

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

94th Legislative Day

May 8, 2002

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 Ron Rector, First Christian Church, Maroa, Illinois. Pastor Rector.

PASTOR RON RECTOR:

(Prayer by Pastor Ron Rector)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

I would like to remember -- remind the Membership, today is the -- last day for bills on 2nd Reading. So get your act together. You better file your amendments or you better move your bills or -- and hopefully we'll be able to get out of here sometime Thursday afternoon. So, move your bills. Reading of the Journal. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that reading and approval of the Journals of Monday, May 6th, and Tuesday, May 7th, in the year 2002, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Jones 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 Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bill 151 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration, Amendment 1 to

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House Bill 5140 Be Approved for Consideration and Amendment 2 to House Bill 6041 Be Approved for Consideration.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Amendment 1 to House Bill 4667 Be Adopted.

Senator Tom Walsh, Chair of the Committee on Insurance and Pensions, reports Senate Amendment 2 to House Bill 1889, Amendment 1 to House Bill 4220, Amendment 1 to House Bill 4725, Amendment 1 to House Bill 4975, Amendment 1 to House Bill 5596 and Amendment 1 to House Bill 5608, all Be Adopted.

Senator Dillard, Chair of the Committee on Local Government, reports Senate Amendment 2 to House Bill 1081, Amendment 1 to House Bill 3812 and Amendment 3 to House Bill 5368, all Be Approved for Consideration.

Senator Parker, Chair of the Committee on Transportation, reports Senate Amendment 2 to House Bill 3713, Amendment 1 to House Bill 4344, Amendment 1 to House Bill 4933, Amendment 2 to House Bill 4948, Amendment 1 to House Bill 5255 and Amendment 2 to House Bill 5610, all Be Approved for Consideration.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 1830 - the Motion to Concur with House Amendment No. 1 Be Approved for Consideration; Amendment 2 to House Bill 4081, Amendment 2 to House Bill 4926, Amendment 2 to House Bill 5625 and Amendment 2 to House Bill 5941, all Be Approved for Consideration.

Senator Cronin, Chair of the Committee on Education, reports Senate Amendments 1, 2 and 3 to House Bill 1436, Amendments 2 and 3 to House Bill 3673, Amendment 1 to House Bill 3938, Amendment 1 to House Bill -- 4117, Amendment 1 to House Bill 4912 and Amendment 2 to House Bill 5343, all Be Approved for Consideration.

Senator Bomke, Chair of the Committee on State Government Operations, reports Senate Bill 1854 - the Motion to Concur with House Amendment 1 and Senate Amendment 2 to House Bill 1033, both

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Be Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Amendment 2 to House Bill 6012 Be Approved for Consideration.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Amendment 2 to House Bill 4879 and Amendment 2 to House Bill 5906 Be Adopted.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Amendment 1 to House Bill 5996 Be Approved for Consideration.

And Senator Petka, Vice-Chair of the Committee on Executive, reports Senate Amendment 2 to House Bill 909, Amendment 1 to House Bill 2828, Amendment 1 to House Bill 1441 -- or, 4411 that is, and Senate Bill 2 -- or, Senate Amendment 2 to House Bill 4453, all Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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

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

Senate Bill 1666, with House Amendment 1.

We have a like Message on Senate Bill 1795, with House Amendment 1 and Senate Bill 1798, with House Amendments 1 and 2. All passed the House, as amended, May 7th, 2002.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 424, offered by Senator Clayborne and all Members.

It's a death resolution, Mr. President.

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PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 77, offered by Senator Parker.

It's substantive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Ladies and Gentlemen, the Chair would remind the Membership that due to the change in schedule, today is the last day for sponsors to move their bills from 2nd to 3rd Reading. Today is the last opportunity to move your bills from 2nd to 3rd, and we will be going to the Order of 2nd Reading immediately. If you'll turn your attention to the middle of page 2, in the Order of Senate Bills -- I beg your pardon. Middle of page 16, in the Order of House Bills 2nd Reading. Senator Link, what purpose do you rise?

SENATOR LINK:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR LINK:

Today I'm honored to have three Pages with me and I'd like to introduce them and their parents who are in the gallery behind the President. Daniel Swislow of Northbrook, Adam Kahn of Winnetka, and Ryan Kaplan of Buffalo Grove. I'd like us to welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Middle of page 16, in the Order of House Bills 2nd Reading, is House Bill 822. Senator Weaver. House Bill 909. Senator Myers. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 909.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson. Senator Syverson on the Floor? With leave of the Body, we will come back to House Bill 909. House Bill 1268. Senator Weaver. Request of the sponsor, we will hold, for the moment, House Bills 1268 through 1276. House Bill 1889. Senator Tom Walsh. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1889.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance and Pensions adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Tom Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President, Members of the Senate. Senate Floor Amendment No. 2 to House Bill 1889 is the result of an agreement between the Dental Society and the insurance industry. And I would be happy to answer any questions.

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?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Bottom of page 16, in the Order of House Bills 2nd Reading, is House Bill 1975. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1975.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. The amendment to this bill addresses some of the concerns that were expressed regarding the bill. It requires that homeowners -- mobile homeowners be notified of this tax. It reduces the amount of tax that will be collected as well.

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?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Need to take this out of the record.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

With leave, we'll return to House Bill 1975. Top of page 17, in the Order of House Bills 2nd Reading, House Bill 2137. Senator Weaver. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 2137.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2463. Senator Noland. House Bill 2765. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2765.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2828. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2828.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This Floor amendment puts a provision in that we've passed several times here in this Chamber dealing with the Attorneys Lien Act and how it applies to the

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National Tobacco Settlement, and we'll debate it on 3rd Reading, if we could. Thank you.

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. House Bill 3606. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3606.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3993. Senator Tom Walsh. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 3993.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3999. Senator Luechtefeld. Read the bill.

SECRETARY HARRY:

House Bill 3999.

(Secretary reads title of bill)

2nd -- 2nd Reading of the bill. The Committee on Licensed Activities 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. House Bill 4007. Senator Philip. Read the bill.

SECRETARY HARRY:

House Bill 4007.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4047. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4047.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd -- 3rd Reading. House Bill 4090. With leave of the Body, Senator Luechtefeld will carry House Bill 4090 for Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 4090.

(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?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4103. Senator DeLeo. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 4103.

(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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4116. Senator Myers. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 4116.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4117. Senator Burzynski. Mr.
Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4117.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. We're also going to have one more Floor amendment, I believe, added to this bill, but we wanted to move the bill and position it for 3rd Reading to bring it back to 2nd.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the bottom of page 17, in the Order of House Bills 2nd Reading, is House Bill 4179. Senator Lisa Madigan. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4179.

(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:

Amendment No. 2, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President. Senate Amendment No. 2 simply clarifies that the emergency workers will be performing official duties. The word "official" was inadvertently deleted in one of the amendments, and so we're just putting it back in.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall -- 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. Top of page 18, in the Order of House Bills 2nd Reading, is House Bill 4220. Senator Tom Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4220.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President, Members of the Senate. This is an agreement between the Medical Society and the insurance industry, and I'd be happy to answer any questions.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4228. Senator Radogno. Mr.

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Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4228.

(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:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This amendment clarifies that the use of interactive technology is permissive to a corporation.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4230. Senator Radogno. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4230.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This amendment simply clarifies that the recipient of these funds has to be in Illinois.

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. House Bill 4397. Senator Bowles, with leave of the Body, will handle it for Senator Clayborne. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4397.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4438. Senator Myers. House Bill 4667. Senator Sullivan. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4667.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

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SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is simply an agreement between the gas utilities and HVAC contractors on disclaimer and marketing of service calls.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4725. Senator Emil Jones. With leave of the Body, we will return later to House Bill 4725. House Bill 4875 {sic}. Senator Burzynski. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4879.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Floor Amendment No. 2 has language in it relative to the PERC card, and we'll be able to discuss that on 3rd.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, all those in favor will... 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. House Bill 5140. Senator Radogno. With leave, we will return to House Bill 5140. House Bill 5145. Senator Lauzen. Read the bill, Mr. Secretary,

SECRETARY HARRY:

House Bill 5145.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5168. Senator Tom Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5168.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5168. Senator Tom Walsh. Mr. Secretary, read the bill, please. I beg your pardon. House Bill 5169. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5169.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5255. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 5255.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. What the amendment does is allow for there to be a report to the General Assembly on the process for emissions and, also, that there should be two options. If the car fails the on-board diagnostic test, they can take the test that is in place right now.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5307. Senator Walsh. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5307.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5334. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 5334.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Bottom of page 18, in the Order of House Bills
2nd Reading, is House Bill 5343. Senator Sieben. Mr. Secretary,
read the bill, please.

SECRETARY HARRY:

House Bill 5343.

(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?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This amendment would strike the
language providing that these interfund transfers be made solely
for the purpose of meeting one-time, non-recurring expenses.
These were the -- at the request of the Education Committee, and I
think it's all agreed to now and I move for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 19, in the Order of House Bills

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2nd Reading, is House Bill 5592. Senator Dillard. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5592.

(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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5610. Senator Sullivan. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5610.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Sullivan, Molaro and Dudycz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This deals with a device called the Segway, which is a personal transporter, and the amendment puts a speed limit on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye.

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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. House Bill 5640 {sic}. Senator Dillard. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5647.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor -- any Floor amendments approved for consideration?

SECRETARY HARRY:

...Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5657. Senator Petka. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5657.

(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. House Bill 5823. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5823.

