

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. On page 21, House Bill 1232. Senator Obama.
Senator Obama. Read the -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1232.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading. On page 22, House Bill 1688. Senator Peterson.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1688.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

Have there been any Floor amendments approved for
consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. On page 23, House Bill 1896. Senator Klemm. Senator Klemm. On page 23, House Bill 1896. Senator Klemm. Take it out of the record. All right. Can we go back to it? I'm sorry, Mr. Secretary. Go back to page 23, House Bill 1896. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1896.

(Secretary reads title of bill)

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

PRESIDENT PHILIP:

3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PETKA:

Thank you. Mr. President, I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of April 29th, 1999; April 14th, 1999; February 23rd, 1999; and February 2nd, 1999.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of April 29, 1999, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President. With respect to the Message of April 29th, 1999, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

For the Department of Employment Security Board of Review, all of these are to be members for terms ending January 15th, 2001: Michael Breslan of Chicago, Stanley Drassler of Kankakee, Rolland Lewis of Mt. Vernon, William J. Nolan of Chicago, Jon Walker of Moro.

To be members of the Industrial Commission for terms ending January 20th, 2003: Richard Gilgis of Downers Grove, John Hallock of Rockford, Jacqueline Kinnaman of Chicago, Diane Smart of Western Springs.

And to be a member of the Industrial Commission for a term ending January 15th, 2001: Barbara Sherman of Chicago.

To be members of the Prisoner Review Board for terms ending January 16, 2005: Anthony Agee of Evanston, Bob Dunne of Chicago, Milton Maxwell of Carbondale.

And to be members of the State Board of Elections for terms ending June 30th, 2003: Kenny Boyle of Chatham, Kay Holloway of Paris, William McGuffage of Chicago.

Mr. President, having read the salaried appointments from the Governor's Message of April 29th, 1999, I now seek leave to consider these appointments of April 29th, 1999, on a roll call. And will you please put that question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Take the record. On that question, the Ayes are 58, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of April 29th, 1999, I will read the non-salaried appointments of which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

The Bi-State Development Board for a term ending January 21st, 2002: David Tanzyus of Collinsville.

A member of the Bi-State Development Board for a term ending January 19, 2004: Ronald Jedda of Collinsville.

To be members of the Board of Higher Education for terms ending January 31st, 2005: Samuel Gove of Urbana, and Cordelia Meyer of Chicago.

To be a member of the Board of Higher Education for a term ending July 1st, 2000: Philip Rock of Oak Park.

To -- to be members of the Board of Natural Resources and Conservation for terms ending January 15, 2001: John Ebinger of -- of Charleston, and James Kahn of Galena.

To be a member of the Central Midwest Interstate Low-Level Radioactive Waste Commission for a term ending January 15, 2001: Michael Rapps of Springfield.

To be a member of the Guardianship and Advocacy Commission for a term ending June 30th, 2001: Christopher DeAngelis of Palos Park.

To be a member of the Illinois Community College Board for a term ending June 30th, 2001: James Berkel of Peoria.

To be a member of the Illinois Gaming Board for a term ending July 1st, 1999: Stuart Levine of Highland Park.

To be a member of the Illinois Gaming Board for a term ending

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July 1st, 2002: Stuart Levine of Highland Park.

To be a member of the Illinois Sports Facility {sic} (Facilities) Authority for a term ending June 30th, 2001: John McCarthy of Chicago.

To be members of the State Board of Education for terms ending January 12th, 2005: Ron Gidwitz of Chicago, David Gomez of Burr Ridge, Dr. Janet Steiner of Carlinville.

Mr. President, having read these non-salaried appointments from the Governor's Message of April 29th, 1999, I now seek leave to consider the appointments of April 29, 1999, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of April 14, 1999, reported the same back with the recommendation the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of April 14th, 1999, I will read the salaried appointment of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

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To be Assistant Director of the Department of Financial Institutions for a term ending January 15, 2001: Mary Ann Braski of Glen Ellyn.

Mr. President, having read the salaried appointment from the Governor's Message of April 14th, 1999, I now seek leave to consider this appointment of April 14th, 1999, on a roll call. And will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are -- 58 Ayes, no Nays, 1 voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of February 23rd, 1999, I will read the salaried appointment of which the Senate Committee on Executive Appointment(s) recommends that the Senate do advise and consent:

To be a -- the chairman of the Illinois Human Rights Commission for a term ending January 20th, 2003: Rose Jennings of

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Chicago.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion?

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the -- the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of February 2nd, 1999, I will read the salaried appointment of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent - I might add, by a vote of 8 to 1:

To be Director of the Department of Public Health for a term ending January 15th, 2001: Dr. John Lumpkin of Chicago.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, it's not often that we in the Senate take time here in this Body to discuss a nominee that's before us, and, picking up on Senator Dudycz's remarks earlier, I can remember the few times that we have. The nominee before us is for a very important position, as all positions that are recommended to the Senate for confirmation. This particular nominee has been the subject of a wide public policy debate around the State. But the public policy discussion, frankly, Ladies and Gentlemen, will be resolved regardless of whether or not we make our determination here today, because I believe strongly that the citizens of Illinois enjoy the fruits of our democracy and will eventually be heard. Now, there's a book that was written back in the 1830s. It's entitled Democracy in America. That book, was written by Tocqueville, contains a number of important observations, and even predictions, based on this Frenchman's review of what was going on in America with its great experiment in democracy. I would recommend to any of you, and I think many of you are familiar with that book, that if you get an opportunity, just read the last two pages over again, because, for me, it is really telling that this man, in the 1830s, made the observations and predictions that are contained in those pages. Let me summarize those two pages. He said, in the 1830s, there are two great nations who are about to come on the face of the world. One loves freedom; the other is ruled by despotism. The reason he drew the comparison was because the populations were similar, the land mass was similar, the natural resource capability was similar, and, of course, the two nations that he was talking about were our own United States of America and Russia. And he predicted, in the 1830s, that love of freedom, the great experiment in democracy in America, would eventually make

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America prevail and that Russia, because of its top-down administration, its tradition of rather than allowing the fruits of our labor to filter up to our government, are imposed on us, often by a harsh despot. We are a nation, therefore, that was predicted in the 1830s would find ourselves in the position we're in today, and we are in that position precisely because we love individual freedom and we respect the role that personal responsibility plays in that process. As I said earlier, the public policy discussion that is going on around the State of Illinois concerning this particular individual and his administration of the department in question will eventually be resolved regardless of what happens today. But I could not stand here and, in good conscience, not bring to your attention that I think it is absolutely essential that every person who we have the opportunity to consider - the important role that we play here in the Senate that is not a responsibility of the House; it is solely our responsibility - those persons should love democracy as much as each and every one of us does, and you don't love democracy unless you understand that you love freedom and abhor despots. One man does not know what's best in a democracy. It's the considered good judgment of the many that makes us as great and as good as we are. I appreciate your time this morning.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...discussion? Senator Emil Jones.

SENATOR E. JONES:

Thank -- thank you, Mr. President. I -- I rise in support of the nominee, Dr. Lumpkin, who -- whom I've known for a number of years, a man of integrity, one who resides in my district, one who has served with distinction -- one who has served with distinction in the previous administration, as well as being reappointed to -- to the position that he currently is seeking confirmation. We recognize that those who serve in that capacity, be they Democrat,

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Republican, or whatever, and policy decisions that have to be made, they do what is in best -- of all Illinoisans. I don't think that issues -- and I respect my colleague for his position, but to try to categorize a person in such a manner that says he's unfit for this position, I don't think that should happen on the Senate Floor. Dr. Lumpkin has served, as I previous stated, with distinction. That's why the Governor reappointed him to that position. Public health is a very important issue not only in this State, but across this nation, and those who are in those positions must make decisions based on the total population of all the people that the Department of Public Health has to look out for. And it's for that reason and for that reason that the Governor reappointed him. Sometimes in those capacities you must make difficult decisions. He's made a decision based on the welfare of all children throughout the State of Illinois, and I urge my colleagues in this Senate to give him that affirmative vote, to which he deserves.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've had, oh, about five or six occasions to be in communication with Dr. Lumpkin. I've always found him to be very courteous and very responsive to the needs of my area, and, although we haven't always agreed on some issues, I have found him to be very honorable, very dedicated and, as I said, conscientious and talented. And I certainly appreciate him being reappointed, and I think he will do a good job. As to the matter of policy, this Legislature can set policy and certainly things can be resolved in an amicable manner, as we're trying to do so today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, Senator Petka.

