

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

14th Legislative Day

March 20, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? Our prayer today will be given by Pastor Thomas Christell, Grace Lutheran Church, Springfield, Illinois. Pastor Christell.

PASTOR THOMAS CHRISTELL:

(Prayer by Pastor Thomas Christell)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Thursday, March 8th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objections, so ordered. Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

For the point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR MUNOZ:

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Thank you, Mr. President, Members of the Senate. I'd like to introduce members from Kelly High School, in my district, Jobs For Illinois Graduates program, their parents, teachers and career specialists, and also with them, their special guest, State -- former State Representative James Peterson. This program is a State-funded program for at-risk seniors to help them make the transition from high school to rewarding careers. Please extend them a warm welcome, to these up-and-coming graduates of Kelly High School.

PRESIDENT PHILIP:

Will Jim Peterson and students please rise and be recognized by the Senate? Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Bills 753, 1128, 1193, 1203, 1204, 1205, 1206, 1207, 1208, 1211, 1215, 1222, 1249, 1250, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1508, 1511, 1512 and 1520, all Do Pass.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bills 233, 543, 1029, 1030, 1089, 1822, 1854, 1908 and 1983.

All passed the House, March 8th, 2001.

We have a like Message on House Bill 1907.

Passed the House, March 14th.

And another Message on House Bills 25, 148, 200, 525, 847,

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857, 935, 1048, 1060, 1694 and 1720.

Passed the House, March 16th, 2001.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 74, offered by Senator Lauzen and all Members.

Senate Resolution 75, by Senator Sullivan and all Members.

Senate Resolutions 76 and 77, by Senator Lauzen and all Members.

Senate Resolution 78, by Senator Dillard, all Members.

And Senate Resolution 79, by Senator Shadid and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 17, offered by Senators Shadid and Dudycz.

And Senate Joint Resolution 18, Constitutional Amendment, presented by Senator Petka.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Wendell Jones, what purpose do you rise?

SENATOR W. JONES:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR W. JONES:

Yes. I have a Page for a Day from the Northwest Special Recreation Association, and he's from my hometown in Palatine, Jeff Romeo. Would you give him a Senate welcome, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the Senate. Senator Larry Walsh, what purpose do

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you rise?

SENATOR L. WALSH:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR L. WALSH:

Mr. President and Members of the Senate, I have with me today two special guests - my sister and her husband from Wisconsin, down to visit us - in the gallery behind me. JoAnn and Marty Katzmarek. I'd like to welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Senator Sullivan, what purpose do you rise?

SENATOR SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SULLIVAN:

I also have a Page for a Day from the Northwest Special Recreation District, John Angerame.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, John. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Agriculture and Conservation - Senate Amendment 1 to Senate Bill 871; refer to the Committee on Judiciary - Senate Amendment 1 to Senate Bill 20, Senate Amendment 2 to Senate Bill 64; to the Committee on Transportation - Senate Amendment 2 to Senate Bill 115, Senate Amendment 2 to Senate Bill 267, Senate Amendment 1 to Senate Bill 800; and Be Approved for Consideration

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- Senate Amendment 1 to Senate Bill 109, Senate Amendment 2 to Senate Bill 184, Senate Amendment 1 to Senate Bill 382, Senate Amendment 2 to Senate Bill 452, and Senate Amendment 1 to Senate Bill 883.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bills 319, 453, 489, 935, 936, 1253 and 1254 Do Pass; and Senate Bills 879, 942, 962 and 1019 Do Pass, as Amended.

Senator Dillard, Chair of the Committee on Local Government, reports Senate Bills 99, 316, 360, 521, 523, 755, 1084, 1220 and 1221 Do Pass; and Senate Bills 32, 49, 92, 681 and 961 Do Pass, as Amended.

And Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bills 373, 461, 518, 558, 873, 882, 889 and 1504 Do Pass; and Senate Bills 165, 390, 608, 624, 816, 817, 884, 885 and 1493 Do Pass, as Amended; Senate Joint Resolution 3 Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. Before we begin our usual ordinary and customary exercises that you normally put us through, I have an announcement. The announcement is I -- I've been reading this book here. It's the Illinois Blue Book, and it says here that some fellow from the 30th Senatorial District, who lives up in Lake County somewhere, was born March the 20th of 1947. And he's having a birthday today. And that's Terry Link. He's trying not to listen, 'cause I guess he doesn't want to buy a cake or anything for the Members. But I would like to have the Membership

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recognize Senator Link on his birthday.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, you may notice that you're reading from an old book. Senator Link actually is much older than -- than that. Happy birthday, Senator Link. We will now go to the Order of Senate Bills 2nd Reading. If the Members will bring their attention to the top of page 2, in the Order of Senate Bills 2nd Reading. Senate Bill 15. Senator Philip. Ladies and Gentlemen, will you please take the conferences off the Floor? We are going to 2nd Readings now. Please keep your conferences off the Floor. Top of page 2, in the Order of Senate Bills 2nd Reading, is Senate Bill 15. Senator Philip. Senator Philip? Senate Bill 20. Senator Parker. Senate Bill 39. Senator Silverstein. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 39.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 48. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 48.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 60. Senator Watson. Senate Bill 62. Senator Obama. Senate Bill 64. Senator Silverstein. Senate Bill 76. Senator Sullivan. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 76.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 113. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 113.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 115. Senator Radogno. Senate Bill 116. Senator Radogno. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 116.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 117. Senator Parker. Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 117.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 119. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 119.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 130. Senator Robert Madigan. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 130.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 131. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 131.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Bottom of page 2. In the Order of Senate Bills

