

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

48th Legislative Day

May 19, 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 Dr. Christopher A. Bullock, Progressive Baptist Church, Chicago, Illinois. Dr. Bullock.

DR. CHRISTOPHER A. BULLOCK:

(Prayer by Dr. Christopher A. Bullock)

PRESIDENT PHILIP:

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

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Senator Sieben, for what purpose do you rise?

SENATOR SIEBEN:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR SIEBEN:

Ladies and Gentlemen of the Senate, it's my pleasure today to introduce a retired member of this Body, the gentleman that preceded me as representing the 37th District of the State of Illinois, the Honorable Calvin Schuneman.

PRESIDENT PHILIP:

Senator Schuneman, will you please rise and be recognized. Nice to see you again. Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 12th; Thursday, May 13th; Friday, May 14th; Monday, May 17th; and Tuesday, May 18th, in the year -- in the year 1999, be postponed, pending arrival of the printed

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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 Cronin, Chair of the Committee on Education, reports Senate Bill 1054 - the Motion to Concur with House Amendments 1 and 2 Be Adopted; Senate Bill 1168 - Motion to Concur with House Amendment 1 Be Adopted; and Senate Amendment 1 to Senate Joint Resolution 17 Be Adopted.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bill 79 - the Motion to Concur with House Amendment 1 Be Adopted; Senate Bill 667 - Amendments 1 and 2 Be Adopted; Senate Bill 812 - Amendments 1, 2 and 3 Be Adopted.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Bill 124 - the Motion to Concur with House Amendment 1 Be Adopted; 435 with Amendment 1, 445 with Amendment 1, 658 with Amendments 1 and 2, and 800 with Amendments 1 and 2, all Be Adopted.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bill 561 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration; 818 with Amendment 1, and 1114 with Amendment 1, both Be Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 37 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration; 53 with Amendment 1, 946 with Amendments 1 and 2, and 1032 with Amendments 1, 2, 4, 6 and 7, all Be Approved for Consideration.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 460 - the Motion to Concur with House

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Amendments 1 and 3 Be Adopted.

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bill 150 - the Motion to Concur with House Amendment 1 Be Adopted.

And Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports Senate Bill 163 - the Motion to Concur with House Amendment 1 Be Adopted; and 725 with Amendments 1 and 2 Be Adopted.

PRESIDENT PHILIP:

Channel -- WCIA Channel 3, requests permission to film the proceedings. Is leave granted? Leave is granted. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- a point of personal privilege. I'd like to introduce to you, two gentlemen who accompanied the minister who gave the invocation this morning, and they are his right hand. Mr. Charles Taylor, who is the trustee board -- chairman of the trustee board of the Progressive Baptist Church. Will you please stand?

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate?

SENATOR SMITH:

And Mr. Hudgies, Willie Hudgies, who is chairman of the deacon board of the Progressive Baptist Church, Chicago, Illinois. We welcome you to Springfield.

PRESIDENT PHILIP:

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1237, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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May we have your attention, please? The Chair will yield to Senator Watson.

SENATOR WATSON:

This is the time of the year in which we recognize the winner of the -- the softball game. And once again, the Senate prevailed. And what we'd like to have, all the team members, if they would, to come on up to the Podium. We have a presentation we want to make. So, if we would. This game was and is recognized for Pete Miller, who started the game. Senator Demuzio.

SENATOR DEMUZIO:

Some of us will just stay out here that played, because you'd be talking to no one. So I'll -- I'll stay out here and listen to you, at least.

SENATOR WATSON:

Very good. I -- I think your light's burned out. It's been on so much this Session. Anyway, the -- the game was established, I think, in the -- in the mid-forties by Pete Miller, who was a Member of the -- of the House, and I think Pate actually served with him, I believe Stan Weaver did, too. And we'd like for Pate, if he would, just to say a few words about Pete and the fact that he did establish this game and it's become such a tradition here in the -- in our Capitol. Pate Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You're probably not aware of this, but I'm the longest-serving Member in either Chamber, believe it or not. And, of course, Pete Miller got to the House before I did. But I did end up serving with him in the House, I think, for at least four years, probably six years. My memory's not that good anymore. But Peter's the guy that conceived this game for the purpose of the Boys Club for Springfield. We have raised a lot of money for the Boys Club. They have a -- a field, a clubhouse, and all due to Peter J.

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Miller. Now, most of you don't know this, but Peter J. Miller was an Olympic ice-skater and he went to the Olympics representing Illinois. And I don't know if he ever ran a -- won a medal, but he ended up coaching in the Olympics and then came down here to the -- the Illinois House. He served in the Senate. He was a grand gentleman. In fact, he's the only Member in the history of the General Assembly to ever resign his seat and give it to another Member. He gave it to Henry J. Hyde, when Henry Hyde got beat in the primary. That's never happened since then, probably will never happen, a Member giving up his seat for another Member. But, I'll tell you, he was a great guy, a great American. And I'll tell you, I can remember when I was in the House, we won all the games. I don't think we ever won a game till 1992, or the early '90s, and we got -- when I was in the House, we won every game. I came to the Senate -- can you imagine all those years never winning a game? But things have kind of changed a little bit. We've got some more younger, more aggressive Members in the Senate than we had twenty or thirty years ago. And our record has been great. Keep up the good work.

SENATOR WATSON:

Very good. Thank you very much, Mr. President. We'd like to call on John Cullerton now, who's going to make a presentation.

SENATOR CULLERTON:

Thank you, Coach. I'm very happy to be an Assistant Coach to Frank Watson, and I got to tell you, this year, he made some great coaching decisions, some -- some -- that really helped us triumph. I'd like to present the Most Valuable Player Award this year, and it goes to a guy who started us off in the first inning with a grand-slam home run. He -- he tried to give a few of those back on the base path, but he kept on hitting. He kept on hitting, and I think he got -- I think he went five for five. So, the Most Valuable Player for the 1999 Pete Miller House-Senate Softball

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Game, Senator Rickey Hendon.