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SENATOR PETKA:

Thank you very much. Mr. President, having read the salaried appointment from the Governor's Message of February 2nd, I now seek leave to consider the appointment of February 2nd on a roll call. Will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, does the Senate advise and consent to the nominations just made. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, 1 voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Thomas Walsh, what purpose do you rise?

SENATOR T. WALSH:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR T. WALSH:

This morning I -- we have a special guest with us. We've got the Chairperson of the Interagency Council on Early Intervention, who also runs PARC Home for Children with Disabilities in -- in our area and also a very good friend of mine, Anne Shannon. And I'd like the Senate to welcome her.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest in the gallery please rise, be recognized? Welcome to Springfield. Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

You've heard the motion. All those in favor, say Aye.

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Opposed, Nay. The motion carries. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Executive - Senate Resolutions 91, 107, 108, 114, 115, 116, 117; Senate Joint Resolutions 32, 35 and 37; re-referred from the Executive Committee to the Rules Committee - Senate Resolution 116; and Be Approved for Consideration - Senate Resolution 116.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...your Calendars to the top of page 5, in the Order of House Bills 3rd -- 3rd Reading. House Bill 17. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 17.

(Secretary reads title of bill)

2nd Reading of -- pardon me, 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley. Out of the record. House Bill 31. Senator O'Malley. House Bill 41. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 41.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill comes to us from Dick Devine, Cook County State's Attorney's Office, and -- and State's Attorneys' Association, and it regards an exception to the hearsay rule in our evidence and it would allow hearsay statements in this

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limited exception: where under oath, either at a -- before a grand jury, at a preliminary hearing, a deposition or other place, a witness has given a prior sworn statement and subsequent to trial has died. If, in that circumstance, there are -- under the guidelines of Illinois -- not Illinois Supreme Court, U.S. Supreme Court, in Ohio v. Roberts, there are independent means of giving the -- the statement authority, then that statement can be admitted into evidence. This arises out of situations, and -- and tragic situations in some of our counties, where certain defendants have taken it upon themselves to get rid of witnesses and, therefore, get rid of their testimony. And in those limited situations where -- where there's been a prior statement under oath, this could, then, come in, if the trial court deemed it to be appropriate, into the criminal case. Would be happy to try and answer questions, otherwise ask for your favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I just thought I would point out that there was some opposition to the bill, and to -- to state that opposition, the best way would be, perhaps, give an example. If someone testifies in the grand jury, they are under oath, but there's no cross-examination of that person. If they subsequently die, this bill would allow for their testimony in the grand jury to be introduced in a subsequent trial. Now, there are -- there is some language in the bill that attempts to say that the judge should judge the trustworthiness of that testimony, but the fact remains that it was not necessarily -- that prior testimony was not necessarily given under the same circumstances that it would be at the trial. That's the reason why there was some opposition from the Illinois State Bar Association, and just thought I'd state that for the record so

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that you had both sides, so you can make your decision on how to vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR HAWKINSON:

Senator Cullerton is correct. The Bar Association has some opposition and concerns about the confrontation clause, but, again, statements such as those enumerated would not necessarily come in. The judge would have to examine them for evidence that it's trustworthy and reliable despite the fact that there may not have been cross-examination, such as would exist at a criminal trial. So not all of them would come in, but in those situations where the judge examined the sworn statement and found either because there was cross-examination or otherwise that there was evidence that it was reliable and trustworthy, the judge, in her or his discretion, could admit it and, of course, that decision would also be reviewable on appeal. I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 41 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 52 Ayes, 3 Nays, 3 voting Present. And House Bill 41, having received the required constitutional majority, is declared passed. House Bill 47. Senator Rauschenberger. House Bill 70. Senator Sullivan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 70.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, Ladies and Gentlemen of the Senate, House Bill 70 amends the Code of Corrections. As we all know, there have been some concerns raised about correctional inmates given access to personal identifying information while they're working on computers on -- on projects for Corrections. This bill provides that the Department of Corrections may not assign or permit any committed person to enter any personally identifiable information in a computer -- processible medium or any other medium. There's been a lot in the press on this in the past. I think it's a good bill. It passed out of Judiciary Committee unanimously. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 70 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 70, having received the required constitutional majority, is declared passed. House Bill 76. Senator Parker. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 76.

(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. Current law requires that when a law enforcement agency has recovered a firearm from a person under the age of twenty-one who

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is prohibited from possessing such a firearm, that agency must use the best available information to determine how and from where the person under twenty-one gained possession of the firearm. This bill broadens that statute to require law enforcement action when the firearm is recovered from any person not entitled to such possession. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 76 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 House Bill 76, having received the required constitutional majority, is declared passed. House Bill 80. Senator Maitland. House Bill 95. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 95.

(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. House Bill 95 extends the Illinois Department of Nuclear Safety's two-year reporting requirement regarding the impact and ramifications of a -- of a variety of factors and circumstances on the siting and design, licensure, construction, operation, and post-closure care of the regional low-level radioactive waste disposal facility from September 30th, '99, to December 1 of -- of 2000. This is, frankly, being extended because of the change in the governorship in South Carolina. There is uncertainty as to the length of time that Barnwell, South Carolina, low-level site will

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remain open to Illinois. So, this is just an extension to accommodate that concern. I know of no objection. I would appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 95 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 59 Ayes, no Nays, none voting Present. And House Bill 95, having received the required constitutional majority, is declared passed. House Bill 124. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 124.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 124 provides that the provisions concerning a student transferring from a -- from a public school from which that student has been expelled or suspended for certain offenses apply whether or not the school is located in this or any other state. An example of some of the items for suspension include: possessions of a weapon, drugs, the battering a staff member and -- and the like. I'd be happy to answer any questions there may be. There is a special -- special -- special provision in it that requires a parent or guardian to certify in writing that a transferring student is not serving a suspension or expulsion imposed by the school from which the student is transferring.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall House Bill 124 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 Nay, none voting Present. And House Bill 124, having received the required constitutional majority, is declared passed. House Bill 133. Senator Robert Madigan. House Bill 152. Senator Dillard. Senator Dillard. House Bill 153. Senator Weaver. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 153.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This bill merely requires that whenever a cemetery or a cemetery authority is taken over by a township cemetery district or a multi-township cemetery district, that the funds should be transferred for maintenance to the receiving cemetery district.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 153 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 House Bill 153, having received the required constitutional majority, is declared passed. House Bill 157. Senator Lightford. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 157.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Members of the Assembly. House Bill 157 prohibits an automatic telephone dialer or a solicitor from disabling a caller ID when the equipment has the capability of allowing the display of the solicitor's telephone number. If you have any questions, I'd be glad to answer, and I request a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 157 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 House Bill 157, having received the required constitutional majority, is declared passed. House Bill 227. Senator Silverstein. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This is an initiative put forth by Mayor Daley from Chicago. It creates a new offense of persons who possess or deliver to another two firearms within a specific time frame that she is not -- he or she is not entitled to -- to possession and knowing that the firearms would be sold and/or

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converted commits this offense. Given the tragic shootings in Littleton, Colorado, this underscores the needs for such responsible safety gun laws. Governor Ryan, Attorney General -- Ryan have also proposed legislation, and I would request favorably voting on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 227 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 59 Ayes, no Nays, none voting Present. And House Bill 227, having received the required constitutional majority, is declared passed. Top of page 6, in the Order of House Bills 3rd Reading, is House Bill 238. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 238.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. Current law provides that when a defendant receives money from another person in order to post bail in a criminal case, written notice must be given to that other person that the money can be used for fees, costs and any other use the court sees fit or can be forfeited altogether if the defendant fails to comply with conditions of the bail bond. House Bill 238 would require that this notice be, number one, distinguishable from the surrounding text, and, number two, be in bold type or underscored, and, number three, in a type size at least two points larger than the surrounding type. I -- I

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know of no objection. Would appreciate the support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 238 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 59 Ayes, no Nays, none voting Present. And House Bill 238, having received the required constitutional majority, is declared passed. House Bill 240. Senator Lauzen. House Bill 245. Senator Burzynski. House Bill 251. Senator Bomke. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Senate -- House Bill 251 provides that a person guilty of dumping garbage upon real property must pay a statutory minimum fine of five hundred dollars, unless the defendant is indigent, in which case the court must waive the fine. It does require the courts impose a hundred hours of community service upon a defendant who is indigent. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 251 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 59 Ayes, no Nays, none voting Present. And House Bill 251, having received the required constitutional

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majority, is declared passed. House Bill 252. Senator Thomas Walsh. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 252.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 252 amends the Criminal Code by upgrading the penalties for the offense of unlawful possession of nitrous oxide. It also changes the offense of unlawful sale or distribution of nitrous oxide to the unlawful manufacture, delivery or possession with intent to manufacturer or deliver nitrous oxide and upgrades the penalties from a Class B misdemeanor to a Class 3 felony. Be happy to answer any...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 252 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. House Bill 252, having received the required constitutional majority, is declared passed. House Bill 264. Senator Sullivan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

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Mr. President, Ladies and Gentlemen of the Senate, House Bill 264 amends the Plumbing License Law to provide that the Department of Public Health may order phone service disconnected if a plumber uses in their advertisements a false license number. I -- it passed unanimously in committee. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I -- I guess before we launch into a new area of enforcement or ways of enforcing the Department of Professional Regulation's regulations, does the sponsor know of any other professions that we enforce by permitting disconnection of telephone service?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Sullivan.