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2nd Reading, Senator Robert Madigan has Senate Bill 132. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 132.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 3, in the Order of Senate Bills 2nd Reading, is Senate Bill 153. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 153.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 184. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 184.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. Chairman, Members of the -- of the Senate. This amendment is -- is just an -- a language change that -- this changes -- it will make it clear that the Department can only pay

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producers for ethanol products. And that would -- would explain the other -- the "other products" issue. Any questions, I'd be glad to answer them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 188. Senator Philip. Senator Philip. Senate Bill 194. Senator del Valle. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 194.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 209. Senator Watson. Senator Watson. Senate Bill 251. Senator Dillard. Senator Dillard. Senate Bill 252. Senator Lauzen. Senator Lauzen. Senate Bill 263. Senator Thomas Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 263.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill 264. Senator Mahar. Senate Bill 267. Senator Philip. Senator Philip. Senate Bill 286. Senator Wendell Jones. Senate Bill 298. Senator Watson. Senator Watson. Senate Bill 330. Senator Sieben. On the bottom of page 3, in the Order of Senate Bills 2nd Reading, is Senate Bill 333. Senator Thomas Walsh. On top of page 4, in the Order of Senate Bills 2nd Reading, is Senate Bill 382. Senator Syverson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 382.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Amendment No. 1 makes just a couple of minor changes, which Department of Public Health has requested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 385. Senator Dillard. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 385.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 406. Senator Watson. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 406.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 441. Senator Parker. Senate Bill 447. Senator Sullivan. Senate Bill 448. Senator Sieben. Senate Bill 450. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 450.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 456. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 456.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 458. Senator Rauschenberger.
Senate Bill 493. Senator Burzynski. Read the bill, Mr.
Secretary.

SECRETARY HARRY:

Senate Bill 493.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 502. Senator Lisa Madigan. Read
the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 502.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 527. Senator Burzynski. Mr.
Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 527.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 528. Senator Burzynski. Senate Bill
534. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 534.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. On bottom of page 4, in the Order of Senate Bills 2nd Reading, is Senate Bill 550. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 550.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 5, in the Order of Senate Bills 2nd Reading, is Senate Bill 575. Senator Welch. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 575.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 602. Senator Halvorson. Senate Bill 606. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 606.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 610. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 610.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 616. Senator Peterson. Senate Bill 638. Senator Cullerton. Senator Cullerton. Senate Bill 640. Senator Cullerton. Senator Cullerton. Senate Bill 643. Senator Sullivan. Senator Sullivan. Senate Bill 647. Senator Cullerton. Senator Cullerton. Senate Bill 664. Senator Noland. Senate Bill 687. Senator Dillard. Senate Bill 697. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 697.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senate Bill 720. Senator Dudycz. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 720.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 735. Senator Bomke. Senate Bill 778. Senator

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Weaver. Bottom of page 5, in the Order of Senate Bills 2nd Reading, is Senate Bill 788. Senator Noland. Top of page 6, in the Order of Senate Bills 2nd Reading, is Senate Bill 794. Senator Lauzen. Senate Bill 795. Senator Lauzen. Senate Bill 796. Senator Lauzen. Senate Bill 800. Senator Klemm. Senate Bill 825. Senator Watson. Senator Watson. Senate Bill 830. Senator Thomas Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 830.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 835. Senator Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 835.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 836 -- 3rd Reading. Senate Bill 836. Senator Thomas Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 836.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 837. Senator Bomke. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 837.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 850. Senator Karpel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 850.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 853. Senator Peterson. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 853.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 854. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 854.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 855. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 855.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senator Peterson, on -- Senate Bill 856. On the bottom of page 6, in the Order of Senate Bills 2nd Reading, is Senate Bill 857. Senator Radogno. Senator Radogno. Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 857.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 7, in the Order of Senate Bills
2nd Reading, is Senate Bill 858. Senator Radogno. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

Senate Bill 858.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 862. Senator O'Malley. Read the
bill.

SECRETARY HARRY:

Senate Bill 862.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 871. Senator Watson. Senator
Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 871.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill 877. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 877.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 880. Senator Dillard. Senator Dillard. Senate Bill 883. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 883.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Committee {sic} No. 1 simply puts the date effective on the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 887. Senator Geo-Karis. Senate Bill 888. Senator Thomas Walsh. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 888.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 923. Senator Lauzen. Senate Bill 980. Senator Munoz. Senator Munoz. Senate Bill 1047. Senator Cullerton. 1047. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1047.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1089. Senator Burzynski. Read the bill.

SECRETARY HARRY:

Senate Bill 1089.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 1102. 3rd Reading. Senate Bill 1102. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1102.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill 1104. Senator Thomas Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1104.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On bottom of page 7, in the Order of Senate Bills 2nd Reading, is Senate Bill 1116. Senator Clayborne. Senator Clayborne. Top of page 8, in the Order of Senate Bills 2nd -- on top of page 8, in the Order of Senate Bills 2nd Reading, is Senate Bill 1176. Senator Peterson. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 1176.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1177. Mr. -- Senate Bill 1216. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1216.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1217. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1217.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1218. Senator -- Mr. Secretary,

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read the bill.