SENATOR HENDON:

Well, I just want to thank everyone. It's a great honor. Of course, you can't win without your teammates in -- in softball. I went back to the west side with a big head and the guys who I play with on the west side, they brought me right back down to earth, because they put me on the bench and reminded me of who I truly am. I just want to say that I'm going to put this on the hood of my Cadillac, so you'll know me when you see me pull up on the Capitol drive. Thank you very much.

SENATOR WATSON:

We also have another award we're going to -- established in the name of Terry Deering. Representative Deering, I know, most of you knew - unfortunately, the late Terry Deering. We have a Spirit Award because Terry had a certain spirit about him, as those of you who knew him, that we'd -- we'd want to emulate and when -- the individual who gets this. And this individual, this year, that's going to receive the Terry Deering Spirit Award is Senator George Shadid. Senator Shadid. George. George, this is the Spirit Award, and it's named in behalf of Terry Deering -- the late Terry Deering, and we want to present this to you for all that you've done for the softball team. He's given us hats every year, and he's -- he's always there, and he helps us a great deal and we appreciate it.

SENATOR SHADID:

So I just might -- the thanks should go to the Peoria Chiefs Baseball Team who give the hats to us, and they're going to give us hats again next year. And they're a Cardinal farm team, which is alright with Carl, isn't it? Carl, they're a Cardinal farm team. You don't mind wearing it, right? Oh, okay. And I looked in the gift ban thing and it said it was okay to have the -- give you these hats.

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SENATOR WATSON:

Okay. The purpose of the game, as all of you know, is for charity, and -- and each year we -- we raise -- each of you contribute to the game and we've got about six hundred dollars that we give to a charity. And we also have another charity that was given to us last night and we're going to add and sweeten the pot a little bit here for -- for the -- the recipients. But I have -- Senator Larry Bomke's going to make a presentation.

SENATOR BOMKE:

Thank you, Senator Watson. It is a pleasure again this year to give to a charity -- the charity. Who said time? The charity we have chosen this year is the Boys and Girls Club of Springfield. We have Kristen Allen, the Executive Director, and Greg Lueken, the Board President, with us today. But before I give them the check, we have a couple of other checks, and a promise check. Last night, we had a Republican Senate get-together and it's become a tradition - it started last year - that Chris Lauzen's tie was auctioned off. And Senator Wendell Jones bid on the tie, and I -- I'm told that somebody ran the bid up, by the -- guy by the name of Stan Weaver and Dick Klemm. And it got to three hundred dollars and he went to three-ten, and they stopped. Now, Kristen, I -- I -- that's the tie. Kristen, I'm a little concerned, anybody that'll pay three hundred and ten dollars for that tie. You're supposed to pick a check up in his office, later. I would -- I'm suspect of that. There -- there was another bidding war that went on, and I'm told I'm not supposed to say what it was for, but I will tell you that Pat O'Malley was involved -- Pat O'Malley was involved, and it was for two hundred dollars from two ladies, Doris Karpel and Senator Kathy Parker, one hundred dollars a piece. And, Pat, do you mind if we tell what they did? They -- they -- they messed his hair up. And it was worth two hundred... Would you give us a demonstration of

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that? Well, the -- the -- no, Doris. Well -- all right. A kiss must be worth much more, I would guess, I would hope. Anyway, the chosen charity is the Boys and Girls Club of Springfield, and, Kristen or Greg, if you would like to say something, please do so.

GREG LUEKEN:

(Remarks by Greg Lueken)

SENATOR BOMKE:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Resolutions.

SECRETARY HARRY:

Senate Resolution 141, and Senate Resolution 142, both by Senator Dillard and all Members.

They're both death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar. Messages.

SECRETARY HARRY:

Message from the President, dated May 19th, 1999.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadline for final action on the following category of bills, with specific bills enumerated under this category, to May 21, 1999:

Communications, specifically: House Bill 2771.

Signed by President Philip.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Illinois Medical Society and Daniels-Ackerman Photography requests to take pictures. No objections. The -- the motion's granted. Request is granted. Ladies and Gentlemen of the Senate, we're going to begin on page 12 of today's Calendar, on the Order of Secretary's Desk, Concurrence. The Chair would remind all of you that -- to file your motions with regard to joint actions as soon as possible. Order of Non-concurrence. Senate Bill 656.

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Senator Rauschenberger. Read the -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 656.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger moves to nonconcur in -- in -- in House Amendment No. 1 to Senate Bill 656. Any discussion? Hearing none, all those in favor, say Aye. All opposed. The Ayes have it, and the motion is granted. The Secretary shall so inform the House. We are going to be going to final action on the regular Calendar, so we need your attention and we need -- we need your presence here in the Senate, now. On page 12 of -- of today's Calendar. Senate Bill 146. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 146.

The motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. As the bill left the Senate, it had to do with the -- addressing the recent court challenges regarding the single subject rule to Public Act 85-1135, the sales tax reform bill. In the House a technical amendment was added, clarifying language regarding the current status of the single subject legal challenge who was dismissed with prejudice. I ask for concurrence with Amendment 1 to Senate Bill 146.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final

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action. The question is, shall the Senate concur in the House Amendment 1 to Senate Bill 148. All those in -- 146, I'm sorry. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 58, there are no Nays, no Presents. And the -- the Senate does concur in -- in House Amendment 1 to Senate Bill 146. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 331. Senator Hawkinson. Read the bill, Mr. Secretary. The motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 331.