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(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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5941. Senator Sullivan. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5941.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill deals with suspending minors' driver's licenses for drinking or possession of alcohol. And the amendment deals with -- conviction language that the committee requested.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. House Bill 5996. Senator Parker. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5996.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you. What this does is delete everything and becomes the bill. It addresses the twelve-years-of-age umpire issue for the Darien Youth League and other park districts.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Turn your attention to the middle of page 9, in the Order of House Bills 3rd Reading. We will be going to that order of business immediately. Middle of page 9, in the Order of House Bills 3rd Reading, is House Bill 207. Senator Dillard. House Bill 811. Senator Dillard. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 811.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill comes from the Illinois Mechanical and Specialty Contractors Association and is also supported by a whole host of contractors' association. And it would require that all disputes arising from contracts for the construction or improvement of Illinois real property be litigated or arbitrated in Illinois and that the laws of the State of Illinois be applied by the court or tribunal deciding the controversy. The Illinois Mechanics Lien Act already provides that mechanic lien foreclosures in Illinois be filed in the county in which the real estate is located. And this is an attempt to not have judicial confusion, and we do what New Jersey and California and Virginia and a -- number of other states have started to do. And it just clarifies that these disputes are to be using Illinois law. And a number of federal courts have construed that these types of statutes are all constitutional. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, the reason that mechanics lien questions have been constitutional in venue questions is because the situs of the property is clearly undisputable. What's the ground for the federal decisions which have found these types of statutes constitutional? And my question to you is, what kind of a notice

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do we give to contracting parties that they must apply Illinois law if they're entering into a contract out of state?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I think, Senator Hawkinson, the notice is going to be this statute requiring that Illinois law be the -- the law that is used in these contracts. And apparently what happens is, some of these gigantic, behemoth national companies, sort of in an adhesion-type fashion, thrust this language upon Illinois contractors. So, I think, Senator Hawkinson, the notice is going to be, you know, this statute, which has been passed in a number of other states. And I think a lot of people are now going to understand that they better look at or have their lawyers look at Illinois law. I do not know, Senator Hawkinson, you know, the underlying basis why these federal courts have construed these types of statutes to be constitutional. I just don't know, Carl.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

You would acknowledge it is a restriction upon the right to freely contract. Does this -- does this restriction apply even when there is not a contractive adhesion, where the -- where everyone would recognize that there's equal bargaining power between the parties?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Yes, Senator Hawkinson, I believe it applies even where there is not a contract of adhesion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

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SENATOR HAWKINSON:

Does it only apply where one of the contracting parties is an Illinois resident, or does it apply if -- if, say, two Indiana residents wanted to make a contract regarding a project in Illinois, involving only -- only Indiana contactors and they wanted, say, Indiana law to apply?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

As I look at it, Senator Hawkinson, it does not just apply if one of the parties is an Illinois contractor. So, you could have an Indiana contractor be subject to this, and they'd have to come across the state line and use our law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DILLARD:

Just appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 811 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 54 Ayes, no Nays, none voting Present. And House Bill 811, having received the required constitutional majority, is hereby declared passed. House Bill 1033. Senator Donahue. Senator Donahue, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Donahue seeks leave of the Body to return House Bill 1033 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1033. Madam Secretary, are there any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

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Floor Amendment No. 1, offered -- Floor Amendment No. 2, excuse me, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Amendment No. 2 basically eliminates everything in the bill and just allows the construction of a Gulf War Memorial on a portion of State property located at Oak Ridge Cemetery in Springfield, Illinois. That's all the amendment does and ultimately becomes the bill, and I would ask for your support.

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?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1081. Senator Karpiel, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Karpiel seeks leave of the Body to return House Bill 1081 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1081. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. This -- this amendment takes out language that would allow a fire protection district to pass

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ordinances to regulate open burning.

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?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1215. Senator Dillard. House Bill 1386. Senator Tom Walsh. Bottom of page 9, in the Order of House Bills 3rd Reading, is House Bill 1436. Senator Cronin. Madam Secretary, read the bill, please. Oh! Senator Cronin, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Cronin seeks leave of the Body to return House Bill 1436 to the -- the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. In the -- on the Order of 2nd Reading is House Bill 1436. Madam Secretary, are there any Floor amendments approved?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Floor Amendment No. 1 provides a mechanism for teachers who have an Initial Teaching Certificate to gain their Standard Teaching Certificate. I ask for your favorable consideration, and I can debate it further on 3rd Reading.

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?

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ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you. This amendment deals with the issue of administrative certification. We've done certification for teachers. The Education Committee felt strongly that administrators need to have certification. This deals with that issue. It's an agreed amendment. Be happy to talk about it in further detail on 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

This Amendment No. 3 is a technical revision of Amendment No. 2, dealing with administrative certification. Noncontroversial. Happy to talk about it further. Ask for your favorable consideration.

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?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 10, in the Order of House

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Bills 3rd Reading, is House Bill 1535. Senator Syverson. House Bill 1536. Senator Syverson. House Bill 1720. Senator Dillard. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

Senate Bill -- pardon me, House Bill 1720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1720 would allow community college faculty who provide six or more hours of instruction in a semester and have taught a couple of consecutive semesters of six or more hours and have an expectation, usually based upon a past practice of being rehired, to be covered under the Illinois Education {sic} (Educational) Labor Relations Act. The Illinois Education Labor Relations Board believes that these employees are covered, and there was one Appellate Court that disagreed, from a case coming from Harper College, that this was not the case. We had a hearing over the summer. Senator Cronin had a hearing on this particular topic, and, let me tell you, these faculty who would be involved here are really full-time faculty. They are a number of people who oftentimes teach at different community colleges, and most importantly, the Illinois Education Labor Relations Board believes these employees are covered and I trust their judgment on labor law. And it's their job to interpret this, and I trust their interpretation. This would just clarify that these small categories of community college faculty, who are labeled part-time but who are really, in fact, full-time faculty, have the right to collectively bargain. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall House Bill 1720 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And House Bill 1720, having received the required constitutional majority, is hereby declared passed. House Bill 1961. Senator Radogno. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 1961.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill will allow the Cook County Sheriff, with the approval of the Cook County Board of Commissioners, to operate a residential and transition treatment program for female offenders. It specifies who is eligible to -- to be in the program, and it also makes clear in the amendment that the State will not be responsible for any cost of this program. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1961 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 54 Ayes, no Nays, none voting Present. And House Bill 1961, having received the required constitutional majority, is hereby declared passed. House Bill 2271. Senator DeLeo. Mr. -- Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

House Bill 2271.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill was brought to us by the Illinois Coalition of Massage Licensing, the American Massage Therapy Association. This will create the new licensing Act, and there's a sunset date. There -- now it's become an agreed bill. The physical therapists and everybody has signed off on this bill, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2271 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 55 Ayes, no Nays, none voting Present. And House Bill 2271, having received the required constitutional majority, is hereby declared passed. House Bill 2370. Senator Luechtefeld. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 2370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. House Bill

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2370 will increase -- or, will continue the "30 and out" for State university employees. Presently, that sunsetted this year. This would simply make it permanent. There are a couple of other amendments to the bill, basically dealing with the survivors' insurance benefits and the minimum survivor annuity. Also, there -- for the disability -- current disability annuitants, there would be some change. The -- a bill -- "30 and out" bill passed - I think Senator Myers carried that earlier this year - that was sent to the House. This, I think, can go straight to the Governor's desk, if we can pass this today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2370 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 House Bill 2370, having received the required constitutional majority, is hereby declared passed. House Bill 2671. Senator Thomas Walsh. House Bill 3712. Senator Dillard. 3212. Senator Dillard. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 3212.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Take it out of the record, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. House Bill 3336. Senator Wendell Jones. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

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House Bill 3336.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR W. JONES:

Yes. Mr. President, this bill amends the Deposit of State Moneys Act and other Acts relative to accepting collateral for uninsured deposits.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3336 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 House Bill 3336, having received the required constitutional majority, is hereby declared passed. House Bill 3439. Senator Rauschenberger. House Bill 3463. Senator Rauschenberger. House Bill 3653. Senator Bowles, for Senator Clayborne. Leave of the Body, Senator Bowles shall handle House Bill 3653 for Senator Clayborne. Senator Bowles. Madam... With leave -- with leave of the Body, we'll return to House Bill 3653. House Bill 3673. Senator Myers. Madam Secretary, read the bill, please. Senator Myers, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Myers seeks leave of the Body to return House Bill 3673 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3673. Madam Secretary, are there any Floor amendments approved?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. This is an amendment that deals with the school district in Granite City. I know of no opposition.

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 adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Myers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Myers.

SENATOR MYERS:

This amendment adds back language regarding Cannon Elementary School. It was the victim of a supposed or possible anthrax attack and the school had to be closed. Only that school was closed for the period of two or three days, not the rest of the school district. So, this amendment deals with that situation.

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?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3697. Senator Karpiel. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 3697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3697 is a very simple -- simple bill, and it's the same as a bill that we passed out of here 56 to nothing, I believe. And -- but I believe it's being held up in the House and they're thinking of doing some -- amendments for it, so I'd like to pass this one out clean. All it does is raise the maximum population limits for municipalities and fire protection districts to enter into intergovernmental cooperation agreements for ambulance service. The -- the Tri-Cities out in Kane County -- already have such a intergovernmental cooperation agreement. This simply raises the maximum populations of the counties involved because of the Census.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3697 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 House Bill 3697, having received the required constitutional majority, is hereby declared passed. Top of page 11, in the Order of House Bills 3rd Reading, is House Bill 3712. Senator Parker. House Bill 3713. Senator Luechtefeld, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Luechtefeld seeks leave of the Body to return House Bill 3713 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3713. Mr. -- Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Bomke.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. Floor Amendment 2 to House Bill 3713, the amendment allows for the computerizing recording of parking tickets. Provides that computerized records of a ticket are assumed to be correct and admissible in administrative and legal proceedings.

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 adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3717. Senator Dillard. House Bill 3812. Senator Watson, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Watson seeks leave of the Body to return House Bill 3812 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3812. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you. This amendment was requested by Leyden Township in Cook County. And it adds to the bill and provides another formula for -- by which townships can transfer general assistance money that -- and still leave a balance in that fund.

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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 adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 3938. Senator Shaw, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Shaw seeks leave of the Body to return House Bill 3938 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3938. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

ACTING SECRETARY HAWKER:

Excuse me. Pardon me. Senator Shaw.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator "Watson" Shaw.

SENATOR SHAW:

Thank you, Mr. President. Senate Amendment No. 1 allows the school board to establish appropriate rules and disciplinary procedures governing the possession of cellular radio telecommunication devices. In other words, we gave the power to the local school boards to govern that -- of whether you can have cellular phones or devices.

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.