SENATOR SULLIVAN:

I'm -- I'm not aware of...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I just, you know, think that we ought to be careful here, because I can see next year's Calendar full of other groups wanting to enforce their licensure vision through disconnection of telecommunications. And -- and, you know, I don't know what -- do you -- does the sponsor know what kind of standards of -- of proof or caution the -- the Department of Public Health is held to before they can order the disconnection of somebody's telephone service?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

If the license number used in the advertisement is not a valid

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license number, if they make up a fake number or they use someone else's license number, then the phone company can turn it off after dealing with the Department.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I mean -- and I -- Senator Sullivan, I realize this is a House bill, so -- I'm just holding it to a different standard. I'm a big fan of the sponsors, but, for example, if -- if -- if I'm a -- if I'm an unlicensed plumber and I've listed myself as a plumber in the newspaper and someone complains and the Department of Public Health disconnects my telephone, will they know that I have a diabetic wife who, under State law, cannot be disconnected, if they disconnect it based on the -- the false advertising?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

I'm -- I'm a great fan of the Chairman's, also. No, I think that that will certainly come into play, and we can address that issue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, you know, Senator Sullivan, I'm just not sure how desperately we need this bill, and I -- I just wonder if it's -- if it's not something that we ought to maybe leave for fall, is all. You know, I know a lot of the ideas that emerge from the House are compelling, but this is one that makes me a little nervous. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SULLIVAN:

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Thank you for the questions. I think we're here to protect the consumers from plumbers who are unlicensed and are trying to portray themselves as licensed by the State. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 264 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 50 Ayes, 4 Nays, 4 voting Present. And House Bill 264, having received the required constitutional majority, is declared passed. House Bill 279. Senator -- Senator Thomas Walsh. House Bill 287. Senator Donahue. House Bill 303. Senator Rauschenberger. House Bill 321. Senator Radogno. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 321.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill essentially codifies an agreement that was made between the Metropolitan Water Reclamation District and local municipalities that the MWRD would not locate sludge ponds west of LaGrange Road. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 321 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 59 Ayes, no Nays, none voting

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Present. And House Bill 321, having received the required constitutional majority, is declared passed. House Bill 325. Senator Burzynski. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 325.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This bill creates the Public University Tuition Statement Act. Requires each public university to annually provide a statement showing the aggregate amount appropriated for operation of the university and the average tuition subsidy that each resident undergraduate received to offset the cost of tuition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 325 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And House Bill 325, having received the required constitutional majority, is declared passed. House Bill 329. Senator Cullerton. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 329.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Mr. President, Members of the Senate. This bill comes to us as -- and is supported by the Illinois Coalition Against Sexual Assault. The bill changes the Statute of Limitations for criminal sexual assault, aggravated criminal sexual assault and aggravated criminal sexual abuse and predatory criminal sexual assault of a child. The bill was actually amended in the Senate through some negotiations in the Judiciary Committee, and the way it is drafted right now and as it was -- came out of committee, if a victim reports the crime to a law enforcement official within two years of the offense, the Statute of Limitations for prosecuting these offenses is -- is extended to as late as ten years after the commission of the offense. If the victim was under eighteen years of age and the offender was a family member, then the -- it's extended to as late as ten years after the victim turns eighteen years of age. And if the victim was under eighteen years of age and the offender was not a family member, the Statute of Limitations is -- is extended to as late as ten years after the victim turns eighteen years of age. I would appreciate a favorable vote. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 329 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 59 Ayes, no Nays, none voting Present. And House Bill 329, having received the required constitutional majority, is declared passed. House Bill 335. Senator Watson. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 335.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This legislation amends the Illinois Liquor Control Act. And as you know, we have three tiers in Illinois. We have the manufacturer, distributor and retailer, and the -- the Act specifies that the retailer must purchase his product from a distributor, which, personally, I think is ludicrous, but that's current law and that's the way it is. The Act further says that if a -- if a retailer goes out and buys product from a non-distributor or goes to a WAL-MART or to a local store that sells product, he could have -- he or she could have their license revoked. First offense is a warning -- or, a suspension, excuse me, and revoked on the second offense. The problem is, the distributor doesn't go to -- to the retailer, and this would require, as it is with beer, that distributors must service the retailer. Basically all it is. It's agreed to in -- in the -- in the -- in the corporate world of the liquor industry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 335 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 House Bill 335, having received the required constitutional majority, is declared passed. House Bill 340. Senator Donahue. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 340.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Members of the Assembly. This bill increases from fifteen to sixteen the membership on the Illinois Criminal Justice Authority and that member will be the Executive Director of the Law Enforcement Training and Standards Board. And I would simply ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 340 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 59 Ayes, no Nays, none voting Present. And House Bill 340, having received the required constitutional majority, is declared passed. House Bill 343. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 343.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. This bill is identical to a bill that we have already passed out of the Senate. It amends the Criminal Code by creating the offense of aiming a laser pointer at a peace officer, which is a Class A misdemeanor. It amends the Code of Corrections to include committing an offense using a firearm with a laser sight attached as the basis for imposing an extended-term sentence. And I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lauzen.

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SENATOR LAUZEN:

Just a quick question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

What are the protections -- what happens if it's a -- a minor or a -- a little kid, believe it or not, who doesn't know any better? What would be the protection against that going onto a kid's record? You know, nine-, ten-year-old child who does something not realizing that this isn't a toy and that has some very serious consequences.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

It -- it has to be attached, in the commission of a crime, to a gun. So, yeah...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 343 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 343, having received the required constitutional majority, is declared passed. On the top of page 7, in the Order of House Bills 3rd Reading, is House Bill 373. Senator Rauschenberger. House Bill 376. Senator Myers. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 376.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Myers.

SENATOR MYERS:

Thank you, Mr. Chairman and -- Mr. President and Members of the Assembly. House Bill 376, as amended by Senate Amendment 1, amends the Criminal Code to make it a Class A misdemeanor to tamper with anhydrous ammonia equipment, containers, or storage facilities. I'd be happy to answer any questions. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 376 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 House Bill 376, having received the required constitutional majority, is declared passed. House Bill 377. Senator Peterson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 377 is an initiative of the Illinois State Bar Association. It amends the Illinois Marriage and Dissolution of Marriage Act and the Illinois Parentage Act of 1984. Replaces existing provisions regarding the appointment of an attorney to represent a child with a provision authorizing the court to appoint, in a case involving support, custody, visitation, education, parentage, property interest, or general welfare of a child, either, one, an attorney to represent

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the child; two, a guardian ad litem for the child; or three, a child's representative who will have the same power and authority to take part in the conduct of the litigation as does any attorney for a party and who will possess all the powers of investigation and recommendation as does a guardian ad litem. I ask for your support of House Bill 377.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 377 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 59 Ayes, none -- none Nays, none voting Present. And House Bill 377, having received the required constitutional majority, is declared passed. House Bill 379. Senator Mahar. House Bill 387. Senator O'Daniel. Senator O'Daniel. Where is... Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 387.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. House Bill 387 amends the Oil and Gas Lien Act of 1989 and defines "well" as a drill hole required to be permitted under certain provisions of the Illinois Oil and Gas Act and also allows a lien claimant to recover reasonable attorney fees. I don't know of any opposition. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 387 pass. All those in favor will vote Aye. Opposed will

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vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 387, having received the required constitutional majority, is declared passed. House Bill 404. Senator Parker. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 404.