The motion, by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. The bill, as it left the Senate, created the Illinois Equal Justice (Assistance) Act. It deals with the legal assistance system in the State of Illinois and is a recommendation from the Illinois State Bar Association, the Chicago Bar Association, and many other groups. The House deleted the last remaining funding item in the bill, the tax checkoff, for the reason that it, by creating it by statute, didn't comply with the normal process through the Department of Revenue. It also clarifies that only civil legal matters are to be handled. Changes the -- the title to the Illinois Equal Justice Act. And finally, by Amendment No. 1, removes any authority to represent folks under the Migrant and Seasonal Agricultural Worker Protection - federal - Act and other labor laws. These are the changes made by the House. I would ask for concurrence with House Amendments 1 and 2 to Senate Bill 331.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question shall be, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 331. Those in favor, vote Aye. Those 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 59 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 463. Senator Watson. Senator Watson? 463? Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 463.
The motion filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. Senate Bill 463, as it left the Chamber here, awarded summer school grant program through the Monetary Award Program to part-time students. House Amendment No. 1 adds the definition of what a part-time student is. And this -- I believe we had a bill that passed out that -- that -- I'm not sure where it is in the process, and the difference between that bill and this bill is that this does not -- subject to appropriation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur in the House Amendment 1. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the

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record. On that question, there are 58 voting Aye, 1 voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 463. And the bill, having received the required constitutional majority, is hereby declared passed. Page 14. Senate Bill 932. Senator Rauschenberger. 932. Read the bill, Mr. Secretary. Read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 932.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Let's have a little more attention, please. Thank you.

SENATOR RAUSCHENBERGER:

This is a bill that provided the standardization of bond notification requirements throughout the statutes so that we don't have to, each year, do a bill to correct clerks who've read the wrong portion of the statute. The House found a flaw in the bill at one point, where we required a school district to include in the notice its seal. School districts do not have seals. So the House graciously made a -- a technical correction for us. I'd appreciate favorable support of the Body.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur with House Amendment 1 to Senate Bill 932. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all

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voted who wished? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. We're going to go now to Supplemental Calendar No. 1, which has been distributed. And for the information and clarification of the Members, Senate Bill 1068 was inadvertently printed on the Calendar. The motion remains before the Agriculture Committee and is not properly before the Body. We're still on the Order of Secretary's Desk, Concurrence, Supplemental Calendar No. 1. Senate Bill 37. Senator Peterson. Read the bill, Mr. -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 37.

The motion, by Senator Peterson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. The bill, as it left the Senate, required that during a filing of a tax objection that the reason for the tax objection should be noted. Amendment 1 was suggested by the Lake County Clerk, that a summary of the reasons for the tax objections will be set forth in the complaint. And Amendment 2 is the tax exemption for the Institute of Gas Technology, which was on a Senate bill that passed out with over 50 votes to the House earlier this Session. I ask for concurrence on Amendments 1 and 2 to Senate Bill 37.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 37. All those in favor, vote Aye. All those opposed will vote Nay. And the voting is open.

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Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there's 58 voting Aye, 1 voting Nay, and none voting Present. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 53. Senator Watson. Read the -- the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 53.

Motion filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Thank you very much, Madam President. As Senate Bill left -- 53 left the Chamber, it extended the Breese TIF District from twenty-three years to thirty-five years. This was all signed off on by the local community and the schools in the area, and an amendment was added, by Mary K. O'Brien in the House, that amends the Economic Development Project Area Tax Increment Allocation Act to expand the definition of military bases to include the Joliet Arsenal. This Act is a stand-alone TIF Act, an Act that's specifically for the redevelopment of closed military bases. I'd just appreciate the support of the Body.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On House Amendment 1. Any -- any discussion? Any discussion? Hearing none, the question is, that the -- the -- Senator Watson moves to concur with House Amendment 1 to Senate Bill 53. All those in favor, vote Aye. All -- all opposed will vote Nay. And the voting is open. Have all voted who wished? Had all -- have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, 1 voting Nay, none voting Present. And this bill, having received the required

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-- sorry. The -- the next motion will be on Amendment 2. Madam Secretary, read the motion on Amendment 2 to Senate Bill 53.

ACTING SECRETARY HAWKER:

I move to nonconcur with the House in the adoption of their Amendment No. 2 to Senate Bill 53.

Motion also filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. I'd ask for the Body to nonconcur with House Amendment No. 2 to Senate Bill 53.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson moves to nonconcur in House Amendment 2 to Senate Bill 53. All those in favor, say Aye. Any discussion? Any discussion? Hearing none, all those in favor, say Aye. All opposed. The Ayes have it, and the motion to nonconcur is granted, and the Secretary shall so inform the House. Senate Bill 79. Senator del Valle. Senator del Valle? Out of the record. Senate Bill -- Bill 124. Senator Burzynski. Read the bill, Madam Secretary. Motion to concur.

ACTING SECRETARY HAWKER:

I move to concur with the House -- I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 124. Motion filed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. This bill kind of chokes me up, too. But anyway, this is -- the House amendment basically provides for some technical cleanup to the underlying bill. The underlying bill is the creation of the Perfusionist Act. Perfusionists are those people who run heart-lung machines in operating rooms, and so

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we've decided that it's in the best -- of the public health and safety of the citizens of the State of Illinois, they need to be licensed. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in Senate -- in -- in House Amendment No. 1 to Senate Bill 124. All those in favor, vote Aye. All opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? On that question, there are -- take the record, Madam Secretary. There are 59 voting Aye, none voting Nay, none voting Present. And this -- Senate does concur in House Amendment 1 to Senate Bill 124. And this bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 150. Senator Sieben. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 150.

Motion filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. The House Amendment No. 1 adds language to stipulate that the fees that are charged would not exceed -- or, may not exceed two hundred and fifty dollars or an amount approved by the Joint Committee on Administrative Rules. This deals with the Illinois Building Commission and the information that they might provide to people through their clearinghouse. I know of no opposition and -- and I move the -- for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none,

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Senator Sieben moves to concur in House Amendment No. 1 to Senate Bill 150. All those in favor, vote Aye. All of those opposed. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority -- the Senate does concur in House Amendment 1, and having -- this bill having received the required constitutional majority, is declared passed. Senate Bill 163. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 163.