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Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4004. Senator DeLeo. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4004.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4004 extends the repeal date of the Naprapathic Practice Act to January, 2013, and allows the Department of Professional Regulation to set fees by rule, instead of statute.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, 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 wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 4004, having received the required constitutional majority, is hereby declared passed. House Bill 4014. Senator Cullerton. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4014.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a condominium law bill that comes from the Chicago Bar Association. It's in response to a decision in the Knolls decision, Knolls Condominium Association versus Harms, which they felt was wrongly decided, and then basically asked for the Legislature to clarify this one area of the law. The -- the court, in a divided opinion, ruled that actions for possession by condominium associations against defaulting resident unit owners under the forcible entry and detainer Article were subject to the defense of the homestead exemption and so that innocent owners would have to pay the defaulting resident owner the statutory homestead exemption, which is fifteen thousand dollars if jointly owned. The -- the ruling effectively emasculates the only effective legal remedy of condominium associations against defaulting resident owners, which we've had for thirty years. This -- condominiums are treated differently than judgments for possession in rent cases. The scheme is different. The -- the dispossessed unit owner actually receives the full benefit of rental income received by the association when they rent out the unit during the period the association is in possession. So, there's a main -- big difference between this and -- and the normal forcible entry cases. We feel the case was wrongly decided. It's had an effect on a number of condominium lawsuits that's pending right now. So I would ask for your favorable vote and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, in committee, I believe I asked and you answered the -- the question that someone who is charged and defaults and has this judgment entered against them doesn't permanently lose their right to possession. If they pay all the back fees, they can redeem at any time. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 4014 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 55 Ayes, no Nays, none voting Present. And House Bill 4014, having received the required constitutional majority, is hereby declared passed. House Bill 4023. Senator Rauschenberger. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4023.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. After nearly four years of work by House Members and two years of work by Senators, this is the result of work from the growth -- the planning -- the Illinois Growth Task Force where we looked at

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the issues surrounding local planning and zoning, its effect on growth and our land use in the State of Illinois. This establishes a program in DCCA subject to appropriation to support local governments in improving their planning process. It's widely supported by all the Members that worked on the task force. I'd be happy to answer specific questions about it. As I said, it's subject to appropriation. We don't expect to be able to fund it this year, but in the future, we think it'll drive the -- the discussion and the support in the direction we want. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

These groups that support this legislation, do that include the Realtors, Home Builders and Farm Bureau?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, it does. This was one of two compromised pieces that the Home Builders were relatively comfortable with. It became apparent, in -- in the course of the public hearings we held across the State, that there's -- there's actually a lot of convergence between conservation groups, Home Builders, the Farm Bureau. And one of the fundamental frustrations is, we have a -- a great deal of variability in local government's ability to make technical decisions and to apply staff to it. So, almost everyone supports raising the technical proficiency of the local government officials who make the decisions.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 4023 pass. All those in favor, 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 55 Ayes, no Nays, none voting Present. And House Bill 4023, having received the required constitutional majority, is hereby declared passed. House Bill 4078. Senator Roskam. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4078.

(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. House Bill 4078 is brought to us by the Illinois State Bar Association. It's an initiative to create a fund paid -- exclusively by lawyers to assist lawyers who are having trouble in areas as it relates to substance abuse and drinking and so forth. Eighty of eighty-two bar associations across Illinois support this, as does the Chicago Bar Association. I urge an Aye vote, and I'll yield for any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? There are -- fifty-eight lights have just gone on. Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

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SENATOR BURZYNSKI:

Senator Roskam, is this a major problem throughout the State of Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

You know, there's going to be so many softballs that are pitched on this, but I'll answer the question seriously. The ARDC, which is the disciplinary arm at the Illinois Supreme Court, estimates that about twenty-five percent of all of the disciplinary cases of attorneys in Illinois involve some sort of substance abuse or mental health issue and so forth. It's an area where, I think, by funding this appropriately, by having lawyers pay this fee, we're going to create an environment that not only helps the attorneys and their partners, but ultimately their clients, who are our constituents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well then, obviously, it's the same as it is with other professions in the State of Illinois. Will judges be included in this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Roskam.

SENATOR ROSKAM:

Senator, whoever -- judges, if -- if they have a law license, which they do, they would pay the seven-dollar fee. So, the answer is yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, the question is, shall House Bill 4078 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

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wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 4078, having received the required constitutional majority, is hereby declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR DEMUZIO:

Yes. Seated in the Democratic gallery behind us here is Beth Williams, who used to be on our staff. She and Judge Williams, her husband, are -- and their family are visiting with us today. And so, I'd like for those who remember Beth -- to have her stand up, her and her family, and say "Welcome back to Springfield."

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Middle of page 11, in the Order of House Bills 3rd Reading, is House Bill 4081. Senator Parker, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Parker seeks leave of the Body to return... With leave, we'll return to House Bill 4081. House Bill 4029 {sic}. Senator Petka. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. House Bill 4129 would provide that certain juveniles who have been

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automatically transferred to the adult court may petition that court for a hearing on a reverse waiver after the automatic transfer. What this reverse waiver would do would be to permit a minor accused of a delivery of a controlled substance or possession of a controlled substance with the intent to deliver, excluding -- and this Act would exclude Class X offenses and that is those offenses which are mandatory prison sentences - it would allow that minor who has been charged to petition the court to allow the minor to be transferred back to juvenile court. The defendant, then, the State and the judge -- may also, on their own motion, request that a hearing be held. At that hearing, which would be similar to the findings made in any transfer hearing that we currently have operative in the State of Illinois, a judge would be permitted to make findings based upon the age of the minor, previous criminal history, mental health and education of the minor, whether or not probable cause existed, whether the minor was charged based on accountability, and whether the minor possessed a deadly weapon. In those instances where a Class X is not involved, Class X delivery or possession with intent to deliver, this would basically provide an opportunity for a juvenile to be transferred in -- back to juvenile court and have a delinquency petition go forward. Mr. President, Members of the Senate, I'll answer any questions that you may have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4129 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 43 Ayes, 11 Nays, one voting Present. And House Bill 4129, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will return later to House Bill 4130. Bottom of page

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11, in the Order of House Bills 3rd Reading, is House Bill 4159.
Senator Sullivan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4159.

(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.
This is the bill that we began debate on yesterday providing the
State Treasurer may invest in bonds of a foreign government that
are guaranteed by the full faith and credit of that government. In
response to the Chairman of the Judiciary Committee question
during debate yesterday, I've checked with the United States
Treasury Department, and if there are sanctions imposed by the
United States federal government against any country, that would
prohibit the State Treasurer from investing in bonds from that
country. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Patrick Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, what is the limitation on how much can be invested in
a foreign country?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

There is a limit. We're checking on that. ...on that. It is

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up to the Treasurer and the Governor's discretion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, yesterday we passed a bill for the Treasurer that said she could invest money in low-interest-returning instruments or funds. Today we've got a bill that says she can invest the rest of the money left in the Treasury in a foreign country. What is the -- what is the restriction on a State Treasurer investing in Illinois to try to create jobs in Illinois? Is there any such law that exists?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

I'm not aware of a specific law on that, but, as you know, this State Treasurer has done a great job in -- in reaching new heights in investment for Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, she used to say she did. She hasn't said that for the last three years, Senator Sullivan. She used to brag a lot about having the greatest return of any State Treasurer, and we haven't heard that for quite awhile. So maybe we should look into that, too.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Syverson.

SENATOR SYVERSON:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Syverson.

SENATOR SYVERSON:

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Is there a limit on how much that, by law, she would be allowed to invest overseas?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 4159 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 49 Ayes, 1 Nay, and 4 voting Present. And House Bill 4159, having received the required constitutional majority, is hereby declared passed. If you turn your Calendars to the top of page 12, in the Order of House Bills 3rd Reading, we have House Bill 4214. Senator Sullivan. House Bill 4339 {sic}. Senator Dillard. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4335.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. You threw me off. You're transposing numbers all the time. You need new bifocals up there, Walter. This bill comes from the -- or, the Township Officials of Illinois, and it clarifies what they believe is already the law: That they are allowed to accumulate in funds expenditures that they want to make in the future for capital projects, like lawn mowers or road-grading equipment and things like that. And this

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bill would spell out that if they are going to accumulate, over time, monies, that they have to put it in their annual budget and appropriation ordinance. This bill does not affect the tax cap law at all, and it does not allow townships and road districts to increase their annual levy beyond the cap. It doesn't change their existing tax authority. But what this bill does is, it will stop some frivolous tax objections that waste township money for lawyers' fees. And it just clarifies that over time, if they spell it out every year, they can accumulate money if they tell the taxpayers of their local area what they are doing to start saving money to use cash to buy equipment. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4335 pass. All those in favor, 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 House Bill 4335, having received the required constitutional majority, is hereby declared passed. House Bill 4344. Senator Shadid, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Shadid seeks leave of the Body to return House Bill 4344 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4344. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. Chairman. Senate Amendment 1 authorizes

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license plates for street rods and custom vehicles and also makes it very clear that the National Street Rod Association will conduct their inspection in a form presented by the Secretary of State. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the -- the question is -- all those in favor -- on Amendment No. 1, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Illinois Information Service has requested permission to record the proceeding. Hearing no objections, leave is granted. House Bill 4353. Senator Roskam. House Bill 4357. Senator Thomas Walsh. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4357.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 4357 amends numerous Sections of the Credit Union Act to make numerous changes requested by the Credit Union League and the Department of Financial Institutions. It homogenizes insolvency definitions with the federal law. It addresses foreign-state reciprocity concerns DFI experienced with Wisconsin. It provides parity with banks regarding: privilege from judicial discovery orders dictated at regulatory examination results and immunity for actions taken by directors in good-faith reliance on advice from accountants,

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lawyers and other reliable third parties' advisors. Makes changes requested by DFI relating to reporting requirements and fees. It adds limited liability companies to the forms of businesses organized eligible for credit union membership. I'd be happy to answer...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield.

SENATOR MOLARO:

What does homogenize insolvency mean? I've never heard of that. That's -- that's -- that's a pretty amazing term. Do you -- could you explain to us what that means?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Well, Senator, you are going to be coming into Proviso Township and you better learn that, 'cause we use that in Proviso Township quite a bit. Homogenizes is a big word there, though.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 4357 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 House Bill 4357, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will return to House Bill 4411 at some future time. House Bill 4444. Senator Karpziel. Madam Secretary, read the bill, please.

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ACTING SECRETARY HAWKER:

House Bill 4444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 4444 simply -- simply raises the -- the amount. It amends -- first of all, it amends the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, in that it provides that, for the purposes of the Act, a "business concern or business" means a business that has an annual gross sale for the most recent fiscal year of less than twenty-seven million. It's currently fourteen million. By raising this limit, a minority- or female- or disabled-owned business will be able to be eligible to be certified by the Business Enterprise Council for their vendor list. And this will put them in line with other certifying entities, like Cook County and the City of Chicago.

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 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 House Bill 4444, having received the required constitutional majority, is hereby declared passed. House Bill 4453. Senator Donahue, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Donahue seeks leave of the Body to return House Bill 4453 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4453. Mr. Secretary, are there any Floor amendments approved

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for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Amendment No. 2 to Senate -- or, House Bill 4453 adds two more IDOT conveyances to the conveyance bill. Brings the total to twelve. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4462. Senator Tom Walsh. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 4462 deals with -- comes -- comes to us from the Liquor Commission, and it deals with alcohol on riverboats. And it -- when we passed dockside gambling, it -- there is some question as to whether or not the riverboats can sell alcohol, because as the law says right now, they have to be regularly operated as a common carrier on -- navigable waters. And so, what this bill does is clears that up

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and...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

I might have missed this in committee, but, currently, only riverboats that are on these navigable waters can serve alcohol. This bill, as you have, is this -- is -- is this going to allow any other boats that currently don't serve alcohol to do -- to do that now?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Yeah. Not -- not that we know of, because it does revert -- it refers to boats only under the -- the gambling and gaming Act.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

How many boats does this apply to?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Nine, at the -- at the -- at the current time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, the question is, shall House Bill 4462 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 38 Ayes, 14 Nays, 1 voting Present. And House Bill 4462, having received the required constitutional majority, is hereby declared passed. House Bill 4580. Senator Rauschenberger. House Bill 4581. Senator Rauschenberger. House Bill 4680. Senator Dillard. Senator Dillard. House Bill 4795.