(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 -- House Bill 404 is intended to clarify the provisions of the statutory short form power of attorney for health care regarding organ donation. It replaces a provision with a specific grant of authority to the agent to make an anatomical gift of any organ or specified organs. I would ask for a favorable vote and answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 404 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 59 Ayes, no Nays, none voting Present. And House Bill 404, having received the required constitutional majority, is declared passed. House Bill 408. Senator Geo-Karis. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 408.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill No. 408 amends the Criminal Code to provide that the offense of threatening a public official includes conveying the threat by radio or computer. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 408 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 59 Ayes, no Nays, none voting Present. And House Bill 408, having received the required constitutional majority, is declared passed. House Bill 420. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 420.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 420 amends the School Code. Beginning January 1, 1998, allowed a community unit district in three or more counties to withdraw from the special education cooperative. Upon trying to file that petition, they found that because the district is in three counties - it's the Barrington Unit District 220 - they had to get permission from the Cook County township trustees, and we have found that, in 1992, the General Assembly abolished the Cook County Regional Board of

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School Trustees; therefore, this would make it easier for the district to withdraw and provide the special ed within their own district. Everybody is supportive of it - the State Board, the special education district - and I ask for your support of House Bill 420.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 420 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 House Bill 420, having received the required constitutional majority, is declared passed. House Bill 421. Senator Hawkinson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 421.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill is supported by the Illinois State Bar Association, and it amends the Illinois Marriage and -- and Dissolution of Marriage Act. It attempts to address a -- a situation that arises as a result of an Illinois Supreme Court decision, in re Marriage of Mitchell, which held that child support orders are only authorized if they're in specific dollar amounts. The problem that arises in certain limited situations where a payor is changing jobs, perhaps works construction and has a -- a wildly fluctuating income, is that in some very specific instances, it's impossible to state the child support order in a specific dollar amount. Therefore, this bill

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allows, in those limited situations, that a percentage be allowed. Now, the public -- Department of Public Aid does have some concerns about this bill because of -- of administrative ability; however, the bill is specifically limited only to those situations where a court finds it impossible to set a specific dollar amount. Be happy to try and answer any questions, otherwise ask for your favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall House Bill 421 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 House Bill 421, having received the required constitutional majority, is declared passed. House Bill 424. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 424.

(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. House Bill 424 amends and reenacts the Gang Crime Witness Protection Act. It extends the repeal date to June 30th, 2004. It also modifies the provisions regarding financial assistance to allow a chief executive of a police agency, with the approval from the State's attorney or Attorney General, to apply for financial assistance from the Gang Crime Witness Protection Fund. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall House Bill 424 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 House Bill 424, having received the required constitutional majority, is declared passed. House Bill 427. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This is the assisted living bill. It is under the Department of {sic} (on) Aging. It is the social model. It requires mandatory services, including three meals a day, housekeeping services. It has a -- certain requirements that must be met in order to be allowed into an assisted living facility. There are fifteen specific things that must be reached, both physically and -- and mentally. This assessment must be based on a physician's appraisal. The -- the requirement, of at least once a year, of a inspection by the Department of Aging is -- is in this. And this bill, as presented, is supported by the Senior Council, the Department of Aging, the -- AARP, the Jewish Federation, the Catholic Conference, the Life Services Network and the Alzheimer's Network. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 427 pass. All those in favor will vote Aye. Opposed will

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vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. And House Bill 427, having received the required constitutional majority, is declared passed. House Bill 448. Senator Syverson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. House Bill 448 is a -- a bill that is trying to address the increased problems of battery against sports officials and -- and referees. And what this legislation does is increase the minimum fine of one thousand dollars when a victim of a battery is a sports official. Be happy to answer any questions, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Syverson, what -- what about in the case of professional wrestling, which is a sport in which they beat up on the referees all the time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

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When it's part of the -- and I don't want to burst your bubble, but when it's part of the act, that would not be included. I'm sorry, there is no Santa Claus either, Senator Hendon. I -- I apologize.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hendon.

SENATOR HENDON:

Well, I -- I'm going to let some of my professional wrestling friends know that you think it's just an act, and perhaps when they're here, they can lobby you personally and see if you can get out of a choke hold.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

I'd just like to ask the sponsor a question, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Is it -- is it more wrong to hit a sports official than it is someone else? I mean, is -- is the penalty greater?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Most people are already covered under the aggravated battery clause. What we're trying to get at, in this particular area, is because of the increased amount of public display of violence against coaches and officials, that we need to be able to send a clear signal that this kind of activity is not appropriate. But there are certainly other parts of the Code which addresses attacks that are not on sports officials.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Luechtefeld.

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SENATOR LUECHTEFELD:

I guess it -- I guess, Senator, it concerns me that, you know, if we're going to do this for -- for this particular profession, that other professions who feel that they may be put in jeopardy will also be here to -- for the same thing in the future. Like coaches, maybe. Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator -- Senator Luechtefeld, was that a question?

SENATOR LUECHTEFELD:

I guess it would be. Yes. Are we going to do this for other people down the road, Senator?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Actually, yes, we -- we are. That is becoming the trend. It's my understanding that there are seventeen different classifications right now. So we can certainly add coaches to that, as well.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

What -- what exactly -- and I'm -- yeah. I'm -- I'm -- I'm trying to understand. I'm even trying to read the bill here. Right now we have a battery statute. So if there is some soccer official that is punched or pushed on some playground or something and gets hurt, he can be charged with battery. That's a Class A

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misdemeanor, which could land him in jail for up to three hundred and sixty-five days. And fined a thousand dollars, I assume? Or both. Up to twenty-five hundred actually, I think, is the current law. So now I assume this bill does something because it's here. So what -- what exactly does this bill do, and what can we now -- what can law enforcement now do, or judges now do, with this bill that they couldn't do before this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you very much. If I can defer to Senator Petka. We worked on this legislation when we brought the initial issue here, and he helped us draft this response to the concerns. If I could defer to him.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Senator Molaro, in sharp contrast to some of the things we usually do in the Judiciary Committee, we actually reverse something here. In other words, instead of making a felony, which was the requirement coming out of the House, we went back to a misdemeanor on this type of offense, but we made it a mandatory minimum fine for a sports official to -- to be the victim of a battery.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

At -- at the risk of asking a question and there be leave of the Body to have a House sponsor testify, I -- I -- you know -- but I will ask this. I said, so -- so now for sports -- anybody else in the State of Illinois you batter, it could be -- anybody else in the State of Illinois that you commit a battery to can be

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fined up to a thousand dollars and you leave it up to the -- or, twenty-five hundred, you leave it up to the judge, the person hearing the case, the person that's going to decide, leave it up to the State's attorney to ask for the type of fine. But if you do it to a sports official, and only a sports official, anywhere in the State of Illinois, we're making it mandatory that it's a thousand-dollar fine. Now, I don't know if it's being done for public policy or why we're doing this, because I think there's a lot of other people other than sports officials that if we want to make a special category for protection that -- that we should go to. And I don't think we should change the criminal law code to -- to just make public policy. If it's heinous and it's aggravated, a judge could send them to jail and fine them twenty-five hundred dollars. Why would we make it mandatory? I don't understand. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

And I think my seatmate's already explained this, but I -- I have a little problem, because I know that if something happens, some people are always looked at as being the aggressor and some are not. But what if a coach, as an example, goes up into the stands after a fan who's heckling that person and they have a scuffle? Is that coach going to be fined under the same circumstances, or is that a different situation in and of itself?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

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SENATOR SYVERSON:

That would be a different circumstance. Would be under the simple battery or aggravated battery, depending on the circumstance.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, yeah, if -- if, say a referee is being heckled, who is a sports official, and goes up in the stand and gets in a scuffle, are there separate fines? Are -- are we going to give -- because we got this law, does it automatically mean that the referee is right?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

In our area, the officials are much more reserved, I guess, obviously, than down in your area. We don't normally see that happening.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Jacobs, to continue his one question.