Motion filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much, Madam President. As Senate Bill 163 left the Chamber, it directed the Department of Natural Resources to recognize, promote and preserve hunting in Illinois. And the House put on an amendment, House Bill 216 which is in -- which was held in Senate Rules. This amendment now becomes part of the bill. It was offered by Representative Mike Bost to correct a problem in southern Illinois where several individuals have established blinds or pits. And because of a quirk in the law that they maybe are out of compliance now, what -- and what we're asking is that they just be able to remain as they are, and that's what this amendment does.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR WELCH:

Senator Watson, the amendment says if the pit has been established for ten years, then it's supposed to be... How do you know when that was established? What's the criteria to determine how old it is?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

The Department of Natural Resources checks these yearly -- annually.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Do they -- do they keep a list of these, or is it just somebody's personal knowledge from being in the area?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

I would assume that there is a list. I don't know for sure, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Are these pits used to hunt or capture endangered species down in your area?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

That's not the intention of this, no.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur to House Amendment 1 to Senate Bill 163. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 59 voting Aye, none voting No, none voting Present. The Senate does concur in House Amendment 1 to -- to Senate Bill 163. And the bill, having received the required constitutional majority, is hereby declared passed. Senate -- Senate Bill 435. Senator Robert -- Robert Madigan. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 435.

Motion filed by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 435, as it went over to the other Chamber, created the Real Estate Timeshare Act of 1999. House Amendment No. 1 to Senate Bill 435 clarifies language contained in the original language of Senate Bill 435. And I would ask for concurrence on House Amendment No. 1 to Senate Bill 435.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 435. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 1 voting Nay, none voting Present. The Senate does concur in House Amendment 1 to

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Senate Bill 435. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 445. Senate -- Senator Walsh. Thomas Walsh. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 445.

Motion filed by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. Senate Bill 445, when it left the Senate, was a continuing education bill for the mortgage brokers. And the amendment that was put on in the House just added an immediate effective date.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur to House Amendment 1 to -- to Senate Bill 445. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 58 voting Aye, none voting No, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 445. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 460. Out of the record. Senate Bill 561. Senator Obama. Read the bill, Madam Secretary. 561. The motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 561.

Motion filed by Senator Obama.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. This bill expands the provisions authorizing county-employed public administrators to include counties within populations under one million. Requires all property sales by county-employed public administrators to be done by sealed bid auctions. Requires all public administrators in counties under one million to file an annual report with the State Comptroller and applicable circuit clerks. I know of no opposition. The proponents are the Illinois State Bar Association and the Chicago Bar Association, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final action. The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 561. Those in favor, vote Aye. Those 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, Madam Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 561. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 658. Senator Peterson. Read the bill -- read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 658.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Peterson.

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SENATOR PETERSON:

Thank you, Madam President. Senate Bill 658, as it left the Senate, created the Orthotics, Prosthetics, and Pedorthics Practice Act. Amendment 1 creates a board to consist of six members. Provides that assistants and technicians shall work under the supervision of a licensed orthotist or prosthetist, and further mandates that the licensure requirements shall not be enforced until twelve months after the adoption of the final rules. Amendment 2 provides that the Act shall not affect any person or persons who are employed by a licensed individual or health care facility. I know of no opposition. I ask for concurrence to House Amendment 1 and 2 to Senate Bill 658.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 658. Those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Final action. Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 59 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 658. And this bill, having received the required constitutional majority, is declared passed. Senate Bill 667. Senator Cronin. Read the bill, Madam -- read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 667.

Motion filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. House Amendment 2 removes the language of Amendment No. 1. And it requires that a sole proprietor, partner or member of a LLC must file notice of the -- of a waiver with the Industrial Commission. These officers are still able to elect out of the workers' comp system, but they would not be required to inform the Commission of their decision. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final action. The Senate -- the question is, shall the Senate concur to -- to House Amendments 1 and 2 to Senate Bill 667. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 58 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 667. And this bill, having received the required constitutional majority, is hereby declared passed. Senate -- Senate Bill 725. Senator Luechtefeld. Read the bill, Madam -- read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 725.

Motion filed by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Go ahead, Senator.

SENATOR LUECHTEFELD:

The -- the underlying bill is the -- the bill dealing with the

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Aquaculture Cooperative, which we passed out of here. There are two amendments that have been added. The one amendment provides that the Aquaculture Cooperative shall prepare a budget plan for the next fiscal period and submit the budget to the Director of Agriculture. Also, two universities were added as part of this project, Western Illinois University and Illinois State University. Also the second amendment addresses an issue that Senator Bowles and Senator Clayborne had with the -- with this bill originally, simply taking it away from sales tax and putting it into the -- the money coming from general revenue. I would answer any questions that you might have on this issue.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Welch. May we have it a little more quiet, so you can hear each other when you speak to each other? Senator Welch.

SENATOR WELCH:

Yes, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll yield.

SENATOR WELCH:

Senator Luechtefeld, the Illinois Aquaculture Development Fund, what exactly is that? Is there a group of people? Are there salaried people on this board? Could you explain what the fund is, and where the money will go?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, this would be a -- a board that would basically attempt to try to further the development of aquaculture in the State of Illinois, you know, by possibly either research, advice, loans, this sort of thing, to -- you know, there's -- there's no use having the processing plant at Pinckneyville, which is the