SECRETARY HARRY:

Senate Bill 1218.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1219. Read the bill.

SECRETARY HARRY:

Senate Bill 1219.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1232. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1232.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Senate Bill 1278.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1279. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1279.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Turn to the -- if the Members will turn to the middle of page 5, in the Order of Senate Bills 2nd Reading, we will return to Senate Bill 647. Senator Cullerton. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 647.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senator Walsh, what purpose do you rise?

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. I would like to -- introduce a couple of Pages we have down here for the day. Sitting in Senator Petka's seat is Elisha Preston, who is from my hometown of LaGrange Park. And to my right here, we have Nicole Romano, who is from Senator Philip's hometown of Wood Dale. And I'd like to have everyone welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. We will now be going to the Order of Senate Bills 3rd Reading. Will the Members please ask your guests to -- to leave the Floor. We will be going to the Order of Senate Bills 3rd Reading. This is final action, Ladies and Gentlemen. Will the Members be in their seats? Will the staff retire to the back of the Chamber, and will the guests please leave the Senate Floor? We will now go to the Order of Senate Bills 3rd Reading in the middle of page 8. Senate Bill 19. Out of the record. Senate Bill 31. Senator Dillard. Senate Bill 65. Senator Silverstein. Senate Bill 101. Senator Sieben. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

Senate Bill 101.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Municipal League, and it came to my attention by the Mayor of Rock Falls. Concerns how they report their annual publication listing of -- of employees' salaries, and previously -- or, currently, I should say, they're required to list the actual individual salaries. And what they've asked for here is that they be able to list the salaries of employees by specific ranges. We've worked out an agreement here and amended the bill, at the request of -- of Senator Klemm, to set those ranges a little more appropriately. I know of no opposition to the bill and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 101 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 wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 101, having received the required constitutional majority, is hereby declared passed. Senate Bill 107. Senator del Valle. Senate Bill 109. Senator del Valle. Bottom of page 8, in the Order of Senate Bills 3rd Reading, is Senate Bill 155. Senator Rauschenberger. On the top of page 9, in the Order of Senate Bills 3rd Reading, is Senate Bill 164. Senator Rauschenberger. Senate Bill 180. Senator Roskam. ...Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 180.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When I first was asked to sponsor this bill, I asked some of my Senate Republican colleagues if this was kind of like, "Hey, give this to Mikey; he's the new guy", like the Life cereal commercial. But, as I began to study this bill and look at it carefully, this bill is a great idea. And it -- what it does is it creates an Inspector General for the State of Illinois. I don't know of any opponents to the bill. I know that -- I think Senator Madigan has some questions, and I'd be happy to yield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Madigan.

SENATOR L. MADIGAN:

Senator Roskam, you were very kind when we were dealing with this bill in committee and agreed to put an amendment on it to make sure that it was clear that this Illinois Inspector -- or, Educational Inspector General would not apply to the City of Chicago because the City of Chicago currently has an Illinois Inspector General. Is that the intent of this bill and amendment?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Madigan.

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SENATOR L. MADIGAN:

The reason that I wanted to clarify that is I think the way we wrote the amendment was it did simply delete a number of lines. And let me find where we ended up doing that. I think it's on page 4 of the bill. And my concern, I guess, was that it was not clear, in the actual wording of this, that Chicago was not going to be subjected to an additional layer of an inspector general. But as long as you're going to guarantee that that is not your intent by having this, then we would not have any complaints. We being at least those people from the City of Chicago. Thanks.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

The -- from a whisper from Senator Hawkinson, I didn't want to overstate the possibility of no opponents to the bill. It came out of the -- the committee unanimously. That's what I was trying to say.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, according to our analysis, the IFT, ED-RED and the Illinois Statewide School Management Alliance are in opposition to this bill. Do you know if they're still in opposition?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Senator, they had filed opposition witness slips in committee. They haven't spoken to me about the bill or to staff about the

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bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

The Management Alliance - just so I understand - that's the Association of School Boards, the -- the principals, the superintendents. Do you know the basis of -- of their opposition?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Well, I don't want to make their arguments for 'em. But probably if -- if I were, and you're going to make me make their arguments for 'em, they would probably say that they're -- that it's arguably duplicative, that there are -- that there are avenues for investigation currently. The reason that I would set aside that argument, Senator, the testimony -- we had Maribeth Vander Weele, the -- the Chicago Inspector General, come in and testify as a proponent of this bill. She was very insightful, in what she was able to lay out, that a lot of the complaints and a lot of the allegations of fraud can be highly technical in this arena. And many times, local State's attorneys don't have the skills, they don't have the ability, to figure out -- or, you know, as a matter of priority, to go after a vendor for five thousand bucks; whereas, this Inspector General's office would be able to. But I think those are the -- those are the things that you need to weigh and balance out. I think the balance comes out appropriately on the side of Senate Bill 180. But I acknowledge the opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Have a question of the sponsor.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Patrick Welch.