SENATOR JACOBS:

Well, it's only because we never got the answer, really, to it. But, in response to your question, I've been thrown out of better places.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. I think this discussion does point up an interesting policy issue. We -- we've probably got - what? - ten -- ten House bills and we probably had ten Senate bills that deal with the subject of special categories of

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-- of victims in battery situations. And that's one of the reasons that we passed a Senate bill earlier, and I believe that that's been sent to the Governor, to look at rewriting the Criminal Code. And -- and the idea, when we do that rewrite, is going to be to look at and say "What should the penalty be when you hit somebody?" and then, "What should it be if you do, indeed, cause great bodily harm?" We have, as a Body, over the past decade or so, created at least seventeen special categories for this, and -- and we're always -- our staffs and we are always thinking up new ingenious ways to -- to add other categories. I think this is a particularly troublesome situation. Unfortunately, it's a growing problem. However, this sponsor is not intending, and does not make it a felony. He has decided, and the committee decided, to make it a mandatory fine, which is lesser than another category for aggravated battery. I stand in support of his bill, but I also agree with the many Members who've said we need to take an overall look at this situation and decide, for the protection of all of our citizens, when they are assaulted or a battery is committed against them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I could only take it so long. I had to get up and make a comment, because I happen to go to a lot of ball games, football games, basketball games, and most of my friends that go to those games on a steady basis, season ticket holders, would tell you, every once in a while, that referee or that umpire ought to get popped, and you ought to pop 'em good.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson, to close.

SENATOR SYVERSON:

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Based on that, I'll take it out of the record. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 448 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, 16 Nays, 6 voting Present. And House Bill 448, having received the required constitutional majority, is declared passed. House Bill 466. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 466.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This bill provides that nothing in the provisions of the Juvenile Court Act of 1987 prohibits a Civil Service Commission or appointing authority from obtaining and examining those law enforcement and juvenile court records concerning arrest or delinquency adjudications of an applicant for employment with a fire department.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Welch. Patrick Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Burzynski, I was under the impression that juvenile court records are supposed to remain sealed and not available to

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the public for the purpose of -- of keeping the confidentially -- confidentiality about minors. Why do you want to suddenly open them up?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. They -- they are currently open to Civil Service, relative to those seeking to obtain law enforcement and also working for the Department of Corrections. We're just adding one -- one element, Senator, that will include fire departments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch. Any further discussion? If not, the question is, shall House Bill 466 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 466, having received the required constitutional majority, is declared passed. House Bill 471. Senator Dillard. The top of page 8, in the Order of House Bills 3rd Reading, is House Bill 492. Senator Robert Madigan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 492.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 492 adds monument company officials and veterans' organizations to those who may be reimbursed up to one hundred dollars for the cost

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of transporting and erecting a headstone or memorial provided by the U.S. government to a war veteran. This bill passed out of the House 116 to nothing, and I would ask for the Senate support on House Bill 492.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 492 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 House Bill 492, having received the required constitutional majority, is declared passed. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it's my privilege to have with us today the Police Chief of Mundelein, Illinois, Raymond Rose. And Mundelein's serviced by both Senator Peterson, one half, and the other half is serviced by me. And he's done an excellent job combating gangs and drugs and alcohol.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to...

SENATOR GEO-KARIS:

I'd like you to meet Senator -- Chief Rose.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Chief Rose. Senator Weaver, what purpose do you rise?

SENATOR WEAVER:

Thank you, Mr. President. I would like to remind the

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Membership that if they have Floor amendments, please get 'em filed today, if possible, because Rules will meet on Tuesday morning, or Tuesday afternoon and kick 'em out. So if you have any Floor amendments, get 'em filed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan, what purpose do you rise?

SENATOR SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SULLIVAN:

Mr. President, again, a good friend of mine and one of your constituents in the gallery, Park Ridge Alderman Steve Huening, and his wife, Joan, and one of their sons.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our -- will our guests in the gallery please rise and be recognized? Welcome to Springfield. House Bills in the Order of 3rd Reading, House Bill 502. Senator Sieben. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 502.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation would require an applicant on initial licensure under this Act to submit to a criminal background check as part of the qualifications for the licensure. It is supported by the Illinois Nursing Association. I know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall House Bill 502 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 House Bill 502, having received the required constitutional majority, is declared passed. House Bill 506. Senator Cronin. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 506 seeks to change the educational testing system for elementary and secondary educational institutions in the State. It's been part of a -- a process of review, and now the final recommendations are here. It eliminates the Illinois Standards Achievement Test at the tenth and eleventh grades and consolidates high school testing into a redesigned Prairie State Achievement Exam. You may recall last Session when we tried to come up with a exit exam; it was suggested by some of the leadership in the House. Well, finally we've implemented this and what we've done is consolidate the ISAT test for the tenth and the eleventh grade into the redesigned Prairie State Exam, or the exit exam. We did this in an effort to avoid too much testing of the children and to give that test a -- a -- a certain amount of weight and significance. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House

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Bill 506 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 House Bill 506, having received the required constitutional majority, is declared passed. House Bill 512. Senator Sieben. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 512.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation would create the odor control cost share program administered by the Department of Agriculture to assist livestock owners in reducing odor associated with livestock waste. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

Just -- just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Are there -- can you give us an example of odor reduction technologies? I mean, you -- I mean, what -- what -- what kind of technology are we -- we talking about?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

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Well, thank you very much for that question. Currently, we have funded a significant amount of money to CFAR, the Council on Food and Agricultural Research, to establish several things to reduce odor control in livestock facilities. Couple of 'em would be using a biomass cover over an open slurry store. Six to seven inches of chopped barley straw, wheat straw, oat straw, will significantly -- believe will significantly reduce that odor. A second technology that's been tested is the sprinkling of hogs in confinement with mineral oil, for example, to reduce the dander and shed. Now we need to take that to the practical -- the applied science. We've been doing the basic research. Now we need to go to the applied research and do some on-farm work with it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Thank you. That's a good explanation. I didn't realize that they had made so much progress. Can you give us an idea of what the cost of this program might be, and I assume, is -- and correct -- is it a General Revenue program?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Certainly, as you understand, this would be subject to appropriation. The initial analysis from the Department of Agriculture would be for administrative costs of fifty thousand dollars. And in terms of potential reimbursement, if you did as many as a hundred facilities, you could be at five million dollars. My -- my guess would be we'd probably do four or five facilities to implement some testing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

Yeah. Are there -- are there any income qualifications by the family farm? In other words, is this -- is this limited to farmers that, you know, aren't making money, or is there -- are there any kind of limitations? 'Cause, you know, I would assume that most livestock facilities are for-profit entities.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Yes, they are -- yes, they are for-profit entities. To qualify for the program, the individual farmer, you know, would have to submit an odor control plan to the Department of Agriculture. There are eight qualifications, if you'd like me to read those eight. So we have: Set up verification of compliance with the Livestock Management Facilities Act; owner has not previously violated odor control provisions of that Act; description of the facility to be assisted under the plan. And it goes on with those types of -- of qualifications.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The only question I have, is -- is there a -- a profitability guideline or an income guideline? I mean, is -- this is -- this is strictly people who are in the livestock business. If they want to do odor control and they meet the qualifications, they -- they can share in this grant program, this cost-sharing program. So there's no income qualification.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Under the guidelines in the -- in the legislation proposed, there is no income eligibility threshold that would qualify

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somebody for or disqualify somebody to participate. It's going to be done in conjunction with CFAR, as I say, to try to do some -- see if it works on the farm. What we want to do...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any...

SENATOR SIEBEN:

...see if this works on the farm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator Sieben, I couldn't agree with you more that we have to do something about the -- the odor problems that exist. My only question is, would mega-hog farms be entitled to this, or is this just strictly family-owned farms?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Yes, mega-hog farms would qualify for this program.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, I think that that's the only problem I would have. I -- I think I would follow along Senator Rauschenberger's line that, you know, somewhere profitability has to be -- be brought into this. And there is some responsibility by the -- the mega-hog farm that comes in and knows what his -- his responsibilities may be. I -- you know, I think the issue is -- is -- is severe enough

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that we have to do something and will support the bill, but I do have problems with taking care of the mega-hog farms when they know their responsibility's coming in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I rise in support of this -- this legislation. You know, you talk about the mega-hog farms, prices have -- have really caused the family farm to be a mega-hog farm. They have to enlarge their operation so large in order to show a profit that, really and truly, the -- the family farm now is considered a mega-hog farm. And, I think, you know, we -- we cost share on so many other segments of our economy and -- and different entities that -- that, I think, you know, this is something that's going to affect all people, and it's -- it's something that's very worthwhile, and I support it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SIEBEN:

I would just add that under this cost, the questions that have been raised on cost, the individual family farm owner-operator would be required to pay seventy-five percent of the cost of testing this technology. The State's share in this is only twenty-five percent of the cost.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 512 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, 1 voting Present. And House Bill 512, having received the required constitutional majority, is declared passed. House Bill 517. Senator Maitland. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

House Bill 517.