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first part of this plan, and then -- and then -- and then not have fish to sell. And so this is, hopefully, another part of agriculture that gives people another option. The agriculture industry has struggled an awful lot lately, and this, I think, would give people an option to get into the -- into the fish business.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, the -- this program was started about, what, a dozen years ago, or something, aquaculture in southern Illinois, and -- and they're still not -- I mean, it was Senator Topinka who came up with this thing years ago, as I recall, an aquaculture funding. In ten years, they haven't made a profit. It doesn't sound like there's any real plans to spend this money on anything in particular. It's just kind of general research. How much research do you need to do to find out if people are going to buy fish? I don't -- I don't understand what the money is used for. Does -- is there a board of directors that gets a salary, or is there a -- a group that gets paid out of this fund? You know, I don't understand exactly what the money goes for.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, the -- the -- project that you're talking about with -- with Topinka, I -- I have -- actually, I think, just did a study to try to see once whether it would work. There was no attempt really to help people get started in this business. You know, it -- what comes first, the processing plant or the -- or the -- or the aquaculture business? Really you need both if -- if both are going to work. This is an attempt to try to get people to -- in this business, to help them along in this business with

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loans, with equipment, with advice, to actually -- you know, not a lot of it will be necessarily used for research anymore. It's -- it's the actual project of getting it started.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Senator, it sounds like you've summed up the entire reason for the existence -- it sounds like you've summed up the entire reason for the existence of the Department of Commerce and Community Affairs. Why do we need a separate project for this? Why can't they just apply to DCCA like every other business in the State of Illinois does? I don't understand why you need a separate million-dollar appropriation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, we spend millions and millions of dollars each year to attempt to help business and create jobs. I would think that this money will be spent as well or better than much of the money that's spent at the present time to do exactly that with DCCA.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Well, that's a curious statement. You're saying that DCCA misspends money, but this million dollars is going to be better spent than most of DCCA's spending? So, do you have an -- are you reducing the appropriation, then, for DCCA, to get rid of the wasteful spending? I mean, that's the whole purpose of DCCA, is to take businesses and see who deserves the money, not just to throw money at 'em on a program like this. This -- this totally circumvents the purpose of having these departments in the -- in the State.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I -- I -- I don't remember saying that -- that DCCA misspends money. You said that; I really didn't say that. I -- I said that this -- I said we spend millions and millions of dollars each year to help jobs. I think this is a -- will be very well spent to help jobs, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further...

SENATOR LUECHTEFELD:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I guess I don't -- I don't mind helping you, but have you talked to your Leader about this program? Seems to me it might be a little easier and cost-effective.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Talk to my Leader, Senator, who did you have in mind there?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I'm sure your familiar with the process around here. I was just curious if you just couldn't walk over to his office and ask him about this particular problem, and I'm sure he'll be able to resolve it for you, rather than having two separate operations going on.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Demuzio.

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SENATOR DEMUZIO:

He hasn't answered my question, I don't know if...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Did you ask him a question?

SENATOR DEMUZIO:

I'll ask you that question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, when -- when my Leader, as you say, voted for the project, I took it that he was for it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio.

SENATOR DEMUZIO:

I think he's got another one back there that you might fit better in, don't you think.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld, you're response to....

SENATOR LUECHTEFELD:

I can't tell you, Senator, I really don't know.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are you finished, Senator Demuzio? Any further discussion? Any further discussion? Hearing none, the question is -- Senator Luechtefeld, would you like to close?

SENATOR LUECHTEFELD:

I would just ask for concurrence with these amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 725. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question,

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there are 38 voting Aye, 21 voting Nay, none voting Present. And the Senate does concur with House Amendments 1 and 2 to Senate Bill 725. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 800. Senator Noland. Read the bill -- read the motion, Madam Secretary. Wait just a moment. There's an awful lot of noise coming forth from this side and would -- we'd appreciate it, very much, if you would tone it down so you couldn't hear it. Senator Jones, for what purpose do you rise? Senator Emil Jones.

SENATOR E. JONES:

Thank you, Madam President. I'd like for the Senate to give a warm welcome to the residents of the Roseland community who are here in Springfield with the President of Roseland Hospital, Mr. Oliver. They're here to watch us debate the critical issues as relate to health care in Illinois. And this hospital that -- serves the far south end of my district and Senator Shaw's district, who wants to remain open, and I know in our infinite wisdom we're going to make sure that they are well taken care of. So let's give a warm welcome to the residents supporting Roseland Hospital.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We welcome you here, and hope you enjoy your stay. Stand up and be recognized. Senate Bill 800. Will you read the motion, Madam Secretary?

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 800.

Motion filed by Senator Noland.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Noland.

SENATOR NOLAND:

Thank you, Madam President. The underlying bill, Senate Bill

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800, expands the duties for dental hygienists and dental assistants. The amendments clarify in statute the limitations for dental assistants in reference to coronal polishing, for dental hygienists in relation to monitoring nitrous oxide. And then it also spells out the -- the -- the approved training course that the dental assistants must go through to perform these increased tasks.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 800. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 56 voting Aye, 1 voting No, none -- 1 voting Present. And this bill -- the Senate does concur in House Amendments 1 and 2 to Senate Bill 800. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 812. Senator Cronin. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

...move to concur with the House in the adoption of their Amendments 1, 2, and 3 to Senate Bill 812.

Motion filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. There's three amendments here. House Amendment No. 1 makes a minor grammatical change that clarifies the meaning of the bill. House Amendment No. 2 deletes, or excludes, the Metropolitan Water Reclamation District from the effect of this bill. And Amendment No. 3 simply corrects a spelling error on the

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original bill. If I may, I'd like to make a motion that we divide the question with respect to Amendments 1 and 3, and a separate roll call be taken on Amendment 2.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson joins Senator Cronin in the motion. Any discussion? Senator -- Senator Clayborne.

SENATOR CLAYBORNE:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We'll come back to that. Any further discussion? The first question will be on House Amendments 1 and 3 to Senate Bill 812. The question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 812. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. There's 59 Ayes, none voting No, none voting Present. And the -- and the Senate does concur in House Amendments 1 and -- and 3. The question now is, shall the Senate concur in House Amendment 2 to Senate Bill 812. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, 2 voting Nay, none voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 812. And the bill, having received the required constitutional majority, is declared passed. Senator Clayborne.