SENATOR WELCH:

Senator, the analysis says that the Inspector -- if the Inspector General determines a possible criminal act has been committed, et cetera, et cetera. How many lawyers are going to be working for the Inspector General, and how big a staff is this agency now going to have underneath him?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Senator, this bill is silent as to that. I think that this General Assembly -- it would be incumbent upon us to make sure that the appropriate staffing and resources are available, and that would be one of our oversight functions. But in direct answer to your question, the bill is silent as to that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, was there a fiscal note attached to this? And if so, what does it say?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

I'm not aware of a fiscal note, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Could -- would you mind taking it out of the record so we could get one? I mean, this could be an extremely expensive proposal. You're talking about investigating more than nine hundred school districts, investigating regional superintendent

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offices. And we have very little information to go on. Apparently you have to be on the committee to find out what's going on. Seems to me -- would you be willing to take this out so we can get a fiscal note, or you want to just go forward and let us vote?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Senator, here's the good news: That even though we don't have a fiscal note on it, our staff analysis says that it would be about a half-a-million-dollar start-up cost. So that's the range. That's the order of magnitude that we're talking about today. But I think, under normal circumstances, if we look at any sort of allocation of a -- of a half a million dollars, if you look at the Chicago model and the success that that Inspector General's Office has enjoyed, I think we can bet dollars to doughnuts that we are going to reap the benefits of that many, many, many times over.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

The Governor's State of the State Address said that he was going to streamline the office -- the State Superintendent's Office. Is this part of the streamlining, or does this go directly against what the Governor planned? And is the Governor in favor of this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

This is not an initiative of the Governor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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Mr. -- Mr. President, in line with some of the questioning on the other side, it would seem to me that we have adequate staff for any misconduct that is shown by the -- this special general. We have the Attorney General's Office, and certainly I don't know that we need other lawyers in the same department. And I rise to speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR ROSKAM:

Thank you, Ladies and Gentlemen. I think it's been well discussed and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 180 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 31 Ayes, 20 Nays, 2 voting Present. And Senate Bill 180, having received the required constitutional majority, is hereby declared passed. Senator Welch, what purpose do you rise?

SENATOR WELCH:

Mr. President, I'd like to have a verification of the roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. Senator Patrick Welch has requested a verification of the affirmative vote. Will all the Members please be in their seats? And will the -- Madam Secretary, would you read the affirmative votes?

ACTING SECRETARY HAWKER:

The -- the following Members voted in the affirmative: Burzynski, Clayborne, Cronin, (Dillard,) Dudycz, Geo-Karis, Hendon, Karpel, Klemm, Lauzen, Lightford, Lisa Madigan, Munoz, Obama, O'Daniel, O'Malley, Parker, Petka, Radogno, Rauschenberger,

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Ronen, Roskam, Shaw, Silverstein, Sullivan, Syverson, Trotter, Thomas Walsh, Watson, Weaver and Mr. President. (Senator within parentheses inadvertently not read.)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch, you question the presence of any Member voting in the affirmative?

SENATOR WELCH:

...Munoz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz. Is Senator Munoz in the Chamber? Strike his name. Any other Members?

SENATOR WELCH:

Senator Trotter.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter. Senator Trotter in the Chamber? Strike his name. Any more names, Senator? On a verified roll call, the Ayes are 29, Nays are 20, 2 voting Present. And having failed to receive the required constitutional majority, Senate Bill -- Senate Bill 180 is hereby declared lost. Senator Peterson, what purpose do you rise?

SENATOR PETERSON:

Thank you, Mr. President. Personal privilege. I'd like to introduce John Froemke from my district, who is a Page for the Day from the Special Rec District.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, John. Senator Parker, what purpose do you rise?

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, please.

SENATOR PARKER:

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I also have with me today, Jay Soltnick, from Northbrook, with the Special Education Recreation District. Please give him a warm welcome.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Small Newspaper Group requests leave to take photographs. Hear of -- hearing no objection, leave is granted. Senator Karpiel, what purpose do you rise? Senator Karpiel.

SENATOR KARPIEL:

Mr. President, I have a personal privilege, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR KARPIEL:

I would like to introduce the Body to Mr. Ian Kenneally, with the Special Education group. Would you all welcome Ian, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Ian. Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR ROSKAM:

Ladies and Gentlemen, I'd like to introduce Anne Metoyer, who's visiting today from Springfield, Illinois. Could you please welcome her?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Anne. Senator Halvorson, what purpose do you rise?

SENATOR HALVORSON:

Thank you, Mr. President. I, too, have a guest today. I'd like Kathy McGannon, from Homewood, to stand up, also from the

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South Suburban Special Recreation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Kathy. 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:

I would like to introduce Akshay Joshi, who is here from my district. And I would like you all to give him a warm welcome.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Senator Radogno, what purpose do you rise?