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Senator Dillard. House Bill -- on the bottom of page 12, in the Order of House Bills 3rd Reading, is House Bill 4912. Senator Cronin, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Cronin seeks leave of the Body to return House Bill 4912 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4912. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, as you may recall, was discussed a little bit yesterday. We were seeking to amend the Higher Ed Student Assistance Act and to make changes to consolidate various programs into a program to promote scholarships for teachers to address the teacher shortage. This is a recommendation that came out of the Governor's task force, as well as the Senate Education Committee. In debate yesterday, it was pointed out that the scholarship is awarded to students, and if a student decides not to go into teaching, they do not have to repay the scholarship. That was pointed out yesterday in debate. This amendment corrects that. It says that if they are awarded a scholarship and they decide not to go into teaching, they must repay that money. I ask for your favorable consideration.

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?

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, ma'am.

SENATOR PARKER:

Thank you. I have a young lady, Elizabeth Kelly, with me today. And her mom is here also, Eileen Kelly, from Wilmette. They are constituents. Please 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:

Two points of personal privilege, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your first point.

SENATOR SULLIVAN:

First of all, I have three Pages with me today, Michael San Gabino, Mike Russo and his sister, Jennifer Russo. If the Senate could welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Senator Sullivan.

SENATOR SULLIVAN:

And secondly, if the Senate could welcome the great Treasurer of the State of Illinois. Judy Baar Topinka is on the Floor with us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome, Treasurer Topinka. Senator Weaver is looking for you

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for a loan. Senator Luechtefeld, what purpose do you rise?

SENATOR LUECHTEFELD:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR LUECHTEFELD:

In the gallery behind me is the Millstadt Grade School. Up here behind, if they'd stand, please, for a -- please stand. And if you'd welcome 'em, I'd appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Turn your attention to the top of page 13, in the Order of House Bills 3rd Reading. House Bill 4926. Senator O'Malley, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator O'Malley seeks leave of the Body to return House Bill 4926 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4926. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment 2 changes the proposed fifteen-year increase in the aggravated criminal sexual assault with a weapon to a ten-year increase. This is prompted by the recent Supreme Court decision, People versus Walden. That -- in that -- in that case, the court compared statutes and their sentences, finding a more serious offense cannot contain a less serious penalty than a less serious offense. Comparing this sentence, with respect to the underlying

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crime, and murder creates a proportionality problem. So, the amendment is intended to address this recent Supreme Court ruling.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4933. Senator Syverson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Syverson seeks leave of the Body to return House Bill 4933 to the Order of 2nd Reading for purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4933. Mr. Secretary, are there any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment to this bill merely changes the gross weight from six hundred to nine hundred pounds. That was brought about because of safety changes, et cetera, that are made in these ATVs, and DNR supports it. I know of no opposition and ask for your support to that...

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?

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4937. Senator Parker. Mr. Secretary, read the bill please.

SECRETARY HARRY:

House Bill 4937.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this does is provide for creation of license plate categories for professional sports teams and also adds certain special plates to those which can be gotten for half price by Circuit Breaker recipients. Those are for veterans. I would ask for an Aye vote and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4937 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 52 Ayes, 4 Nays, none voting Present. And House Bill 4937, having received the required constitutional majority, is hereby declared passed. House Bill 4938. Senator Larry Walsh. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4938.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

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SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. The -- thank you. The State Records Act was passed in 1957 to allow for the timely disposal of government records of no value and the archiving of those records with lasting value. This bill proposes amendments to bring that Act into the twenty-first century by emphasizing that digital and electronic records are considered public records and must be kept in a trustworthy manner until they can be legally disposed of. Most of the requested changes are due to modernize and clarify the language in light of modern technology and the provisions of the Freedom of Information Act. This Act only applies to the constitutional officers and State government departments under the Governor. We anticipate that these proposed changes will not add any financial obligations to any area of State government. I know of no opposition, ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4938 pass. All those in favor, 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 House Bill 4938, having received the required constitutional majority, is hereby declared passed. House Bill 4948. Senator Shadid, do you wish this bill returned to 2nd Reading for purpose of an amendment? Senator Shadid -- seeks leave of the Body to return House Bill 4948 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4948. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Shadid.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. Chairman. Senate -- Senate Amendment 2 to House Bill 4948 amends the Vehicle Code. Changes the amount of time from two to five days in which junking certificates' numbers must be recorded by persons licensed under the Act. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 4975. Senator Syverson. Do you wish this bill returned to 2nd Reading for the purposes of an amendment. Hearing -- Senator Syverson seeks leave of the Body to return House Bill 4975 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4975. Mr. Secretary, are there 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. Chairman -- or, Mr. President. Excuse me. This legislation -- or, this amendment is addressing some of the agreements that have been worked out between the auto dealers and the insurance industry regarding the permitted user legislation. I'll be happy to address that when it gets to 3rd Reading.

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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 adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5000. Senator Watson. House Bill 5002. Senator Cronin. House Bill 5076. Senator Parker. House Bill 5236. Senator Rauschenberger. House Bill 5240. Senator Dillard. House Bill 5331. Senator Rauschenberger. House Bill 5368. Senator Dillard. Senator Dillard, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Dillard seeks leave of the Body to return House Bill 5368 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5368. Mr. Secretary, are there any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you. This one is merely technical and adds an introductory clause to the bill.

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?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Dillard.

SENATOR DILLARD:

Thank you. This is really Senator Karpziel's and it involves Hanover Township. It corrects an incorrect cross-reference, and the amendment requires that any tax that is used under a provision of the Township Code is subject to the Property Tax Extension Limitation Act. This thing can be debated on 3rd Reading, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5375. Senator Luechtefeld. House Bill 5383. Senator Rauschenberger. House Bill 5430. Senator Dillard. Bottom of page 13, in the Order of House Bills 3rd Reading, is House Bill -- 5514. Senator Cronin. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5514.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I join with my colleague, the esteemed Senator Silverstein, and a graduate of the Northeastern Illinois University, to change law to restructure the Board at Northeastern. Simply put, this law, this proposal, provides that

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the student member of the Board shall serve only one term, and this is supported by the students and the community. And Senator Silverstein, as an alumnus who was concerned about the well-being of the school, is in support, as well. I'd be happy to answer any questions. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Patrick Welch.

SENATOR WELCH:

I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, is the student member elected by the student body?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, if the students support him only having one term, why don't they vote against him?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Well, I -- I -- that's a good question. People ask that a lot for a lot of elected offices, but this is what they want to do at Northeastern Illinois and I'm happy to support their -- their effort.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 5514 pass. All those in favor, vote Aye. Opposed will vote

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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 54 Ayes, 1 Nay, none voting Present. And House Bill 5514, having received the required constitutional majority, is hereby declared passed. Top of page 14, in the Order of House Bills 3rd Reading, is House Bill 5567. Senator Watson. House Bill 5578. Senator Karpiel. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. This is a -- a -- an initiative of the Cook County State's Attorney, Dick Devine, and what it does is it eliminates the statute of limitations for sex offenses if a DNA profile is obtained -- obtained, if the victim reports the offense within two years, and if the DNA profile that is obtained is entered into a DNA database within ten years after the commission of the offense and the identity of the offender is unknown after a diligent investigation by law enforcement authorities is made.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...there any discussion? Senator Molaro.

SENATOR MOLARO:

...you -- thank you, Mr. President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Molaro.

SENATOR MOLARO:

Do we know how many laws now - scratch that - how many crimes

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are -- that are on the statute now where the statute of limitation is limitless?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

I think it -- think it's just three or four. I think there's murder, forgery, attempted murder. That's about it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

So, and -- and of course, one of the reasons are because testimony after -- statute of limitation, I think, is five or seven years. I don't know what it is. I haven't looked at it lately. But -- and the idea to go twenty years back and -- and try to figure out and have testimony and people testify is sort of difficult. I can certainly understand maybe if the victims were five or six years old. Something like that certainly might make sense. But this includes every sex crime, and I was just wondering why we're extending it for every possible sex crime. Why we would be extending it where there's no statute of limitations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Well, first -- first of all, I think one of the -- one of the reasons is because rape is such a terrible offense. And certainly with DNA evidence that we have now and the kind of -- technical ability we have now, if someone is raped today and doesn't know the offender, which you have to -- under this bill, you have to not know who the offender is, in a -- fifteen years from now, for instance -- by the way, the statute of limitations is ten years. Say, twelve years or fifteen years from now they find a match of

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the DNA, I think that that person should be prosecuted for rape just as well as if it was -- if they found him tomorrow.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Okay. Well, I could certainly understand rape, but when you say any -- I -- I don't know, all the sexual offenses - why wouldn't we just do it for rape then? Why would we do it for any of the sexual offenses, fondling, or -- or anything else? I'm just -- just want to see where the nexus is where we would be getting rid of the statute of limitations forever. I mean, I -- I -- I guess you can -- it's going to be hard to vote No on rape. I -- even I can't do that, but, you know, when it comes to all these other sexual crimes - be it fondling, being deviate sexual assault, deviate sexual conduct - where -- why would we waive the statute? Are we getting to the point we're going to waive the statute of limitations on all crimes?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

That was discussed in committee, Senator, and I believe someone talked about having some kind of a committee to go through other offenses, something like that. Oh, I think that was suggested by -- by someone from the Bar Association. That's right. But, no, this is -- this is a terrible crime. It's a crime where DNA evidence is -- can be conclusive as to the perpetrator, and -- and with the -- with the advance of this technical ability of ours to be able to find the perpetrator, even -- even years after the offense is -- is done, it seems ridiculous not to use that and be able to prosecute the offender.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

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SENATOR MOLARO:

Obviously, we'll -- we'll conclude this and -- and I appreciate your answering the questions. I -- you know, I -- rape seems to make sense to me, but there's lesser crimes than rape that this bill can be used for, and we're just -- you know, your example keeps talking about rape, and I can understand that. But when it comes to the lesser crimes, I'm just wondering why we just didn't include rape into certain -- into this class of offenses that don't have a statute of limitations. So, again, if you're going to answer it or if anybody else is standing to talk on the bill. We can understand rape. I'm just talking about the lesser crimes that are considered sexual offenders, to have it where you can come up and -- twenty-five years from now and someone can say you fondled me or it's sexual deviate assault or conduct, and you're in court saying -- you know, someone's asking you, "Now, what did you do June 22nd, 1969? Where were you at 4 o'clock in the afternoon?" The reason you have a statute of limitations is so it can be fresh evidence and you can get a fair trial. So...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill relates to felony sex offenses. I repeat: felony sex offenses. Whether it's rape or any other vicious offense, it's still a felony sex offense. And I certainly would tell my respected colleague on the other side that, much as I love him, I don't agree with his argument. And I think we should vote this bill because I think it's a good bill in the right direction, 'cause there are cases where they -- they don't find some of these creeps until much later.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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SENATOR KARPIEL:

Well, I just want to --- I just would like to ask for an Aye vote. This is a very important bill. It's very important to the Cook County State's Attorney. I've been told this is his big -- biggest bill for the year and very important to the judicial system, probably all over the State. Let me just say, though, when we're talking about fondling and some type of -- something like that, it's -- it's -- it's unlikely that there would be DNA evidence in some of those cases anyway. But certainly, in, as Senator Geo-Karis said, a felony sex offense, it's something that we want to be able to use.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 5578 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 5578, having received the required constitutional majority, is hereby declared passed. House Bill 5593. Senator Rauschenberger. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5593.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In the deep, dark, shrouded past, a Senator who once represented the Elgin area, Senator John Friedland, conveyed a parcel of surplus land to the Association for Individual Development, a not-for-profit in my area. As we customarily do, that conveyance

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included right of re-entry to the State in case the Association for Individual Development did not continue to utilize the property. Through some exceptional work by my State Representative, Doug Hoeft, we've managed to reach an agreement with the Association and the City of Elgin to take a small portion, about three and a half acres, of that property that was donated to the Association to have it transferred to the City of Elgin for construction of a homeless shelter in the Elgin area. Because of the right of re-entry, we have to release that right so the Association can transfer the property to the City of Elgin. Be very happy to answer extensive questions, if people would like to know more information about this original conveyance, its current use or its future, or I'd be very happy to accept a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Pat Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, does there have to be an appraisal of this property before it's given away or...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- I beg your pardon. Are you through?

SENATOR WELCH:

...entry. Either the property or the right of entry or both. Does there have to be an appraisal?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No, there's no requirement under statute to -- if we waive

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our right to re-entry, to try to appraise that property right valuation. Since it's going from a not-for-profit that we deeded it to, to the City of Elgin, we're not required statutorily to do anything. You are right, however, there is some value - I'm not sure what it would be - to the right of re-entry, but it's not appraised and it's not dealt with here. It is going to the City of Elgin.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 5593 pass. All those in favor, 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 House Bill 5593, having received the required constitutional majority, is hereby declared passed. House Bill 5596. Senator Watson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Watson seeks leave of the Body to return House Bill 5596 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5596. Mr. Secretary, are there any -- Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. Amendment No. 1 amends the Insurance Code to require a party seeking coverage under a policy as an additional insured to tender that claim to other applicable policies. This is intended to rectify an Illinois Supreme Court decision in John Burns Construction Company versus Indiana

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Insurance in which the court nullified the effect of the insurance policy's other insurance clause. As a result of this Supreme Court decision, we've seen CNA and some of the other larger insurance coverage industry in this State drop out of this market and subcontractors are now finding that either the insurance is way too high, they can't afford it, or it just simply isn't available. This addresses that issue.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR L. WALSH:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. Today I have a special guest, Molly Lappe, a junior at Regina Dominican High School in Chicago. She's here with the Girl Scouts. Molly is here today to be recognized for receiving the Gold Award, the highest honor a Girl Scout can receive. She's receiving this award for writing a children's book with three other scouts called "Why Tease?!" All the proceeds from the book will go toward youth intervention programs and the Girl Scouts. This is Molly's first trip to Springfield. I'd like to have her welcomed to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Molly. Senator Watson, what purpose do

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you rise?

SENATOR WATSON:

Yes. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR WATSON:

Before all of you order lunch, we have chili that's available to us from the Southwestern Illinois Employers {sic} Association. That's Bob Walters. Maybe -- many of you may know him. He's a former legislator. He is the former executive director of the Association. And now his son, Mike, is -- is the director. But the chili is available in my office, just right outside the Chambers to the right, and you're certainly all welcome to participate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Executive Appointments - Senate Joint Resolution 76; to the Committee on Executive - Senate Resolution 270 and Senate Joint Resolution 65; to the Committee on Judiciary - Senate Amendment 3 to House Bill 4081 and Amendment 3 to House Bill 5002; to the Committee on Transportation - House Joint Resolution 71; and Be Approved for Consideration - Senate Amendment 4 to House Bill 1889, Amendment 4 to House Bill 1975, Amendment 2 to House Bill 4117, Amendment 2 to House Bill 4667, Amendment 3 to House Bill 5000 and Amendment 2 to House Bill 5375.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson, what purpose do you rise?

SENATOR HAWKINSON:

Thank you, Mr. President. Purposes of an announcement. The

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Senate Judiciary Committee will meet at 12:30 in Room 400 or immediately upon recess of the Session.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Middle of page 14, in the Order of House Bills 3rd Reading, is House Bill 5608. Senator Lauzen, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Lauzen seeks leave of the Body to return House Bill 5608 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5608. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. This amendment establishes a vehicle to try to solve the insolvent worker comp self-insurance pools problem. I'd appreciate a Yes vote on the adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5625. Senator Bowles, do you wish this bill returned to 2nd Reading for purposes of an amendment? Senator Bowles seeks leave of the Body to return House Bill 5625 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd

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Reading is House Bill 5625. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Bowles.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bowles.

SENATOR BOWLES:

This amendment makes it specifically emphatic that this deals with cruelty to animals. Specifically specified cruelty to animals under the Humane Care for Animals Act. And it classifies a violation as a Class A misdemeanor or a Class 4 felony.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5631. Senator Dillard. House Bill 5639. Senator Molaro. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5639.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is a bill that raises the class -- or, now cause injury to a police animal to a Class 4 felony and -- if he's totally disabled, and if the animal is killed, it's a Class 3 felony. Well, this -- this just happened in Illinois about two weeks ago. I'll take

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thirty seconds and read it. "Officer Brian Harpp was investigating the report of a suspicious vehicle with drugs in a wooded area with his police dog when the suspect, Brian Dorman, allegedly ordered his three pit bulls to attack the officer and the police dog." Well, the police dog was killed in the attack, and it goes on to say how -- in -- in this county, I mean, they made a big deal out of it. For those of you who well know, it costs the counties a lot of money to train these animals and they actually become part of the police family. This would just send a message to people who -- they ran down a dog and killed one not too long ago. They also shot a police dog when they were going around sniffing. This just makes it a Class 4 felony if you maul or kill a police animal.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 5631 {sic} 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 56 Ayes, no Nays, none voting Present. And House Bill 5639, having received the required constitutional majority, is hereby declared passed. Senator Dillard, you're right, I need -- I do need new bifocals. House Bill 5646. Senator Geo-Karis. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 5639 {sic}.

(Secretary reads title of bill)

3rd Reading of the bill. Let's try 5646.

PRESIDING OFFICER: (SENATOR DUDYCZ)

You need new bifocals, too! Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this

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bill seeks to make all election jurisdictions in Illinois equal by not authorizing the activation of the undervote feature on vote tabulating equipment. Because of a Cook County Circuit Court decision in February 2001, Chicago and suburban Cook County are the only election jurisdictions in the nation to employ a feature that allows voting machines to kick back ballots that are undervoted, meaning the voter skipped a race. I think the voter is entitled to skip a race if the voter wants to do it, and I think it violates the voter's right of privacy if we don't pass this bill. And I urge favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Link.

SENATOR LINK:

Couple questions on this, Senator. On this about the ballots do not contain a judge's initials before they enter the ballot box, don't we -- we have that procedure in effect right now where all ballots have to be initialed before. So, if the judge takes it out and you have an undervote and they forget to initial it, will this ballot count?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just like in the rest of the State, it would not count if there's no judge's initials.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Yeah, but I -- my understanding is, the initial on the

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undervote, when they take this ballot out, that the judges do not have to initial it. When the person has a ballot given to 'em and they declare it an undervote, will we still have that into effect that these -- on an undervote, that this will still count the same way?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The initials are to prevent fraud.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Well, I understand that. The last thing I want in Lake County is fraud. The thing is, is on this -- on this, when -- when someone has a decision that they decide they do not want to vote for a particular person and they decide that in this particular race somebody's either -- you know, there's two people running or three people running for -- for two spots, and they decide to only vote for one person, so it would come back as an undervote, and then that privacy of that ballot would be deleted because it would come out telling them that they voted an undervote. People would either be embarrassed or -- or -- or feel guilty. Can they have the option of not doing this and allowing that ballot to be counted as an undervote without it being -- coming out and letting the whole world know that -- in the precinct that they did not vote for all of those people?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Every voter has the right to skip a race or skip a candidate. I'm sure everyone in this whole Senate has, at one time or another, done it on regular ballots we had before. So, I think

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that this is a protection of privacy for the voter. If the voter doesn't want to vote for a certain race or for a -- or there's three candidates and -- doesn't want to vote for any of them, it's that voter's privilege, and that's what this bill tries to do, to ensure the privacy to the voter on the undervoting.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Well, correct me if I'm wrong, Senator, but I think this is alerting the people that they did undervote, and the voter. So, would we not be just taking the privacy manner away from the individual instead of keeping it to allow the vote? Like, right now in our -- it's changed in Lake County, but when we had the punch card system, you put it in there and, you know, it was counted later. It didn't make any difference if you undervoted. It wouldn't count if you overvoted. But what is the sense of changing this now in the sense that you're allowing people to -- to recognize that you decided to only vote for one individual?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I may be so bold as to try to correct my estimable colleague on the other side, I don't want the right of privacy hurt, and you are absolutely infringing on the right of privacy of the individual who's voting if you insist that the ballot be returned back and forth because they didn't vote for a certain race. And I -- I urge favorable consideration. If you want to protect the constitutional rights that we have of privacy in our votes, this is the way to do it, and I urge for favorable consideration. And I might tell you that the State Board of Elections indicates in their fiscal note that the cost to Chicago and Cook County is negligible. So, I urge your favorable

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consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Ronen.

SENATOR RONEN:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Ronen.

SENATOR RONEN:

Senator Geo-Karis, I'm really not clear on what changes you're asking us to make here. If -- right now the system -- the new system was that when you -- you finish voting, you give your ballot to a judge, that judge puts it in the -- in the machine and you're -- and you're -- they let you know whether or not it was done correctly, whether you had an overvote or an undervote, and you get a second chance. So, what would happen now with your system?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In my system -- well, it isn't really my system. In my bill here, I would say that what would happen now, if the -- the voter didn't vote, he didn't -- he didn't vote, period. And if he overvoted, then -- then I think his ballot would be negligible. It would be a -- it would be -- it would be bad.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Ronen.