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR CLAYBORNE:

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Just -- standing next to me is a colleague of mine, a lawyer, a fine lawyer from Chicago, a friend from college, and -- and a friend that I've grown to know over the years in the legal profession. And I'd like for the -- even though he's from Shaw's district, I feel that it's important that I -- I ask that the Senate recognize him.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

What's his name?

SENATOR CLAYBORNE:

I'm sorry. Kevin Ducksworth. Attorney Kevin Ducksworth. I'm sorry.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome aboard. Senate Bill 818. Senator Parker. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 818.

Motion filed by Senator Parker.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 818, the underlying bill, had to do with domestic abuse for {sic} disabled adults, the Intervention Act, and it had uniform system of -- for voluntary reporting abuse and neglect of individuals with disabilities residing in domestic situations. Amendment No. 1 only deletes language in the underlying bill which would have required the reporter to testify in a judicial proceeding with respect to abuse, neglect or exploitation. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further discussion? Any further discussion?

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This is final action. Hearing none, the question is, shall the Senate concur in Senate Bill -- to House Amendment 1 to Senate Bill 818. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, Madam Secretary, there are 58 voting Aye, none voting No, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 818. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 946. Senator Watson. Read the bill, Madam Secretary. Read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 946.

Motion filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Thank you very much, Madam President. As Senate Bill 946 left the -- the Body here, it was a shell bill, and the intent of it was to allow for the Department of Revenue and the Illinois Lumber Association to negotiate some language dealing with the tax problem they were having. As it worked out, there was no -- no success there, so the bill was deleted. All the language was deleted and now we have before us an amendment which provides for a technical correction to the Gas Revenue Tax Act, changing the formula by which the invested capital tax is calculated. This new formula addresses a double taxation effect caused by the moving of a -- a regulated utility -- electric generating assets into an unregulated subsidiary. This is revenue-neutral to both State and local governments. The amendment was drafted by the Department of Revenue and -- and -- and they stand in support.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Welch.

SENATOR WELCH:

Have a question of the sponsor.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will yield.

SENATOR WELCH:

Senator Watson, this is a formula to -- to change the way that gas plants are taxed, as -- as I understand it. And prior to this bill, plants are taxed based on a -- the addition of the tax on -- on the electrical portion of a plant and the gas portion of a plant, and then it's -- that figure is divided into the -- the numerator to figure out the -- the percentage of the total taxes paid, as I understand it. When you eliminate the electrical portion of the tax, how are we going to determine how much tax is paid by the gas plant that's left after the corporation's divided into its two entities of -- of electrical power and gas generation?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch. Senator Watson. Senator Watson.

SENATOR WATSON:

Before the deregulation, as you mentioned, there was the formula. And now, this formula now will be based on future growth. So there is -- as the growth continues, future growth of the company, and as it -- as it grows, obviously the revenue does, too. The -- it was revenue-neutral at this point in time, and as the -- as there is growth, there will be revenue growth that goes with it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

So the tax is based on the revenue of the company and not the

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-- the capital structure, the physical plant? Is that what you're saying, because that's what grows - the revenue?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson. Senator Watson.

SENATOR WATSON:

It will still be based on the capital.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

Then what -- what is growing? Is it if they add more physical plant, if they build another generating station or something, then the tax will increase, but right now it's going to stay? Right now, the total tax of the company is divided, and a portion between the electrical generation portion of the company and the gas portion. The gas portion will stay the same unless there's an increase in the -- in the physical plant, the buildings and structure and -- and the equipment. Is that what the argument is?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson. Senator Watson.

SENATOR WATSON:

Yes. Thank you. As the capital investment in the gas goes up, then so does the tax.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch.

SENATOR WELCH:

The -- the capital investment - if they buy more -- more property. But it's not a -- it's not a credit against their real estate tax. They will also pay the increased real estate taxes locally.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

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It has nothing to do with that. You're correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further? Further discussion? This is final action. The question shall be, shall the -- the Senate concur in House Amendments 1 and 2 to Senate Bill 946. Those in favor, vote Aye. Those 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, Madam Secretary. On that question, there are 58 voting Aye, none voting Nay, none voting Present. And this bill -- and the Senate does concur in House Amendments 1 and 2 to Senate Bill 946. And the bill, having received the required constitutional majority, is declared passed. Seth Perlman, the Associated Press, requests permission to take photos. Is leave granted? Hearing no objection, leave is granted. Senate Bill 1032. Senator Radogno. Radogno. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2, 4, 6 and 7 to Senate Bill 1032.

Motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President, Members of the Senate. Amendments No. 1, 2, 4, and 6 to Senate Bill 1032 align this bill with House Bill 305, which is the comprehensive TIF reform bill. Amendment No. 7 makes one addition to that bill in that it grants the City of Rosemont an extension of their TIF to thirty-five years, which has been agreed to by the schools in the district. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion?

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Hearing none - this is final action - the question is, shall the Senate concur in House Amendments 1, 2, 4, 6 and 7 in Senate Bill 1032. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, 1 voting Nay, 1 voting Present. And the Senate does concur in House Amendments 1, 2, 4, 6 and 7 of Senate Bill 1032. And the bill, having received the required constitutional amendment -- majority, rather, is declared passed. Senate Bill 1054. Senator Watson. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1054.