SENATOR RADOGNO:

Thank you. I would like to introduce Miss Julianne Cervenka, who is visiting from the special ed district in my area.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Juli. And to all our guests who haven't been introduced, welcome to Springfield. We will now go to the Order of -- the top of page 9, to the Order of Senate Bills 3rd Reading. Senate Bill 195. Senator Hawkinson. Senate Bill 265. Senator Jacobs. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 265.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. Senate Bill 265 -- under Senate Bill 265, a criminal defendant can

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no longer assert a voluntarily drugged condition or voluntary intoxication as a defense. This legislation is in response to an incident where a Rock Island County man, after drinking at a neighborhood bar, went home, slipped into the bed of his daughter's eleven-year-old friend and allegedly fondled her. The man asserted that his drunken stupor was so extreme so as to suspend his power of reason and therefore rendered him incapable of forming the requisite intent to commit sexual abuse. The court found the man not guilty. In this day and age, where we talk about accountability, this legislation, as I see it, places greater accountability on one's actions when one is voluntarily intoxicated or under the influence of drugs. Passed out of committee unanimously. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. -- thank you, Mr. President. I rise in support of Senate Bill 265. Also want to make a point for legislative intent.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR HAWKINSON:

Every criminal offense -- thank you, Mr. President. Every criminal offense has an underlying mental state, whether it be willfulness, intentionalness, knowledge, recklessness, and so forth. Nothing in this bill removes the obligation of the people of the State, through the State's Attorney, to prove the mental intent that is requisite for the underlying offense. This bill simply removes a separate affirmative defense from the statute. Also, nothing in this legislation would, in any way, affect the ability to introduce any evidence, including evidence of voluntary intoxication, which might go to negate the required mental state

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for any individual criminal offense.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Any further discussion? Senator Molaro.

SENATOR MOLARO:

The sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

Okay. If -- if Senator Hawkinson is right, then why are -- why would we be doing this? In other words, if we could always bring it up, what's the difference -- what's the difference then?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

It's -- it's my understanding that it's a burden of proof, is -- is the -- the separate difference.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Then -- I see Senator Hawkinson rising, so I'll -- I'll ask both of them then. If -- if it turns out that it's an affirmative defense, then you would also -- you would almost have to bring that up as a pretrial defense. So -- or at least notify them before the trial. So does this make it easier or more difficult, and if what you said is true, why would we then have to take this out as an affirmative defense? What's the difference? How does it change the procedures?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, you're correct. Affirmative defenses normally have to

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be noticed. The reason for the removal of this is to avoid confusion, number one; and secondly, to avoid any jury instruction or the like which might suggest to the jury that there's a special defense for intoxication, apart from the negating of the appropriate mental state. So you still -- the State will still have to prove in every case -- if it's an intentional case or a case where mere knowledge is, will have to prove the required mental state beyond a reasonable doubt. And evidence of intoxication can still be introduced to try and negate that state. But this statute, by having it as a separate statute for voluntary intoxication, we believe can create some confusion in the law, might suggest that somehow voluntary intoxication is a separate defense, in addition to being a negation of the required mental state. Personally, this is the first time I've seen this defense successful in all my years of observing the criminal justice system, and I think we should avoid that confusion, with the understanding that we have put forward here that we're not attempting to, in any way, undermine the -- the burden on the prosecution to prove mental state. There was no objection in committee, beyond what's been stated.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Chairman -- Mr. President and Ladies and Gentlemen of the Senate, I understand from this bill that the voluntary intoxication or drug -- drugging, so to speak, defense would be amended -- would be eliminated and I think it should be. I'm tired of seeing people sexually assaulted -- fellows or anyone going after children, assaulting them sexually, and then being able to be -- get a not guilty plea because he was -- the -- the assaulter was drinking or was on drugs. He can control his own destiny. He doesn't have to drink. He doesn't have to go on

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drugs. But when they molest a child, for example, and they get by with it because they can -- they can assert an affirmative defense, I think it's going too far. And I'm certainly in favor of this bill. It's about time we had it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 265 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 wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 265, having received the required constitutional majority, is hereby declared passed. Senator Cronin, what purpose do you rise?

SENATOR CRONIN:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR CRONIN:

Mr. President, I'd just like to introduce Sarah Byron, who's sitting in my seat. She's from the Northeast DuPage Special Recreation Association. And she is here visiting from the lilac town of Lombard. And her parents are the -- the famous Michael Byron and Jeanette Byron. Like to introduce Sarah Byron, from Lombard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Sarah.

PRESIDENT PHILIP:

If I could have your attention just for one minute. We're very, very fortunate today to have the Italian General Consul of

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Italy here today with us. I've asked Senator DeLeo to introduce him and his party. Senator DeLeo.

SENATOR DeLEO:

Why, thank you, Mr. President. We have visiting today the Consul General of Italy, Mr. Enrico Granara. I would like to have the Senate attention for him to say a few words this morning. Could we give him a Senate welcome?

CONSUL GENERAL ENRICO GRANARA:

(Remarks by Consul General Enrico Granara)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley, what purpose do you rise?