SENATOR RONEN:

If I understand then -- I guess I'm -- I'm not clear on the change you're making. But let me just make a statement here. I think the system that we used during this last primary in Chicago and Cook County really worked well. I think everybody seemed to

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be pleased with it. Everybody understands we had a significant problem in previous elections with -- with undervotes and -- and overvotes and ballots that don't count. When that happens, what we're doing is disenfranchising voters, which I think is the overriding concern here. This is a system that works, that gives voters a second chance if they made a mistake, and I think that's only appropriate. I don't see how anybody's privacy is really hurt in this, because all the judge is saying is you -- "You have an undervote here. Would you like to do it again?" You have the ability to say, "No, that's what I meant to do." And I don't think anybody is giving out information as to where exactly you undervoted. So, the key, to me, is making every vote count. This is a system that ensures that we can make every vote count, and I think that's what overrides some of the problems you're talking about. We have a system that works and -- and worked well and was a significant improvement over our other systems that were in place in previous years. So, I would urge all my colleagues to vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I stand in strong support of the sponsor's bill here. You know, not voting is the right of a voter also, and when that kickbacked ballot comes, we don't know if it was because the voter wanted to skip the race or because they made the mistake, and we cannot make this system a foolproof system. In a lot of cases, it's because of the fact that the voter did not want to vote in that race. And I would take an example which hasn't happened under the -- the -- the system which was used in Cook County yet, but in many instances, particularly in Chicago aldermanic races, you may have just one race on the ballot. The alderman's race is on the ballot. Now, here I am, a constituent

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of a ward, and I don't want to vote for either one of the candidates, but I certainly don't want them to know that I'm not going to be voting. So, I go in and I take a ballot and I don't like either one of these two people that are -- that are being offered to me, but I want to make sure that when I call up and I need something - and everybody -- every one of us knows who's voted in elections and who hasn't voted in elections - I want to make sure that they know that I voted in the election. Did I vote for them? Did I not vote for them? If they pass that ballot through and it comes back, they know I didn't take part in the alderman's race. They know that I didn't vote -- whoever wins that race knows that I did not vote for them. So, I think that -- I think that that is a real infringement on the right of the voter. I think that's what's going to disenfranchise the voters more. I think this system does also add for confusion. In a lot of situations, we've got people that only want to go and participate in one or two races and then get out. And the people that are the most compromised, I think, are ourselves. I might not want to participate in a race. And I have appointed the Republican judges in Proviso Township, and if I don't participate in the race and they pass my ballot through and mine comes back, and they'll say, "Well, Tom Walsh didn't vote. His ballot came back out." And don't think that that doesn't get around. I think that we're compromising ourselves the most. I think it's a terrific bill, and I'd urge everybody to vote Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I know that we've debated some of these issues in committee in the past, and I appreciate Senator Walsh's passion with respect to the privacy of voters. I think we all think that

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the privacy of the polling place is sacrosanct. But let's look, really, about what this bill is about. Essentially, what we're saying is that if you have made a mistake on the -- on your ballot, which many people do, including many seniors, then you will have the opportunity to make a correction on your ballot. Now, I participated in this past election, and when I went into the ballot box, we had a new system in place in Cook County. And essentially, what happened was that I did the same punch holes that I had been doing in the past. The only difference was, this time I put the ballot into a machine without the judge's intervention. The judge had nothing to do with it. I put the ballot directly into the machine. The ballot {sic} counted it, and, in fact, there were a couple that I had left blank. And the machine then indicated, you have left a couple of votes blank. And I had the option, at that point, without the judge's intervention, to make a decision as to whether I wanted to override that ballot or whether I wanted to have it spit out so that I could, in fact, vote on those new races. What I want to make clear is this - and this is not in response to the sponsor, but rather to Senator Walsh's previous statement - is that throughout this process, the judge was not looming over my shoulder making a determination as to whether I was casting the right vote, which votes I had left blank and so forth. Now, I understand that Senator Walsh raised the scenario if there's only one race and there's only one candidate there, is it possible that somehow somebody in the polling place might know that I had chosen not to vote for the alderman or the committeeman or so forth. But my experience, in terms of how the polling place was structured and the interaction that I had with the judges was that it was almost impossible for anybody in that venue to know what I was doing - even in the rare scenario that Senator Walsh raised. Which then, I guess, brings me to my last point, and I'll -- I'll

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-- I'll close with this. I don't think it's any secret that the rules that we set up, in terms of elections, has some determination in terms of the outcomes. All right? How we structure districts makes a difference in terms of who wins and who loses. How we structure our voting rules makes a difference, our nominations, our petitions, et cetera. It advantages some and it disadvantages others. And let's just be frank about what this is about. We know that, in general, there are more undervotes in low-income communities. There are more undervotes, typically, in African-American communities and other minority communities. There are more undervotes in the City and in Cook County than there are in other places in the State. And I understand that, politically, if I was sitting on the other side of the aisle, I might say to myself, "Why do I want technology in place that is going to increase the -- the voting rates of predominantly Democratic districts in the State?" That's smart politics on your part, and I understand that. But I would argue that that is not a very good rationale for depriving people from the possibility of correcting ballots when they make mistakes. And -- and as a consequence, I would strongly urge if we can get a -- a system in place that allows people to make corrections on their ballot without any encroachments on their privacy, we should implement them. That's what we have in Cook County right now. I strongly urge a vote against this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Trotter. Further discussion?
Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. Chairman. I rise in support of House Bill 5646, and I applaud Senator Geo-Karis for carrying it and advocating for it. If the struggle here between those people who support this legislation and oppose it comes down along the lines

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of whether or not we're going to protect privacy or we're going to protect somebody from making a mistake on how they voted on an individual ballot, I think we have to come down on the side of privacy. Now, I live in Cook County, as you -- most of you know, and so I'm -- become familiar with these new machines. And I can tell you that the first election that they were implemented, the very next day, the first communication I had from a constituent was from somebody I don't even know who lives in Palos Heights. Wrote me a very detailed letter, was very offended that he went to vote, chose not to vote in a particular race. Whatever the race was, I don't even recall. He didn't mention it in his letter. But what was unfortunate to him and says a lot about what's wrong with the system as it's being implemented right now is that the judge announced to everybody in the room - and this is in a Palos Heights precinct - not in a Chicago precinct, in a Palos Heights precinct in Cook County - that this man had not voted in certain races. Now, maybe that can be overcome by -- by, you know, having judges be a little more sensitive in the process, but I would submit to you that the sanctity of the ballot box is more -- is so important that just the remote possibility that any of our citizens and their rights to privacy in their voting should be protected. And Senator Geo-Karis's bill goes directly at that, and I applaud her for her efforts and look forward to the success of this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Pat Welch.

SENATOR WELCH:

Thank you, Mr. President. You know, many times, when we vote on legislation here, we have a conflict between the rights that are involved, and in this case, the -- the proponents of this bill have cited the right -- right to privacy and the right not to vote, as opposed to our side taking the position that you do have

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a right to vote, and that's what seems to be the crux of the argument. Anecdotal evidence that somebody may chase you down the hall and say, "Sir, you didn't vote," when you didn't want to vote for somebody, hasn't occurred. There's no specific case where that happened. This is just a theory that may happen, which won't happen. If you listened to Senator Obama, the machine just tells you you undervoted. You can override it, vote the way you want, not vote the way you want and leave the ballot box. But, once again, in the wake of the Presidential election of 2000, we're looking at reform of our voting system. This is one more piece that takes away from that reform. This isn't reform; this is antireform. The idea that people go in and walk out not voting for the present of -- President of the United States - how many people do you think intend to do that? I don't think very many do. That's the main reason people go out to vote in the Presidential election years. That's why the vote in those years is so much higher. What this bill does is take away right -- the right to vote by saying to people that, "Well, we're not going to let you use this newfangled equipment." "We're not going to let you be told that, 'Hey, you accidentally forgot to vote for the President of the United States.'" We're going to have another system where the President of the United States is not determined by the popular vote but by the vagaries of the machinery and whether people can figure them out or not. You know, one of the reasons this country was founded and we separated from Great Britain was to give people the right to vote. We all learned about taxation without representation. We all learned about being able to vote a secret ballot. That's what we're trying to protect here and expand and extend the right to vote. But by putting these restrictions, by saying that, "Well, we do have a -- machine that could tell you you accidentally forgot to vote for someone," by saying that we can't have that, denies the ability of the new

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technology to help our democracy. And by passing this bill, it's a step backward, and I think it's the wrong thing to do. I urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Senator Geo-Karis, I wanted to address myself to a portion of this bill that I really don't -- I -- I really don't understand why you don't have this in there. I understand the controversy about the undervoting and whether or not there's a discussion about whether you have privacy and all that, but this -- this other provision in the bill that I just don't understand is the following - Senator Link referred to it briefly: uninitialed ballots. So, in Chicago and Cook County, if the judge fails to initial the ballot, we have a machine that spits it out and says this ballot won't count because the judge forgot to initial it, and it can be corrected right there on the spot. Now, clearly, that's something that everybody should be in favor of because it's not a matter of someone intentionally not, you know -- not voting for somebody. This is a case where it's an innocent mistake of somebody else, and it would have the effect of throwing out the ballot. Uninitialed ballots are thrown out. So, we have this in Cook County and in Chicago because of a court order, and in your bill, for some reason - and -- and if you can address this, I'd -- I'd -- I'd appreciate it - you have a bill that sets procedures for increasing counting of ballots with automatic tabulation equipment that have voter defect identification capability for overvotes, but you don't include language that deal with judges -- uninitialed ballots. And I have no idea why you haven't done it. Putting aside the controversy that Senator Walsh referred to about the undervotes, this is something which is -- it's -- maybe it's

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an oversight on your part, but it -- it really ought to be included. So, maybe you can address my concern.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Cullerton, eleven counties protect the right of the voter to secrecy, and they have what is known as the optical scan. Now, I understand in Cook County and Chicago, that the -- for instance, the judges put their initials on some of these ballots after they've been balloted. Well, in all the rest of the State, if the initials aren't on the ballot when they go to vote, those ballots are thrown out. We're trying to protect the right of secrecy that one of my colleagues so eloquently expounded. We are trying to -- protect the right of secrecy, and that's the right of every American. If an American does not choose to vote, it's his or her American privilege, not or to vote. That's why we're here in America. But if he doesn't wish to vote in a certain race or certain candidacy, he has -- he or she has that right not to. But this bill will correct that because it will not expose that person. I understand one of the Senators here, his own wife went to vote and -- and she was -- her ballot was thrown back - and it was in Cook County - and she was embarrassed because she didn't vote in a certain race 'cause she didn't want to. And she didn't feel like voting any more. Now, I'm telling you straight: This is a good bill for the rest of the State. If we have to follow the rules, why don't you in Cook County? Follow the rules of secrecy and privacy, and that's what this bill is all about.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well -- well, Senator, that -- that was a nice close. I asked you a specific question, which you did not answer. There is...

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SENATOR GEO-KARIS:

What is your question?