Motion filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Thank you very much. Senate Bill 1054, as you may remember, established the Illinois Teacher -- Teaching Excellence Program in order to provide a categorical funding for teachers who are employed by school districts and hold a Master Certificate. When this bill went to the House, a considerable change occurred, which we agree with. There was negotiations with the State Board of Education and the groups involved with the Master Certificate, and the National Board for Professional Teaching Standards was involved. And we now have before us House Amendment No. 1, which we want to concur. The -- it changes the validity period of a Master Teacher Certificate from seven to ten years and this correlates with the recertification bill we just passed, Senate Bill 556. It changes the three-thousand-dollar annual bonus to a onetime payment, and it also give a one-thousand-dollar bonus to

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employed Master Teachers that agree to mentor classroom teachers. And also receives an annual incentive of three thousand dollars if the Master Teacher will mentor in a school district that's on the Academic Early Warning List or in a school with a low-income per pupil concentration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none. This is final action. The -- the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1054. Those in favor, vote Aye. Those opposed will vote Nay. The voting's 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 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 1054. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1114. Senator Donahue. Read the bill, Madam Secretary. Hold on just a minute, Madam Secretary. Ladies and Gentlemen of the Senate, I don't mind if you talk softly, but it would be appreciated if you would. Thank you. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1114.

Motion filed by Senator Donahue.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Madam President. House Bill -- or, Senate Bill 1114 has on it House Amendment No. 1, and this amendment was requested by AFSCME and addresses the union's concern with the appeal rights. In our version, as it passed the Senate, it didn't contain any ability to appeal. This amendment

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adds that right and I would ask for your concurrence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final action. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1114. Those who -- who are for it will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 59 voting Aye, none voting No, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 1114. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1168. Senator Berman. Read the bill, Madam Secretary -- read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1168.

Motion filed by Senator Berman.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Senate Bill 1168, House Amendment No. 1 addresses the same subject that the bill that we originally passed out of here does and this deals with behavioral intervention for students in our school systems. It has been worked out with those -- both advocates for the schools, as well as advocates for the disabled. Be glad to give any specific details. It's endorsed by Equip for Equality, as well as the State Board of Education. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the - this is final action - the question is, shall Senate Bill 1168 -- shall the -- House Amendment 1 -- will -- shall the Senate

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concur in House Amendment 1 to Senate Bill 1168. Those in favor, vote Aye. Those opposed will vote Nay. The question -- the voting's open. All those in voted -- who wished to vote? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to -- to Senate Bill 1168. And the bill, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to page 2, Senate Bill 79. Senator del Valle. Read the motion, Madam Secretary. Senate Bill 79.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 79.

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I move to concur with House Amendment No. 1 to Senate Bill 79. This Senate bill creates the Day Labor Services Act. The amendment that was put on in the House clarified the definition of "day labor" and removed the -- the penalties from the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 79. Those in favor, vote Aye. Those opposed will vote Nay. The -- the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 59 voting Aye, none voting Nay, and the -- the Senate does concur in House Amendment 1 to Senate Bill 79. And the bill, having received the required constitutional majority, is declared passed. With leave

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of the Body, we'll go to the top of page 3. Senate Bill 460.
Senator Silverstein. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their
Amendments 1 and 3 to Senate Bill 460.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Silverstein.

SENATOR SILVERSTEIN:

Yes. I filed a motion to nonconcur with respect to Amendment
No. 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

With both 1 and 2? 1 and 3?

SENATOR SILVERSTEIN:

Just Amendment 3.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Did you want to concur to Amendment 1?

SENATOR SILVERSTEIN:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

And nonconcur to Amendment 3, is that correct?

SENATOR SILVERSTEIN:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Will you explain your motion, please?

SENATOR SILVERSTEIN:

There was a...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On Senate -- on Amendment 1.

SENATOR SILVERSTEIN:

Amendment 1 -- put this on the record, right now. Put it on
the record for 1. Out of the record.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are you ready, sir?

SENATOR SILVERSTEIN:

Yes. Amendment 1 adds a provision requiring that the court order the party substituting a -- ordering the party subpoenaing an expert to pay the witness. Number 3 dealt with the question of who is going to pay the fees. So...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, Senator Silverstein moves to concur in House Amendment 1 -- 1 to Senate Bill 460. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. There are 59 voting Aye, none voting No, none voting Present. And Senate -- the -- Senate does concur in House Amendment 1 to Senate Bill 460. On Amendment No. 3, Senator Silverstein.

SENATOR SILVERSTEIN:

Move to nonconcur.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Silverstein now moves to nonconcur in House Amendment No. 3 to Senate Bill 460. Those in favor will say Aye. All opposed, Nay. The -- in the opinion of the Chair, the Ayes have it, and the motion carries and the -- to nonconcur, and the Secretary shall so inform the House. Senator Madigan. Robert Madigan.

SENATOR R. MADIGAN:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR R. MADIGAN:

Thank you, Madam President. Visiting with us today, in the

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visitors' gallery, is the Morton Republican Women from Tazewell County, and I'd like them to be recognized.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you please rise so we can recognize you, and welcome to the Senate. Ladies and Gentlemen of the Senate, please turn to page 5, to House Bills 3rd Reading, on today's Calendar. And we will proceed to the Order of House Bill 1409. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1409 permits water utilities - like gas utilities and electric utilities currently have - permits them to submit special rate plans to deal with infrastructure questions that we have. Estimates run as high in Illinois as ten to fifteen billion dollars in infrastructure investment that's necessary over the next ten to fifteen years to maintain our water supply system. What this permits is public -- or, nonpublic utilities, private water companies, to submit special rate plans to the ICC for approval. In the past, they've been limited to only statutory. This permits them variable rate making and gives them the opportunity to adjust their rate so they can make infrastructure investments. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Shaw.