SENATOR O'MALLEY:

Mr. President, I'd like the -- the Senate to give a warm welcome to a fine young man from the Special Recreation area and -- and -- programs in the southwest suburbs, and his name is Chuck Farruggia, and he comes from Midlothian, Illinois. ...warm welcome.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Chuck. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BURZYNSKI:

Thank you, Mr. President. First of all, I'd like to introduce a young man from your district, Billy Fabbri, from the Maine-Niles Association of Special Recreation. Billy, would you stand, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Billy. If the Members will turn their attention to the middle of page 9, in the Order of Senate Bills,

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we will continue in the Order of Senate Bills 3rd Reading. Senate Bill 275. Senator Parker. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 275.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Members of the General Assembly. Requires -- this requires a tollway to submit to the General Assembly a comprehensive strategic plan detailing its income, expenditures, debt, capital needs, and the cost of any planned extensions. It also -- that they are to provide detailed and specific information regarding how it will fund its capital needs and planned extensions. And I would be glad to answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 275 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 275, having received the required constitutional majority, is hereby declared passed. Senate Bill 289. Senator Burzynski. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 289.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

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SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Professional Engineering Practice Act. Requires DPR to publish and distribute a newsletter semi-annually to all licensed professional engineers. Allows DPR to deny some licensure. Requires DPR to begin license exams for software engineers by January 1, 2005. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 289 pass. All those in favor will vote Aye. Opposed will vote Nay. The -- and 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 57 Ayes, no Nays, none voting Present. And Senate Bill 289, having received the required constitutional majority, is hereby declared passed. Senate Bill 364. Senator Noland. Senator Noland. Senate Bill 370. Senator Rauschenberger. Senate Bill 394. Senator Klemm. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. It amends the Environmental Protection Act. And what it does is it adds a representative from the Illinois Association of Environmental Laboratories to the Community Water Supply Testing Council. It makes the three-hundred-fifty-dollar annual fee for certification part of the existing assessment schedule. The EPA will establish

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procedures relating to the -- certification of laboratories. The EPA will also develop alternative assessment schedules for lab certification, and the Committee will hold at least a minimum of two regular meetings each year. The -- EPA supports the bill. The Illinois Association of Laboratories supports the bill. There's no opposition. I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 394 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 56 Ayes, no Nays, none voting Present. And Senate Bill 394, having received the required constitutional majority, is hereby declared passed. Senate Bill 396. Senator Parker. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 396.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Members of the Senate. What this does is allow trainers of guide, support, hearing, or leader dogs, or a dog that is at least six months of age that is being trained access to public places when accompanied by the dog. I'd be glad to answer any questions and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 396 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the

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record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 396, having received the required constitutional majority, is hereby declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Mr. President. I -- I've been pushing my switch. It's been registering apparently, but my bulb has burned out over here. I'd like to have an electrician come and take a look at it, because I don't want to get confused on some really big ones.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Demuzio. We don't want you to be confused by an unlit bulb either. Senate Bill 430. Senator O'Malley. Senate Bill 433. Senator Roskam. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 433.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 433 is trying to clean up some ambiguous case law as it relates to the division of marital property. Right now, stock options are not clearly defined as it relates to whether they're divisible at the time of divorce. What we're trying to do is say that they should be divisible at the time of divorce. This bill provides some direction to trial judges. It's an attempt to try and avoid two trials on the valuation issue. There are no known opponents at all. And I'd appreciate your Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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Senate Bill 433 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 wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 433, having received the required constitutional majority, is hereby declared passed. Senate Bill 452. Senator Jacobs, you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Jacobs seeks leave of the Body to return Senate Bill 452 on the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 452. Madam Secretary, there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. Senate Amendment 2 to Senate Bill 452 is strictly a technical correction. It simply removes an extra zero from the amount of five hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 463. Senator Robert Madigan. Senate Bill 487. Senator Larry Walsh. Madam Secretary, read the bill, please.

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ACTING SECRETARY HAWKER:

Senate Bill 487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 487 amends the School Code, allowing school property that has become unnecessary, unsuitable, or inconvenient to be sold to a -- to a tenant that has leased the property for at least ten years or more and is a non-for-profit organization. I know of no opposition, and I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 487, having received the required constitutional majority, is hereby declared passed. Bottom of page 9, in the Order of Senate Bills 3rd Reading, is Senate Bill 504. Senator Cullerton. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 504.

(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 passed unanimously out of the Transportation Committee. Now, the

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current law in Illinois says that the driver of a motor vehicle shall not be allowed to wear headset receivers while they're driving. And, as we all know, the technology in cell phones has advanced such that now there are these cell phones where you have a single earplug that you can put into your ear and you can talk on the phone, which is obviously something we should encourage, because then you can have two hands on the wheel. Unfortunately, it's technically against the law because of this previous bill that we passed banning headset receivers while driving. So this bill simply says that the -- you would be allowed to use a headset-type receiving equipment that -- consisting of a single earphone. Be happy to answer any questions, and appreciate...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 504 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 wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 504, having received the required constitutional majority, is hereby declared passed. Top of page 10, the Order of Senate Bills 3rd Reading, is Senate Bill 547. Senator O'Daniel. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. Senate Bill 547 was a bill the Secretary of State brought to me. And it -- it amends the Vehicle Code and it -- it'll bring Illinois in

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compliance with the International Registration Plan. Interstate trucking operations licensed under the IRP are subject to audit examination to ensure that proper fees have been paid to the State of Illinois. I don't know of any opposition. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 547 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 wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 547, having received the required constitutional majority, is hereby declared passed. Senate Bill 574. Senator O'Malley. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 574.