SENATOR CULLERTON:

There is -- there is a technology that we have in Cook County and Chicago. This bill only affects Cook County and Chicago. And we have technology right now that says if there's an uninitialed ballot, you're notified of it, and your -- and that vote is saved because the machine tells the judge, you forgot to initial it. In your bill, you specifically don't include that. You only talk about overvotes. And I don't know why you're doing it. You did not answer my question, and I think it's a reason to vote No for the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Thank you very much. Senator Geo-Karis, I have a problem with the same portion of the bill about the uninitialed ballots, and I want to give you a scenario. I, not being popular with the Democratic committeeman in my -- in my district, when I and my wife go in to vote, his judges know, pretty much, that I voted for myself. If they choose not to initial my ballot because they know I probably voted for myself, under your legislation, my vote would not be counted. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, the voter should look at -- at his or her ballot and see if the initials are on it before they take it into the ballot

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box. And I can tell you right now, we're trying to protect your wife's right of privacy, and she has a right to vote for you and you certainly have a right to vote for yourself. If you don't vote for yourself, who will?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

You're absolutely correct. And my question is, if -- if they know -- if they have a pretty good idea where your stronghold is and they control the judges and they decide not to initial those ballots, if it's a contested election, wouldn't our votes not be counted?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Knowing -- knowing you as I do, I am sure you're going to alert all the voters in your area to check their ballots and be sure they're initialed before they take 'em into the ballot box. And that's what -- this is a matter of education. We can spread that out and encourage the State Board of Education to canvass the whole State and say you should have your ballots initialed before you go into the ballot box.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Okay. I -- I agree with you and I do try to spread that information, but as aggressively as I try, there is still some seniors and others uneducated who make these little mistakes. And there are crooked judges - this is the point I want you to understand - crooked judges of election who will purposely not initial certain ballots. And you haven't answered the question, so I'll let it go. As much as I love you, I'll let it go, but it's

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clear that those ballots would not be counted in a contested election. So, you need to look at this from another angle, when it comes to initialed ballots, because they can initial 'em and they can purposely not initial 'em. I have known that to happen. Now, on the other issue. In Cook County, this is a question of reform, and either we are for reform or we're not for reform. And those of you in tough elections, I -- I think you should take a look at that -- at how you vote on this, because the voters want reform. They want a second chance. Now, I voted in the last election, of course, for myself, but I chose not to vote for Secretary of State. I didn't like the Democratic nominee. So, I did not vote for the Secretary of State's Office, and they told me, "Well, you were undervoted." I said, "No problem." And it was simple. Real smooth. Real quick. No problem whatsoever. So, it's not an inconvenience. It's not an invasion of my privacy. They didn't know exactly which office I didn't vote for. I knew which one I didn't vote for. And there's nothing wrong with the current system, so I -- I urge a -- a No vote because of those issues that I -- that I brought up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Tom Walsh, for a second time.

SENATOR T. WALSH:

Thank you, Mr. President. I don't want to prolong this, but in the -- I just want to talk about -- in response to what Senator Obama said, when you put your ballot in and it was kicked back. One of the problems is that it doesn't tell you what office that you did not vote or -- or, that you undervoted, and -- and when you put your card back into the machine -- now, you're talking about people that might not be sophisticated or might not be knowledgeable or might be a little bit intimidated by voting. You put your card now back into the machine, and you cannot see through those holes which one you missed. And I'm afraid what's

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going to happen is, then you'll have a spoiled ballot because, "Now, did I miss the Governor's race or did I miss the Secretary of State's race," and you'll end up voting for both candidates. And, I mean, and it might sound -- you may be in there to -- to only be voting for a couple of races, but you'll end up voting for both candidates because you -- you keep putting your card in and it shows an undervote. Eventually, the voter is going to become frustrated and probably make a mistake with their ballot. I -- I think it's a legitimate concern, and again, you know I support the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. You know -- listening to the debate and we're talking about, you know, the privacy of the voter and the right of the voter to vote. And I think one thing that's missing in the debate is whether or not, when the person leaves their home to go to vote -- voting is not something you do every day or every week. Sometime it's twice a year or once or twice every two years that you go to vote. So -- but when they leave their home to vote and the judges unintentionally did not initial a ballot, it's not the voter's fault. You're trying to place burden on the voter for the -- the duties of a judge, and at the same time when we are attempting to open up the process to allow voters across this State the opportunity to vote, and at the same time, you're trying to turn the clock back and deny 'em the right. It's not the voter's fault that a judge refused to initial that ballot. That voter left home with great intentions of voting, but you want to deny them. And I'm truly shocked, in the year 2002, with the big fiasco in Florida and all the talk about reform, you want to deny, not only in the City, but many of our elderly citizens across this State who are not familiar with the process,

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may be a little confused, who may need the help and which many of them do. It could be Elgin, it could be Lake County, it could be anywhere. But you want to turn the clock back and deny them the right to vote. I'm shocked. You should be ashamed of yourselves. I'm shocked at you, my good friend, Senator Adeline Geo-Karis, for carrying the weight of the Republicans against the -- voters of the State of Illinois. Shame on all of you. Voters want to vote. They want any assistance to enable them to vote. Many of them are not as intelligent about voting, even the most educated, 'cause it's not something you do every day. If they make a mistake -- if the judges, by mistake, refuse to initial a ballot, that voter should have the right to have that vote counted. But you want to deny it. Shame on you. Shame on your party. Shame on the leadership on that side of the aisle for not wanting real reform to help all the voters of the State of -- State of Illinois the opportunity -- the opportunity to have their ballot counted and cast. You should be ashamed of yourselves.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I've been sitting here listening. You know, all the babble and BS on the other side is unbelievable. You guys will almost say anything to justify a terrible vote. There's nothing more sacred than your vote. Election judges, precinct captains, precinct committeemen should not know how you vote. And -- and what are we doing here? And I have the right to undervote. If I don't want to vote for somebody, I should be able to do that, and that judge or that captain should not know it. And tell me this: When's the last time we had an honest election in the City of Chicago? Can anybody tell me? Never. Never. Every election, there's always some investigation, somebody gets indicted, somebody goes to jail.

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And you're for reform? There isn't a reformer on the other side of that aisle, believe me. You know, once in a while just stand up and do what's right. Let that person who votes keep it to themselves, not to all the politicians in the polling place. And I'll tell you, try to find a Republican election judge in the City of Chicago. I get a kick out of what you do because you don't open up your polling places on time. You go to some stupid judge in the City of Chicago and said, "We want to keep the polling place open till 11 o'clock at night or 12 o'clock at night." Where the hell is the authority for that? There is none. None at all. They do it all the time. Give me a fair election in the City of Chicago, an honest election, and you guys will never elect anybody statewide, period.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I -- I love my colleague on the other side who thinks I should be ashamed of myself, but let's face facts. Your county is the only one that has the technology to do that. The other counties do not do it, and I think it's only fair to have the equal protection of the laws for all people of all the counties. You have the right of privacy, the right to secrecy of your vote. And I regret that my colleagues on the other side feel that I'm so wrong in pushing for reform in Cook County, but then there are a few things my colleagues on the other side do that maybe I don't like. But I still love them because we have the right to disagree without being disagreeable. I ask you for a favorable vote for privacy and protection of people's rights to vote in secret, and that's what we're here about.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 5646 pass. All those in

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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 wish? Take the record. On that question, there are 30 Ayes, 25 Nays, 1 voting Present. And House Bill 5646, having received the required constitutional majority, is hereby declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

I -- seek a verification of those that voted in the affirmative.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. Senator Demuzio has requested the verification of the affirmative vote. Will all Senators please be in their seats? And the... The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bomke, Brady, Burzynski, Cronin, Dillard, Donahue, Dudycz, Geo-Karis, Hawkinson, Wendell Jones, Karpiel, Lauzen, Luechtefeld, Mahar, Myers, Noland, O'Malley, Parker, Peterson, Petka, Radogno, Rauschenberger, Roskam, Sieben, Sullivan, Syverson, Thomas Walsh, Watson, Weaver, and Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Does Senator Demuzio question the presence of any Member voting in the affirmative?

SENATOR DEMUZIO:

Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson is to the side of the -- the Chair.

SENATOR DEMUZIO:

Is Senator Parker here?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker's in her chair.

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SENATOR DEMUZIO:

Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- Rauschenberger is standing next to his seat.

SENATOR DEMUZIO:

Well, okay. Thank you. Jones is here. Both Joneses.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On a verified roll call, the Ayes are 30, the Nays are 25, and 1 voting Present. And -- and the bill, having received the required constitutional majority, House Bill 5646 is hereby declared passed. Senator Karpriel, what purpose do you rise?

SENATOR KARPIEL:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, ma'am.

SENATOR KARPIEL:

I would like the Senate to welcome and like to introduce to you the Pastor of my Parish in Roselle, St. Walter's. Father McDonald, who is sitting behind Senator Philip's chair.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR BOMKE:

I would like to welcome, behind the Republicans, Ethel Woken and the eighth-grade class from St. Joseph's School. If you will please help me to recognize them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized?

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

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, ma'am.

SENATOR PARKER:

Thank you, Mr. President. I have a special guest in the President's Gallery. Russell Schmidt, from Schaumburg. Would we please welcome him?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest in the gallery please rise and be recognized? And welcome to Springfield. Middle of page 14, in the Order of House Bills 3rd Reading, is House Bill 5652. Senator Roskam. House Bill 5686. Senator Rauschenberger. House Bill 5839. Senator Tom Walsh. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 5839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 5839 amends the Savings Bank Act to increase single borrowing limits from twenty to twenty-five percent on financial institutions. This is comparable with the increased single borrower loan limits for commercial banks in Illinois. It amends the Savings and Residential Finance Regulatory Fund, identical to the regulatory fund amends -- amendments already enacted by the -- for the Bank Regulatory Fund and the Credit Union Fund. And it also would allow interest that was gained in the Savings and Residential Finance Regulatory Fund to be kept in that Fund for regulatory purposes. I'd be happy to

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answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 5839 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 House Bill 5839, having received the required constitutional majority, is hereby declared passed. House Bill 5851. Senator Sullivan. Bottom of page 14, in the Order of House Bills 3rd Reading, is House Bill 5870. Senator Parker. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 5870.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this does is require the Department of Public Health to provide all newborns with expanded screening tests. There is a -- a tandem mass spectrometer which actually can give numerous genetic, metabolic disorders and they can give these additional tests to help save these young children. And those tests should begin July 1st of 2002. I would be glad to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 5870 pass. All those in favor, 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.

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On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 5870, having received the required constitutional majority, is hereby declared passed. Senator Tom Walsh, what purpose do you rise?