(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. House Bill 517 somewhat updates the Illinois Violence Prevention Authority that we passed out of this Chamber a couple of years ago. It, first of all, adds the Secretary of State to the Authority Board. It adds the Director of the Department of Corrections to the -- to the Board as well. It adds the Chair of the recently formed IVPA Youth Advisory Board to the Board, and also adds two more public members to balance the increase in the ex officio State representatives, and also, for technical reasons, creates a three-year term for appointed members who may be reappointed for an unlimited number of terms. I know of no objection. Would appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 517 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And House Bill 517, having received the required constitutional majority, is declared passed. House Bill 523 {sic} (525). Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 525.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Township Officials of Illinois and it is a very simple bill. In fact, it's only one sentence long, and it says: "The Township Officers Electoral Board may meet in the township offices, if they are available, rather than the county courthouse." And this just gives the Township Officers Electoral Board the ability to meet in the township offices, if it's more convenient for the public, than, perhaps, at the county courthouse. I don't know of any opposition, and it's optional, and it comes from the Township Officials. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 525 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 525, having received the required constitutional majority, is declared passed. House Bill 536. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 536.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 536 was requested by the Illinois Municipal League. It provides that no person may stop,

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park, or leave standing on a public street a vehicle which has expired registration plates or stickers. There was concern voiced in committee that a violation of Chapter 3 meant the offender had to appear in court. The amendment on this bill takes care of that. By amending the bill, we place the language in Article VIII {sic} (XIII) of Chapter 11 of the Vehicle Code, and this change does not create a "must appear" violation. I ask for your support of HB 536, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 536 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 536, having received the required constitutional majority, is declared passed. House Bill 541. Senator Noland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 541.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 541 amends the Township Code. It summarizes the requirements of the Illinois Municipal Budget Law and places them in the Township Code. All requirements of the Municipal Budget Law still apply. And this was suggested by the Township Officials of Illinois. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House

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Bill 541 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 59 Ayes, no Nays, none voting Present. And House Bill 541, having received the required constitutional majority, is declared passed. Senator {sic} 553. Senator -- Senate {sic} Bill 553. Senator Burzynski. Senate {sic} Bill 555. Senator Syverson. Senate {sic} Bill 557. Senator Viverito. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 557.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

Thank you very much, Mr. President. This bill amends and provides the Metropolitan Water Reclamation's position of deputy attorney to be promoted without having to go out to examination, because they have over two thousand employees there. And this is normally done with the engineers and everyone else. So, I think that this bill is a bill that will really only enhance the District.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 557 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, 1 Nay, none voting Present. And House Bill 557, having received the required constitutional majority, is declared passed. House Bill 604. Senator Fawell. House Bill 620. Senator Burzynski. Madam Secretary, read the

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bill.

ACTING SECRETARY HAWKER:

House Bill 620.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This amends the Private Detective, Private Alarm, Private Security, and Locksmith Act to exempt from the Act a person employed as an armed or unarmed security guard at a nuclear energy, storage, weapons or developmental site. Basically, what we're trying to do is, already the requirements that they have under federal law are much greater and more restrictive than our State law, and we're trying to streamline the process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, not on this one, but...

PRESIDING OFFICER: (SENATOR DUDYCZ)

If not, the question is, shall House Bill 620... All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 620, having received the required constitutional majority, is declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Yes, thank you, Mr. President. On House Bill 557, I've done -- did something that I've never done in my twenty-five years. I pushed the wrong bottom. And it was No, and on Lou Viverito's

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bill, and I would like the record to reflect that had I really been paying attention, I would have voted Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record shall so reflect. House Bill 631. Senator Cullerton. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 631.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is the product of long hours of negotiation by all parties interested in adoption. And it resulted in an agreed bill that creates the Illinois Adoption Registry, which we already have, but adds the Medical Information Exchange to that registry. So it'll be a centralized repository for vital information of interest to adoptive families, adult adopted and surrendered persons and their birth families. The goal of this bill is to shift the emphasis, the Registry's emphasis from reuniting adopted persons and birth parents to facilitating the exchange of updated medical information. And in this era of learning more and more about genetic deficiencies and -- and potential cures, it's a very important thing to do. It would expand the Registry to provide access to adoptive parents of minors, and in cases where the birth parent is deceased, to birth siblings. It would provide an incentive for people to register with the Registry by waiving an application fee where appropriate. And, as a -- as a result of a number of negotiations, I want to thank Senator Cronin and his staff, and the staff on the Democratic side as well, to bring about this bill. I'll be happy to answer any questions and ask

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for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President. I rise in support of this legislation and I just did want to offer a couple of remarks. Because this is a rather sensitive area of the law, the parties that are involved with this type of legislation typically feel very strong emotional -- strong emotionally. And it's a very sensitive area of the law, and so, I think, it's important to clarify for the record, for legislative intent and otherwise, some of the -- some of the important principles underlying this legislation. Senator Cullerton was -- was accurate in his remarks. I'd just like to supplement them, if I will. And this legislation recognizes the importance, the principal importance, as a policy matter, of confidentiality, particularly as it pertains to the triad. The triad - namely, the -- the -- the biological parents, the adoptive parents, and the adoptee, him or herself. And that is sacred, and -- and we -- we make every effort in this bill to recognize that. This bill promotes the Registry as a mechanism for those that are seeking information for medical purposes. And it protects those agreements and understandings, the -- the parents that gave up a child under the promise of confidentiality. Those are -- those -- all those agreements and understandings are respected and -- and kept confidential. So -- so, I think, that that's important to state for the record and should always be part of adoption legislation. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, as a -- as a father of two adopted children and

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two biological children, I rise in support of this legislation. I commend Senator Cullerton, Senator Cronin, and Jo Johnson for their hard work on this bill. I think it's a -- a good bill, a good step, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Appreciate Senator Cronin's comments. He's absolutely accurate, and Senator Sullivan, as well, who helped to negotiate the bill, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 631 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 59 Ayes, no Nays, and none voting Present. And House Bill 631, having received the required constitutional majority, is declared passed. Senator Wendell Jones, what purpose do you rise?

SENATOR W. JONES:

Mr. President, Members of the Senate, personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR W. JONES:

I'd like to introduce Representative Suzanne Bassi, from the great 54th District inside the great 27th District. Would you welcome her, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the working Chamber, Representative Bassi.

PRESIDING OFFICER: (SENATOR KARPIEL)

On the top of page 9 is House Bill 669. Senator O'Daniel. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 669.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President, Members of the Senate. House Bill 669 amends the Code of Corrections and requires inmates to pay a two-dollar co-payment to the Department of Corrections for each non-emergency medical or dental visit, including visits to the Department facilities. This is a -- it's an attempt to prevent inmates from frivolously using medical services. I know of no opposition, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall House Bill 669 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, none voting Nay, none voting Present. And House Bill 669, having received the requested -- required constitutional majority, is declared passed. House Bill 675. Senator Robert Madigan. Out of the record. House Bill 720. Senator Dudycz. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House Bill 720 originally

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provided that the unlawful operation of a vehicle at a speed greater than forty miles per hour over the limit is prima facie evidence of reckless driving. At the request of the Judiciary Committee, we have changed the language and amended it to say that driving forty miles per hour or more in excess of the applicable maximum speed limit established under the Chapter or a local ordinance would be a Class A misdemeanor.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If there's no discussion, the question is, shall House Bill 720 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? On that question -- take the record, Mr. Secretary. On that question, there are 54 voting Aye, 2 voting No, 1 voting Present. And House Bill 720, having received the required constitutional majority, is declared passed. House Bill 721. Senator Obama. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 721.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. This bill defines specific mental health services under the Health Care Surrogate Act. We passed the identical bill out, the Senate version, unanimously. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no discussion, the question is then, shall House Bill 721 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take -- take the record, Mr. Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And House Bill 721, having received the required constitutional majority, is declared passed. House Bill 727. Senator Clayborne. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 727.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President and -- and Members of the Senate. House Bill 727 basically creates a credit with the county treasurer's office when a inmate has been released from the county jail and there's money left over and the sheriff has not been able to contact that person through mail. So, therefore, if the person ever returns or if they ever come back looking for their money, they could go to the county treasurer and -- and receive their money. I'm open for any questions and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for question?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he will.