(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. Senate Bill No. 574 authorizes a municipality with a population less than five hundred thousand dollars {sic} to -- to permit a purchaser for nonresidential electricity to become a self-assessing purchaser and to pay the tax on the electricity used directly to the municipality. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 574 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 47 Ayes, 6 Nays, none voting Present. And Senate Bill 574, having received the required constitutional majority, is hereby declared passed. Senate Bill 661. Senator Roskam. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 661.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 661 is a simple measure. What it says is that a court doesn't lose powers of contempt to enforce child support orders even though the child becomes emancipated. In other words, we've got a strange system now where someone has a -- an incentive, actually, to let the clock run out, let the child grow up, and then elude the law. I'm not aware of any opponents. Senator Hawkinson supported it in committee. And I'd urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 661 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 57 Ayes, no Nays, none voting Present. And Senate Bill 661, having received the required constitutional majority, is hereby declared passed. Senate Bill 683. Senator Sullivan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 683.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Senate Bill 683 comes as response to a problem actually in my district and your district this past summer where Nicor Gas Company spilled some mercury in some people's homes when they were taking out the -- the meters from people's homes. And this legislation will hopefully make sure that that never happens again. It requires Nicor and other utilities to do background checks for safety violations for independent contractors or employees. And it also requires the utility to test for contamination of mercury after they've completed the work. I ask for a favorable vote. It came out of committee unanimously.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 683 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 wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 683, having received the required constitutional majority, is hereby declared passed. Senate Bill 722. Senator Cronin. Senate Bill 761. Senator O'Malley. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 761.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 761 provides that an entity engaged in the practice of resale and redistributing of electricity within a building prior to January 2, 1957, is not a delivering supplier under the Electricity Excise Tax Law. I'd be happy to answer questions you may have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 761 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 57 Ayes, no Nays, none voting Present. And Senate Bill 761, having received the required constitutional majority, is hereby declared passed. Senate Bill 787. Senator Donahue. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 787.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 787 is patterned after the State employees' Disaster Service Volunteers {sic} (Volunteer Leave) Act, and it is -- just allows it, by ordinance, for local governments. It's voluntary and it's to allow employees to be reimbursed if they're a certified disaster volunteer for the Red Cross. So I would move for its support and adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Cullerton.

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SENATOR CULLERTON:

The sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton.

SENATOR CULLERTON:

Is -- for some reason -- I'm just curious, is this bill somehow limited to the American Red Cross?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

No, 'cause the -- it -- it's disasters -- Level III and above disasters that are declared.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Do they still get to be called volunteers if they get compensated?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

They have to go through -- they have to be a certified volunteer employee. So they have to get a certificate that certifies them as a disaster volunteer.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Donahue, to close?

SENATOR DONAHUE:

Just ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 787 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,

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no Nays, none voting Present. And Senate Bill 787, having received the required constitutional majority, is hereby declared passed. Senate Bill 797. Senator Lauzen. Senate Bill -- Senate Bill 829. Senator Dillard. Senate Bill 838. Senator Sullivan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 838.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 838 is an initiative of the Department of Children and Family Services and it defines a new term of "adoption-only home" for a foster family home that only wants to receive adoptive children. So they are not just a foster family, they are seeking to adopt their children.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 838 pass. All those in favor will vote Aye. Opposed will -- opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 838, having received the required constitutional majority, is hereby declared passed. Senate Bill 840. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 840.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 840 changes the age at which a child who is in Department of Children and Family Services custody from thirteen to sixteen. And it also provides that a consent to an adoption is voidable after one year. At the present time, after one year the consent to an adoption is void. This makes it voidable if the person who consents to the adoption does not file a petition to adopt the child within one year after consent is signed and the parents file a timely motion to revoke the consent. And I think that's about it. Those are the two significant things about it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 840 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 wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 840, having received the required constitutional majority, is hereby declared passed. Senate Bill 842. Senator Syverson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 842.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 842 -- currently DCFS has some copyrighted materials that -- sometimes that they will sell to organizations that are interested in purchasing those.

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What this does is set up a vehicle of when those dollars come back from that, that they'll go into the foster parent training program.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Patrick Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Syverson, can you tell me if this allows DCFS to make any charges for materials that they hand out?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Yes. These are materials that normally go to either -- we're talking about other states that are -- are -- are purchasing materials that we have produced and copyrighted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Are these -- these are printed at the State expense, then they're sold by DCFS. Then where does the money go from what DCFS recovers? That go back in the General Revenue Fund?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

They don't -- they currently don't have the ability to do that. They currently don't sell any materials. If they do sell some of their materials, then they want those dollars to go into the foster -- the foster parent training fund.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Welch.