SENATOR T. WALSH:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR T. WALSH:

I would, first of all, like to introduce my Page who is here from Westchester, Illinois, Wes Hammes, and he has come down. He is the grandson of Bill Ernst, who has brought a group down from the -- and has brought a group down for the last few years, from the Westchester Chamber of Commerce. And I would like to introduce them. They're sitting on the Democratic side in the gallery. And if you'd all rise and be recognize by the Senate. And welcome to Springfield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will all our guests in the gallery please rise and be recognized? Welcome to Springfield. On top of page 15, in the Order of House Bills 3rd Reading, is House Bill 5906. Senator Geo-Karis, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Geo-Karis seeks leave of the Body to return House Bill 5906 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5906. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor -- Floor Amendment No. 2, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

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SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Amendment 2 to House Bill 5906 removes an exemption to the End Stage Renal Disease Facility Licensing Act for facilities licensed under the Nursing Home Care Act. And I ask for its approval.

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 adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd -- 3rd Reading. House Bill 5911. Senator Dillard. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 5911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Board of Higher Education and makes minor technical corrections in the -- the part of the Illinois Century Network statute that talks about the maintenance of the network, which is our high-speed telecommunications network that connects our museums and our libraries and our higher education institutions. Today, there are three groups that are in charge of this particular network: the Board of Higher Education, the Community College Board, and the Illinois State Board of Education. This bill will set up a -- a thirteen-member board that will oversee and run the network. I'd be happy to answer any

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questions. The Governor appoints the chairman of this board. It's heavily dominated by the libraries, the museums, the educators, and then there are seven public members who have to have an expertise in -- in education and high technology type issues. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I wonder if the sponsor would yield for a couple of questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, can you tell us where this concept of setting up the Illinois Century Network with its own board originated?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

This is -- Senator Rauschenberger, it's an initiative from the Illinois Board of Higher Education. I think the change of wanting to set up a bigger board really comes from just their experience of having run this thing for a few years. Steve, everything is subject to appropriation, and you'll -- you'll get to have a look at it. And the makeup of who runs this is not greatly changed. It just expands it a little bit to get some more input, probably from elementary school type of -- of teachers who have expertise in technology.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I certainly appreciate the sponsor's effort to kind of broaden the input on this, and I -- I think there's some value to getting a little sunshine on the work of the Illinois Century

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Network. The only concern I have is, it seems as if we're setting up almost a quasi State agency. And as we work to try to control appropriations, one of the places we've looked -- once the Illinois Century Network had their large appropriations to deploy their big fiber-optic network, I -- I get a little concerned sometimes when agencies willingly move appropriations out from under their own authority and establish boards. So, I appreciate you answering the questions. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 5911 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. And House Bill 5911, having received the required constitutional majority, is hereby declared passed. House Bill 5961. Senator Dillard, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Dillard seeks leave of the Body to return House Bill 5961 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5961. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3 {sic} (1), offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you. This amendment lowers by sixty-six percent the amount of money that a owner of a contaminated well can apply for a low-interest loan. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- any discussion? If not, all those in favor,

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say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5965. Senator Syverson. House Bill 6004. Senator Emil Jones. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 6004.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. House Bill 6004 will provide that the Secretary may -- of State may issue a special Black Fraternity and Sorority license plate. This special line of plates would -- would cost an additional forty dollars, and therefore -- twenty-five dollars of the forty dollars will be deposited in a special educational fund. It's the Sorority Scholarship Fund. And the recipients, to be qualified for them, must be residents of the State of Illinois and meet the requirements as set forth by the Illinois Student Assistance Commission. And that's what it would do primarily, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 6004 pass. All those in favor, 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 50 Ayes, 4 Nays, none voting Present. And House Bill 6004, having received the required constitutional majority, is hereby declared passed. Senate {sic} Bill -- 6012.

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Senator Donahue. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 6012.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Members of the Senate, yesterday in the Senate Revenue Committee, we added Senate -- approved Senate Amendment No. 2 to this legislation, and I have just since found out that it is totally in error. Since it has Senate Amendment No. 1, it still has to go back to the House and we will be able -- Julie -- Representative Julie Curly is the -- Curry is the sponsor, and she has agreed to put it into a conference committee so we can get this corrected. It deals with municipal taxes on telephones and the proper collection of that. So, I would just ask if we could move this, and it will come back in a conference.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 6012 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, and 1 voting Present. House Bill 6012, having received the required constitutional majority, is hereby declared passed. House Bill 6034. Senator Watson. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 6034.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. This bill comes to us from Dan Hynes, our Comptroller, and it amends the Public Funds Statement Public -- Publication Act and the Governmental Account Audit Act and the Township Code, and it changes the threshold by which the requirement is that local units of government file a -- a -- make -- excuse me, make public their audits to government units that receive revenues of eight hundred and fifty thousand dollars, instead of now two hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 6034 pass. All those in favor, 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 55 Ayes, no Nays, none voting Present. And House Bill 6034, having received the required constitutional majority, is hereby declared passed. House Bill -- 6038. Senator Cronin. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 6038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This comes from the Office of the Attorney General, Jim Ryan, and he is suggesting that this legislation is necessary to permit school boards to utilize volunteer personnel from a regional School Crisis Assistance Team to provide assistance to schools in times of violence or other traumatic incidents. I don't

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know of any opposition. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 6038 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 56 Ayes, no Nays, none voting Present. And House Bill 6038, having received the required constitutional majority, is hereby declared passed. House Bill 6041. Senator Syverson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Syverson seeks leave of the Body to return House Bill 6041 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 6041. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. This amendment creates a dispute resolution mechanism for hospitals in regards to building issues.

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?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 6169. Senator Rauschenberger. By request of the sponsor, we shall pass over House Bills 6169 through 6191 for a future time. Earlier we received leave to

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return to House Bills 5000 and House Bill 5375. So, if you put your -- bring your attention to page 13, Ladies and Gentlemen. Turn your attention to the middle of page 13, in the Order of House Bills 3rd Reading. House Bill 5000. Senator Watson. Senator Watson, do you wish to have Senate Bill -- or, House Bill 5000 returned to 2nd Reading for the purposes of an amendment? Senator Watson seeks leave of the Body to return House Bill 5000 to the Order of 2nd Reading for the purpose of an amendment, tabling an amendment also. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5000. Madam Secretary. Senator Watson.

SENATOR WATSON:

Yes. I'd like to move that we table Amendments No. 1 and 2 to House Bill 5000.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson moves to table Amendments No. 1 and 2 to House Bill 1000 -- 5000. Hearing no objection, Amendment No. 1 and 2 to House Bill 5000 are tabled. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor -- Floor Amendment No. 3, offered by Senator -- Weaver.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

...you, Mr. President. This would allow the discretion of a municipality -- home rule municipalities to allow a -- a liquor license to be reissued if the -- the existing license existed before. Say a church bought property closer than a hundred feet from the liquor outlet.

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

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further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5375. Madam Secretary, read the bill, please. Senator Luechtefeld, do you wish House Bill 5375 be returned to 2nd Reading for the purposes of an amendment? Senator Luechtefeld seeks leave of the Body to return House Bill 5375 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5375. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. This is a technical change and clarifies the revenues received from a non-home rule municipality sales tax may be dedicated to annual debt service of bonds issued by -- for construction of a new high school. This is in the City of DuQuoin. It just simply changes three words: "Non-Home Rule". Thank you.

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?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. We will now be going to the Order of 2nd Readings to pick up those bills that we received leave earlier to get back

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to, Ladies and Gentlemen. Middle of page 16, in the Order of House Bills 2nd Reading, is House Bill 822. Senator Weaver. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 822.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 909. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 909.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. This amendment adds the language that removes the City of Chicago and Cook County and would allow the contractor, in the form of a letter of credit or surety bonds, to give the contractor the choice in those bid cases.

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?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. House Bill 1268. Senator Weaver. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1268.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1269. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1269.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1272. Read the bill, please.

SECRETARY HARRY:

House Bill 1272.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1273. Read the bill, please.

SECRETARY HARRY:

House Bill 1273.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 1276. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1276.

(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. Bottom of page 16, in the Order of House Bills 2nd Reading, is House Bills -- House Bill 1975. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1975.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SECRETARY HARRY:

Pardon me, Mr. President. Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. Amendment No. 2 removes the reference to park rules and regulations from the committee amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

Amendment No. 2, offered by Senator -- or, Amendment No. 3, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

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SENATOR RADOGNO:

Thank you. Amendment No. 3 removes the references of park rules and regulations from the existing statute.

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 adopted. Any further Floor amendments approved?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you. Amendment No. 4 removes Cook County from the bill.

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 adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Turn your attention to the middle of page 18, the Order of House Bills 2nd Reading. House Bill 4725. Senator Jones. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4725.

(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 Jones.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. The Floor amendment is just a technical amendment that -- so we can send the bill back for a conference.

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 adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 5140. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 5140.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This amendment, which becomes the bill and we can debate on 3rd Reading, allows counties to delegate their child support services to the State's attorney offices, upon approval of the Department of Public Aid.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all -- Senator Ronen.

SENATOR RONEN:

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Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Ronen.

SENATOR RONEN:

Senator Radogno, you know, we had some discussion about this in committee yesterday and there was some indication that additional amendments might be coming forward. Is that your understanding?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Yeah. That is correct. There were some issues that were unresolved with respect to where the county would have their approval, and if we were not able to accomplish it here in this Chamber, it would go to conference committee and they would be able to work it out over there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Ronen.

SENATOR RONEN:

So, this will be the last amendment in this Chamber, and any other changes will happen in conference. Is that what you're saying?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Yes. That's my understanding.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DEMUZIO:

Well, we want to compliment you on the way that -- how efficient you've been so far today. And we were wondering what great, wonderful works you might have in store for us this afternoon, if any. Do you have any announcement to make? Hello?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Have a very, very enjoyable afternoon nap, Senator Demuzio, and be prepared to do some wonderful work on behalf of the people of Illinois. Senator Demuzio.

SENATOR DEMUZIO:

Don't worry about my nap. Just tell me what we're doing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin, what purpose do you rise?

SENATOR CRONIN:

For purposes of an announcement. The Senate Education Committee shall meet tomorrow morning, Thursday morning, at 8:30 a.m., in Room 212, subject matter hearing. The subject matter is waivers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further business to come before the Senate?
Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. And I just saw Senator Demuzio leaving so I will ask this: Do we have any indication yet -- there was talk earlier in the week about possibly going home Thursday afternoon or Thursday night. Is there any indication whatsoever as to what we may or may not be doing so we could tell our hotels?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Well, Senator, if you're here tomorrow morning bright-eyed, bushy-tailed, ready to do a long day's work, we just may be going home tomorrow evening. Messages.

SECRETARY HARRY:

A Message for the Governor by Michael P. Madigan, Director of Legislative Affairs, dated May 8th, 2002.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, Illinois General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 425, offered by Senators Demuzio, Jones and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Is there any further business to come before the Senate? If not, Senator Geo-Karis moves the Senate stands adjourned until the hour of 10 a.m., Thursday, May 9th.