SENATOR HAWKINSON:

Senator, how long does this account last before it becomes county property, or does the treasurer have to hold it forever?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

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SENATOR CLAYBORNE:

There's no forfeiture, so I guess the county has to hold it forever.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Does the interest -- is there interest added to the account or does that go to the county general fund?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

I believe that goes to the commissary fund.

PRESIDING OFFICER: (SENATOR KARPIEL)

If there's no further -- discussion, the question is, shall House Bill 727 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 58 Ayes, 1 voting Nay, none voting Present. And House Bill 727, having received the required constitutional majority, is declared passed. Senator -- House Bill 729. Senator Clayborne. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, again, Madam President and Members of the Senate. House Bill 729 allows a person -- it creates the -- expands the definition of sexual exploitation of a child. When a person knowingly entices, coerces, or persuades a child to undress for

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the purpose of sexual arousal -- arousal or gratification of the -- of the person, of the child, or of both, they -- that person has committed the act of sexual exploitation of a child, which the first offense is a Class A misdemeanor. Any subsequent offense will be classified as a Class 4 felony. And any previous conviction for a sex offense under Article 11 of the Criminal Code of 1961 could also be -- that person could be charged with a Class 4 felony. I'm open for any questions, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 729 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. On that question, there are 58 Ayes, none voting Nay, none voting Present. And House Bill 729, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to House Bill 731. House Bill 733. Senator Watson. Out of the record. House Bill 734. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 734.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. House Bill 734 amends the Criminal Code relating to correctional employees of penal institutions. The amendment -- Committee Amendment No. 1 becomes the bill. It amends the Criminal Code by expanding the aggravated battery statute to make it a Class 3

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felony for an inmate of a penal institution to cause or attempt to cause an employee of a penal institution to come in contact with blood, urine, feces, by throwing, tossing, or propelling {sic} (expelling) that fluid or material. I would ask for the Senate's support and try to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 734 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. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And House Bill 734, having received the required constitutional majority, is declared passed. House Bill 753. Senator Larry Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 753.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR L. WALSH:

Thank you, Madam President and Members of the Senate. House Bill 753 amends the Humane Care for Animals Act. Creates the offense of animal torture as a Class 4 felony. This is identical language to Senate Bill 374 that we had passed out unanimously, earlier. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not -- Senator Petka.

SENATOR PETKA:

Thank you very much. Question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield. Senator Petka.

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SENATOR PETKA:

Senator, this legislation -- any similar legislation is not meant to apply to things like rodeos and any type of performance of animals, is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR L. WALSH:

That's absolutely correct, Senator Petka.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any further discussion? If not, the question is, shall House Bill 753 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. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 753, having received the required constitutional majority, is declared passed. House Bill 774. Senator Petka. Out of the record. House Bill 779. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 779.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much, Madam President. This does amend the Illinois Equipment Fair Dealership Act to clarify that Illinois equipment manufacturers and dealers are not regulated by the Illinois Franchise Disclosure Act. In Illinois, relationships between manufacturers of farm and industrial and construction and outdoor power equipment and dealers of such equipment have long been governed by the Illinois Equipment Fair Dealership Act.

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There was recently a court decision that required them to come under both Acts. This has become very burdensome, costly, duplicative and we're asking some relief from that. This is -- comes to us from Caterpillar, Deere and Company, Illinois Chamber and the IMA, and I ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR WELCH:

Senator, what franchises would be included in this bill? It says the Chamber of Commerce supports it. Does this include any food franchises or clothing store franchises or...?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

No.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

Who is included, then?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

It's farm, industrial, construction, and outdoor power equipment and dealers.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch.

SENATOR WELCH:

Though I couldn't really hear what you said, I heard something

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about power equipment. But like local distributors for Caterpillar or Case, they're not -- are they franchises or are they just owned by the company itself?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

They would be distributors and they do not pay the franchise fee. This does -- if you can hear me, this does impact farm, industrial, construction, and outdoor power equipment, those dealers. That's who it is. It doesn't have anything to do with fast food or clothing or...

PRESIDING OFFICER: (SENATOR KARPIEL)

All right. Any further discussion? If not, the question is, shall House Bill 779 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. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 779, having received the required constitutional majority, is declared passed. House Bill 799. Senator Burzynski. Out of the record. House Bill -- sorry. House Bill 800. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. This creates the Mail Order Contact Lens Act to regulate mail-order ophthalmic providers through registration requirements. This is similar -- identical language to Senate Bill 300, which -- excuse me, 380 {sic} (368),

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which we've already passed from the Senate.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall House Bill 800 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. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 800, having received the required constitutional majority, is declared passed. House Bill 801. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 801.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. House Bill 801, as amended, would ensure that nurses who have completed both the clinical and concurrent theory requirements shall be licensed provided that they meet other portions of the Nursing and Advanced Practice (Nursing) Act, regardless of or if they have passed their requirements as undergraduate or -- or a graduate student. The legislation also provides for nurses who have -- been actively practicing clinical nursing in another state for at least two years, would be licensed in Illinois also.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall House Bill 801 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. On this question, there are 59 voting Aye, none voting Nay, none voting

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Present. And House Bill 801, having received the required constitutional majority, is declared passed. House Bill 803. Senator Munoz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 803.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President, Members of the Senate. House Bill 803 amends the Nursing Home Care Act relating to public computer accessed information. It requires Department of Public Health to make certain information concerning nursing homes available to the public in an electronic form of World Wide Web. Describes the information that must be included on the Web page. Prohibits the Department from charging a fee for the data. The information on the Web is in addition to any other electronic or print distribution of the information. 803 is requesting for the disclosure. It's currently available for public inspection, but is not distributed electronically on the Internet. It's been modeled after an existing law in New Jersey. The intent of the bill is to provide another mode for educating the public about nursing homes. I know of no opposition at this time, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President. We -- we just all admired the -- the imitation of -- of the Godfather, and we're prepared to vote Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Munoz.

SENATOR MUNOZ:

I'm losing my voice, excuse me.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further discussion? If not, the question is, shall House Bill 803 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. On this question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 803, having received the required constitutional majority, is declared passed. All right. I'd like to announce that Supplemental Calendar No. 1 has been distributed. And we will go to the Order of House Bills 2nd Reading. I would like to announce that that last announcement was a slight error. We have -- we are going to continue on the Calendar, the regular Calendar, on page 10, House Bills 3rd Reading. All right. So we will go to the top of page 10. House Bill 806. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 806.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This legislation comes from the Metropolitan Pier and Exposition Authority and it does four things. The first thing it does is it brings competitive bidding requirements into conformity with the new procurement law of the State of Illinois. The second thing it does is grant some emergency -- emergency purchasing authority for the Exposition Authority. With very limited circumstances, they can go out

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without bid and -- and do some emergency type procurement. The third thing that it does is it deletes the requirement for a general manager of the McCormick Place facility and essentially says they may hire staff as necessary. And the last thing it does is it changes the date for the Authority to submit a detailed affirmative action plan to the General Assembly, so that it really coincides with the Metropolitan Pier and Exposition Authority's fiscal year, rather than ours. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Lauzen.

SENATOR LAUZEN:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he'll yield.