SENATOR WELCH:

But this doesn't allow for DCFS to sell these materials to foster parents or potential foster parents in Illinois. It does not do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

You are correct. This is not to sell to foster parents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Syverson, to the best of your knowledge, are these program materials that are so valuable that we may be able to copyright them developed with taxpayer funds?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

That is correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Since, obviously, they're developed with General Revenue funds, because it's not matchable for FFP from the federal government, wouldn't it be more reasonable, if -- if the wizards at DCFS had valuable materials, that they repay the taxpayers since this is produced with State resources on State time? I mean, aren't they really trying to get around the appropriation

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process? As a dedicated Approp Member, shouldn't you be a little offended that they want special funds treatment of this -- this valuable information?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

I can't imagine, first of all, that DCFS would ever go around the Approp Chairman on those -- on these important issues, but they will certainly report back to the Appropriations Committee any revenues that come in. And I'm sure at appropriations time, the appropriate adjustments will be made to their training fund budget.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Is this the sponsor's first bill this Session?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 842 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 35 Ayes, 15 Nays, 4 voting Present. And Senate -- Senate Bill 842, having received the required constitutional majority, is hereby declared passed. Senate Bill 849. Senator Robert Madigan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 849.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

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SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 849 simply adds that when the CHIP Comprehensive Health Insurance Board is evaluating a potential plan administrator, that the criteria used shall state that the plan -- that potential plan administrator shall have proven ability to handle individual accident and health benefit plans, in addition to administering large group insurance plans. Very simple bill. I know of no opposition and would ask for a favorable consideration of Senate Bill 849.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 849 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 849, having received the required constitutional majority, is hereby declared passed. Senate Bill 861. Senator Sullivan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 861.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 861 deletes a sunset -- sunset -- date on a program that we established in 1996 called the Regulatory Innovation Pilot Program, which allows the EPA to engage in -- in agreements with regulatory -- regulated community. So the -- the bottom line: They will not have to have any more emissions, but they can be

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creative.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 861 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 861, having received the required constitutional majority, is hereby declared passed. Senate Bill 864. Senator Thomas Walsh. The bottom of page 10, the Order of Senate Bills 3rd Reading, is Senate Bill 865. Senator Thomas Walsh. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 865.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President, Members of the Senate. Senate Bill 865 is a Department initiative. The bill would create a structure that will provide insurers and reinsurers with efficient funding alternatives, increase the insurers' capacity in the Illinois marketplace and spread risk across a broader pool of individuals and businesses. Creating such a structure for domestic companies would allow Illinois to become more competitive in the national insurance arena and would have a positive effect on the State's economy. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 865 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 865, having received the required constitutional majority, is hereby declared passed. The top of page 11, in the Order of Senate Bills 3rd Reading, is Senate Bill 874. Senator Sieben. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 874.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This is an initiative of the Illinois Department of Natural Resources. It expands the opportunity for disabled hunters in Illinois to hunt from vehicles approved by the Department of Natural Resources. There's no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 874 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 874, having received the required constitutional majority, is hereby declared passed. Senate Bill 898. Senator O'Malley. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 898.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 898 amends the School Code by requiring a school district to post its current annual budget, itemized by receipts and expenditures, on the district's Internet web site, but if and only if the district has a web site. Be happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Watson. Is there any discussion? If not, the question is, shall Senate Bill 898 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 898, having received the required constitutional majority, is hereby declared passed. Senate Bill 912. Senator Lightford. Senate Bill 941. Senator Robert Madigan. Senate Bill 977. Senator Molaro. Senate Bill 978. Senator Dillard. Senate Bill 1026. Senator Roskam. Senator Roskam. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill 1026.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1026 is a simple measure. All it does is it expands the protection that currently public schoolchildren enjoy under the law. Right now there's a protection that says you can't

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interfere with a child attending school. We just broadened the -- broadened the definition of those who are covered from public to nonpublic students as well. I know of no opponents. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1026 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 1026, having received the required constitutional majority, is hereby declared passed. Senate Bill 1097. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1097.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

...President, Ladies and Gentlemen of the Senate. This is a bill which we passed out of here last year. The House passed it and it went down to the Governor, who vetoed a provision of the bill that is unrelated to this. And I believe this is not controversy at all and we've -- we've passed this before. But this bill allows a judge to require, as a condition of probation or supervision, that a minor who is on probation or supervision attend an educational program at a facility, with the consent of the receiving superintendent, that -- that this -- this person, as a condition of probation, be assigned to a different school. It stems from a problem that arose in Downers Grove, and I'd be happy to answer any questions.

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Is there any discussion? If not, the question is, shall Senate Bill 1097 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 1097, having received the required constitutional majority, is hereby declared passed. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 80, offered by Senator Bomke.

And Senate Resolution 81, offered by Senator Silverstein.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 12, offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 25, offered by Senators Parker and Obama.

(Secretary reads title of bill)

House Bill 169, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 217, offered by Senator Woolard.

(Secretary reads title of bill)

House Bill 382, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

Senate {sic} Bill 427, offered by Senator Dudycz.

(Secretary reads title of bill)

Senate {sic} Bill 543, offered by Senator Trotter.

(Secretary reads title of bill)

Senate {sic} Bill 638, offered by Senator Woolard.

(Secretary reads title of bill)

House Bill -- pardon me, 846, offered by Senator Parker.

(Secretary reads title of bill)

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House Bill 857, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 1001, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 1030, offered by Senator O'Malley.

(Secretary reads title of bill)

House Bill 1034, offered by Senator O'Malley.

(Secretary reads title of bill)

House Bill 1854, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 1908, offered by Senator Dillard.

(Secretary reads title of bill)

And House Bill 1970, offered by Senator Peterson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further business to come before the Senate? If not, Senator Weaver moves the Senate stand adjourned until the hour of noon, Wednesday, March 21st, 2001.