SENATOR SHAW:

Yes, thank you, Madam President. I didn't hear exactly what

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the -- what the bill is doing. But let me ask you this, under this legislation, does this increase the water rates to municipalities?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Shaw, this does not increase the water rates. It does, however -- it does, however, permit a water company to file for a special set of rates before the ICC, and it is possible that if this bill passed, if they file the plan, and if the ICC agreed with the plan, that it may cause an increase in water rates to -- to give the utility more money to invest in replacement of water mains and repairs.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

How is -- what does -- what role does the ICC play in changing the water rates now, and how does this differ -- how does this bill differ? Does this bill give them new powers, or -- how is this done at the moment?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Shaw, currently -- currently, if a water company wanted to change its rates, it would apply -- it would apply to the ICC for a change in its rates, and it would go through a rate case, where there would be a -- an extensive series of rules that they go through - it can take up to fourteen months - that requires the water company to prove, based on requirements, that they have the right to increase their rates. If you pass this, what this permits them to do is to do what Ameritech essentially has done, permits them to file alternate plans before the ICC to

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make the case for redoing their water rates in a different way. For example, currently, a water main, they're required to depreciate water mains between fifty and a hundred years. That's the length of time they have to for the formula. This would permit them to go make the case that the water mains in their area really should be depreciated on a twenty-five-year schedule, rather than a fifty-year schedule. It permits them flexibility in their rate requests before the ICC. But still the ICC has the right to full review and has the right to approve or disapprove their rate plan. It's really an attempt to try to give flexibility to the water company so they can deal with the infrastructure questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Can a municipality come in and petition against the increase?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Municipalities have the right to intervene in rate cases or in -- under the -- the request this way. Yeah. It would not affect a municipality's right, to the best of my knowledge, to intervene in a rate case.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Finally, who asked for this legislation?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR SHAW:

Who request it?

SENATOR RAUSCHENBERGER:

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This is a request of the National Association of Water Companies and Consumers Water Company.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Sorry, but is the ICC in support of this?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The ICC is neutral. Citizens Utility Board is troubled by permitting this kind of rate making. They -- they are comfortable with the current rate making structure.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

So, CUB is -- they're troubled. When you said troubled, you -- what do you mean?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I think CUB, in -- in -- in committee, said they recognize that there are serious concerns about water companies. They just -- they don't like this approach. They suggested that it -- it needed more work and you could use other approaches. They are actually -- they filed in opposition to the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate -- shall Senate Bill 1409 with -- pass. And those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 45 voting Aye, 12 voting Nay. And this bill,

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having received the required constitutional majority, is hereby declared passed. Senate Bill... Senator Klemm, for what purpose do you rise, sir?

SENATOR KLEMM:

Well, thank you, Madam President. I just want to announce the Executive Committee -- Senate Executive Committee will be meeting at 1 o'clock in Room 212. Just for all the Leaders to let 'em know. 212, 1 o'clock, Executive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Executive Committee will meet at 212 -- in 212 at 1 o'clock, as soon as we finish. The Senate will stand in -- at recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Resolutions 91, 108, 114, 115, 117, 121, 122 and 130, all Be Adopted; Senate Resolution 129 Be Adopted, as Amended; Senate Joint Resolutions 35 and 37 Be Adopted; and Senate Joint Resolution 32 Be Adopted, as Amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 556, with House Amendments 1, 2 and 4.

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We have like Messages on Senate Bill 652, with House Amendments 1, 2 and 3; and Senate Bill 1066, with House Amendment 1.

All passed the House, as amended, May 19, 1999.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

SECRETARY HARRY:

Senate Resolutions 143 and 144, by Senator Demuzio and all Members.

Senate Resolution 145, by Senator Dudycz and all Members. They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 146, by Senator Donahue. It's substantive.

PRESIDING OFFICER: (SENATOR MAITLAND)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1238, by Senator Hawkinson.

(Secretary reads title of bill)

And Senate Bill 1239, by Senators Maitland, Sieben and Dillard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR RAUSCHENBERGER:

For purposes of an announcement to the...

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your announcement.

SENATOR RAUSCHENBERGER:

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...Members of the Senate. I would just like the Members of the Senate to know that Senator Trotter and I stayed down over the weekend and spent a significant amount of time together with the Governor's people and Representatives from the House. Beginning on Friday, and on Saturday, we reached agreement with the House and the Governor's Office on levels of smaller agencies. We were informed by the House that they would try to begin acting on them Monday. We scheduled an approp hearing yesterday so that we could begin to hear some of the concurrences in committee. Unfortunately, House action did not clear those concurrences over to us. We brought the Chamber back today at Appropriation's request, so that we could again hear House action on the approp bills that they assured us, at about 1:15, that they were processing and sending over to us. It is now nearly 6 o'clock, and I apologize to Members of the Chamber. We have, in our possession, not a single House bill yet. We're unsure at this time whether that represents a -- a change in leadership over there. They are moving other concurrences. We just don't have any concurrences. The reason I think it's important that I explain this is that it's not Senator Trotter and I are not working hard - we've been in the Capitol till midnight the last two evenings. But if you see your House Members tonight or around, you might ask them to be sure and ask their leadership, that if they don't send us bills, we cannot act, and we cannot get out of here to adjourn. So, although -- keep in mind also, when you talk to your colleagues in the House, that it was they who requested action on individual bills, did not want to work in a large single bill, supported by many Members of this Chamber. But I wanted you to know that it's not Senator Trotter and I, that we have agreement on substantial portions of the budget, at least in theory. We're just now a little bit nonplus that we have not received the paper that, for more than two days, we were assured we would get. And I

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don't know if Senator Trotter wanted to add anything to my announcement, but we wanted you to know we're hard at work at this. But as -- as -- as we lose Wednesday, it makes increasingly -- makes it increasingly difficult to move the -- the Chamber out of here at the time I know we'd all like to leave. But I appreciate everybody's presence and we will continue to try to find where the House has got their paperwork.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard, for what purpose do you arise, sir?

SENATOR DILLARD:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR DILLARD:

Earlier today, on a concurrence on Senate Bill 800, my switch somehow was inadvertently voted as green, meaning Yes, and I really wish to have the record reflect that I wish to have voted No on the concurrence on Senate Bill 800.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will show your intent, Senator Dillard. All right. Are there any additional announcements? Is there any further business to come before the Senate? If not, Senator Watson moves that the Senate stand adjourned until 9 a.m., Thursday, May 10th. Senate is adjourned. Beg -- I beg your pardon, May 20th. May 20th.

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