SENATOR LAUZEN:

In our analysis, it says that this excludes from competitive bidding any contracts for immediate delivery of supplies, materials, equipment or services when the chief executive officer determines there's an emergency. Can you describe that whole area, please?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Senator Lauzen, there needs to be three requirements. The chief executive officer needs to determine that an emergency exists. The contract accepted is based on the lowest responsible bid after the Authority has made diligent efforts to solicit multiple bids by telephone or other effective means. So, even though it's an emergency, the chief operating officer of the -- the Authority is supposed to have telephone bids and -- and try to obtain competitive bidding within the emergency situation. So,

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you know, you don't go to a sole source; you try to -- to make -- you try to make efforts to -- to get the -- the cheapest price, so to speak. And then the chief executive officer has to submit a report at the next regular board meeting, and that report has to be ratified by the board, entered into the official public record, so that the chief executive officer's reasoning for declaring an emergency situation, the names of all of the parties he solicited bids from or she solicited bids from have to be in there, and then a copy of the contract that was awarded. So this is all very public, but in the highly competitive world - and we are the leader in -- in the United States and probably the world in convention business - the -- when you run an operation the size of McCormick Place, there are a lot of emergencies and we need to be able to react. One of the criticisms of why people don't like to bring conventions to Chicago is sometimes the rigidity and the cost of doing business at McCormick Place, and this just, I think, makes McCormick Place an even more well-run operation than it is today.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just a comment that sometimes emergencies are created by a lack of timely action when -- a lack of timely action creates emergencies sometimes. I also notice that the -- the threshold goes from five thousand to twenty-five thousand. Could you explain to the Body why it's necessary to do this?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Senator Lauzen, there was an amendment to change this from five thousand to ten thousand so that McCormick Place has the same

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authority that any agency of Illinois State government would have. So, the analysis was of the original bill. We amended it downward with an amendment in committee, and the Metropolitan Pier and Exposition Authority will have the same bidding requirements that, for example, the Department of Central Management Services, who work for us, does.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR DILLARD:

I just appreciate a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 806 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. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And House Bill 806, having received the required constitutional majority, is declared passed. House Bill 809. Senator Maitland. Out of the record. House Bill -- House Bill 810. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 810.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Madam President. Madam President and Ladies and Gentlemen of the Senate, this bill amends the Humane Care for Animals Act by increasing the penalty for a second or subsequent offense of aggravated cruelty to a companion animal from a Class A misdemeanor to a Class 4 felony. This bill was proposed by the

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Humane PAC and is the result of studies that indicate a connection between the torture of animals and other -- and other criminal deviant conduct. This bill is also supported by the People for Ethical Treatment of Animals. And when people have to be very cruel to companion -- companion animals, I think there's something wrong with them, and I ask for favorable passage.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any discussion? If not, the question is, shall House Bill 810 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. On this question, there are 59 voting Aye, none voting Nay, none voting Present. And House Bill 810, having received the required constitutional majority, is declared passed. House Bill 811. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 811.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Cronin.

SENATOR CRONIN:

Thank you Madam President, Ladies and Gentlemen of the Senate. This creates the Dissection Alternatives Act. It simply provides that schools may - may, it's permissive - excuse a student from performing or observing dissection and may allow the student to instead to -- perform an alternative project. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 811 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

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all voted who wish? Take the record. On this question, there are 56 voting -- 56 voting Aye, 2 voting Nay, none voting Present. And House Bill 811, having received the required constitutional majority, is declared passed. House Bill 812. Senator O'Malley? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Ladies and Gentlemen of the Senate, House Bill 812 amends the Illinois Insurance Code to allow out-of-state risk retention groups, which select to be governed by Illinois law for its policies, to provide coverage for punitive damages so long as coverage for punitive damages is not prohibited by the law of the state in which the risk retention group is organized. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any questions? Any discussion? If not, the question is, shall House Bill 812 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. On that question, there are 58 voting Aye, none voting Nay, none voting Present. And House Bill 812, having received the required constitutional majority, is declared passed. House Bill 819. Senator O'Malley. Out of the record. Now we will be going to the Order of the Supplemental Calendar No. 1, and we'll be going to the Order of House Bills 2nd Reading. The first bill is House Bill 5. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 5.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 52. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 52.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 1532. Senator Rauschenberger. Read the bill, Mr....

SECRETARY HARRY:

House Bill 1532.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved

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for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 1534. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1534.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2527. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2527.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. ...continue on the Supplemental Calendar No. 1. Secretary's Desk, Resolutions. And on the Calendar is -- do you wish your resolution -- Senator Jones, oh. Out of the record.

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Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 116, offered by Senators Jones and Philip.
No committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jones.

SENATOR E. JONES:

Thank you, Madam President. On Saturday, May 22nd, the 1999 Chicago Memorial Day Parade will honor those men and women who have served our country in battles and conflict throughout our history. We are especially honored to have seven living Congressional Medal of Honor winners who reside here in the State of Illinois. I would just like to briefly tell you about these men who received the Congressional Medal of Honor and what they did. We have Richard Bush, of Wisconsin {sic} (Waukegan), who won the award for his courage and heroism as a squad leader in action against the Japanese during the Second World War. Clyde Choate, of Anna, who served with many of us in the Illinois House, for single-handedly assaulting an enemy tank and preventing the enemy from capturing a battalion command post during World War II. Sammy L. Davis, of Flat Rock, who fought continuously, through -- though badly wounded, during the early morning hours of November 18, 1967, against the Viet Cong, until the enemy fled their position. Russell Durham, of Jerseyville, who during World War II, by himself, assaulted three enemy machine guns, killing nine Germans, wounding seven and capturing two, despite being wounded himself. Robert Dunlap, of Monmouth, who, in action against the Japanese during World War II, in Iwo Jima, bravely led his men to victory. And Harold Fritz, of Peoria, who during his tour of Vietnam, fought while wounded, refusing medical treatment, to help his men until all other wounded were evacuated before him. And Allen Lynch, of Gurnee, who was serving in Vietnam, who risked his

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life to cross seventy meters, carrying his wounded comrades to a secure position. Two other individuals received the Congressional Medal of Honor and have been given added public recognition for having facilities named after them, although they are no longer with us. Private Milton Olive the III, who Olive Park is named after. Private Milton -- and with four other soldiers...

PRESIDING OFFICER: (SENATOR KARPIEL)

Excuse me, Senator Jones...

SENATOR E. JONES:

...was moving through Vietnam jungle...

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Jones. Excuse me. Could we have a little order in the Chamber, please, and pay attention to Senator Jones? Thank you.

SENATOR E. JONES:

Private Milton, with four other soldiers, was moving through Vietnam jungle when a grenade was thrown. He threw himself onto the grenade -- grenade to save the lives of the men he was with, despite losing his own. And Manuel Perez, who was serving in the Philippine Islands, killed eighteen of the enemy in neutralizing the position that had held up the successful advance of his company. Manuel Perez School, in Chicago, bears his name. So I ask you to join with me today to honor the two hundred and eleven Illinoisans, who served in wars and conflict throughout America's history and who were awarded the Congressional Medal of Honor for their bravery and their courage. I ask you to join me in paying tribute to the seven living Illinois residents who received this award. These are the brave individuals that Illinois proudly call our own. The parade will be on Saturday, on the 22nd of May, and we want to honor those individuals who gave their lives, as well as those seven individuals who are Illinois residents, who gave it their best. I move the adoption of the resolution.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Is there any discussion? If not, Senator Jones moves the adoption of Senate Resolution 116. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Watson, for what reason do you rise?

SENATOR WATSON:

Yes, after following that meaningful resolution and I'd like to mention that the Senate will go into battle, of course, next Tuesday, with the House. So those fifteen or twenty courageous Members of the Senate that will take the field, we want -- and some walking wounded, that's -- that's true. We want to be prepared and ready to go. This Representative Freely {sic} (Fritchey) has been talking again, and now he's wanting to make bets. So I would suggest that we just go on over there and see this Representative and just say what do you want to bet? I think we ought to take the guy on. The game's going to be Tuesday, and it's going to start about 5:30. So we'd like to get our players and everybody interested out there early. Get 'em -- it's at the Lincoln Park, same park it's always been. So anyway, I'm trying to keep this low key. And I'd like just to remind everybody that's playing to come on out, bring your gear. It's Tuesday, 5:30.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue, for what reason do you rise?

SENATOR DONAHUE:

Thank you. For an announcement, please. I'd like to announce a Republican Caucus immediately following adjournment in Senator Pate Philip's Office.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Welch, for what purpose do you rise?

SENATOR WELCH:

I -- I just wanted to advise Senator Watson that I met with Representative Fritchey last night, and I advised him that he can

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expect a beanball at the softball game.

PRESIDING OFFICER: (SENATOR KARPIEL)

Resolutions.

SECRETARY HARRY:

Senate Resolution 121, offered by Senators O'Malley and del Valle.

And Senate Resolution 122, offered by Senator Parker.

They're both substantive.

Senate Resolution 123 and Senate Resolution 124, both by Senator Hawkinson and all Members.

And they're both death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No objections have been filed, Madam President. There is a correction to Senate Resolution 118. Senator Demuzio, rather than Senator Geo-Karis, is the sponsor of that resolution.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2149, by Senator Lightford.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Messages from the House.

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SECRETARY HARRY:

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

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

House Joint Resolution 23

(Secretary reads HJR No. 23)

Adopted by the House, May 7th, 1999.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 23. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Now Senator Donahue has moved for the adoption of HJR 23. And those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Donahue moves that the Senate stands adjourned until the hour of noon, Tuesday, May 11th. Have a nice weekend.

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