

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

28th Legislative Day

March 16, 1995

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise. Our prayer today will be given by Reverend Patrick Rusch, Assembly of God Church, Pawnee, Illinois. Reverend Rusch.

THE REVEREND PATRICK RUSCH:

(Prayer by the Reverend Patrick Rusch)

PRESIDENT PHILIP:

Please all rise for the Pledge of Allegiance, given by Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and -- and approval of the Journals of Tuesday, March 14th, and Wednesday, March 15th, in the year 1995, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Resolutions.

SECRETARY HARRY:

Senate Resolution 34, offered by Senator Shaw and all Members.

Senate Resolution 35, by Senator Demuzio.

Senate Resolution 36, by Senator Demuzio.

Also Senate Resolution 37 is offered by Senator Demuzio.

They're all death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

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And Senate Resolution 38, offered by Senator Farley.

It's substantive.

PRESIDENT PHILIP:

Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bills 273, 717, 766 and 1142 Do Pass.

Senator Karpziel, Chair of the Committee on Executive, reports Senate Bills 89, 538 and 679 Do Pass; and Senate Bills 277 and 1124 Do Pass, as Amended.

Senator Raica, Chair of the Committee on Public Health and Welfare, reports Senate Amendment 1 to Senate Bill 86 Be Adopted, and Senate Amendment 2 to Senate Bill 293 Be Adopted.

And Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bill 276 Do Pass; and Senate Bills 162, 459 and 789 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns, for what purpose do you rise?

SENATOR SEVERNS:

Thank you, Mr. President. Just for the record: Senator Hall is still in the hospital; Senator Demuzio is in the hospital; and Senator Carroll is ill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...remind the Members that this is the last day of the week. We are going to be going to the Order of Senate Bills 2nd Reading, and then we will be going to the Order of Senate Bills 3rd Reading. So on page 2 of today's Calendar is the Order of Senate Bills 2nd Reading. The Members within the earshot of my voice are advised to move their bills, to please come to the Floor, and we will be beginning with the top of page 2, Senate Bills 2nd Reading. On the Order of 2nd -- 2nd Reading Senate Bills, top of

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page 2, Senate Bill 5. Senator Hawkinson. Do you wish the bill to be read? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 5.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 34. Senator Fawell. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 34.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 62. Senator Klemm. Senate Bill 64. Senator Raica. Senate Bill 69. Senator Petka. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 69.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 76. Senator Peterson. Senate Bill 100. Senator Raica. Senate Bill 111. Senator Sieben. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 111.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 112. Senator Woodyard. Senate Bill 133. Senator Peterson. Senate Bill 134. Senate Bill 146. Senator Hendon. Senate Bill 161. Senator Cullerton. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 161.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 175. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 175.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill 192. Senator Hasara. Senate Bill 207. Senator Watson. Senate Bill 229. Senator O'Malley. On the top of page 3, Senate Bills, the Order of 2nd Reading, Senate Bill 235. Senator Parker. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 235.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 239. Senator Geo-Karis. Senator Geo-Karis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 239.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. With leave of the Body, we will return to Senate Bill 229. Senator O'Malley has returned to the Floor. Senator O'Malley, you wish the bill be heard? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 229.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 293. Senator Walsh. Senate Bill 299. Senator Watson. Senate Bill 303. Senator Petka. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 303.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 315. Senator Peterson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 315.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill 338. Senator del Valle. Senator del Valle. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill -- or, 338.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 354. Senator Barkhausen. Senator -- Senate Bill 384. Senator Petka. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 384.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 407. Senator Fitzgerald. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 407.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 416. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 416.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 428. Senator Thomas Dunn. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 428.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 435. Senator Hawkinson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 435.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 442. Senator Woodyard. Senate Bill 444. Senator Peterson. On the top of page 4, on the Order of Senate Bills 2nd Reading, Senate Bill 447. Senator Cullerton. Mr. Secretary, read the bill.

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SECRETARY HARRY:

Senate Bill 447.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 472. Senator Peterson. Senate Bill 481. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 481.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 509. Senator DeLeo. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 509.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 539. Senator Fawell. Senate Bill 582. Senator Carroll. Senate Bill 619. Senator Butler. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 619.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 624. Senator Syverson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 624.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 637. Senator Raica. Senate Bill 640. Senator Hasara. Senate Bill 664. Senator Thomas Dunn. Senator -- Senate Bill 675. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 675.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 704. Senator Bowles. Mr. Secretary, read the bill.

SECRETARY HARRY:

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Senate Bill 704.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 728. Senator Woodyard. Senate Bill 733. Senator O'Malley. Senate Bill 739. Senator Butler. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 739.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On top of page 5, on the Order of Senate Bills 2nd Reading, Senate Bill -- 756. Senator Sieben. Senator Todd Sieben. Senate Bill 760. Senator Lauzen. Senate Bill 761. Senator Maitland. Senate Bill 762. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 762.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 763. Senator Ralph Dunn. Senator Ralph Dunn. ...Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 763.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 764. Senator Ralph Dunn. Permission has been requested by the daily Southtown to photograph and record the proceedings. With no objection, permission is granted. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

I am pleased to report that in the President's Gallery we have Reverend and Mrs. Norman Schneller from Zion, Reverend Rocky M. Seffinga, Reverend Larry Palmer, Andy Scheltons, Phillip Scheltons, Matthew Scheltons, Alicia Hardy, Melissa Gurley, Tricia Stewart, Karl Foster. These are students of the Reverends, and we're very pleased to have them visit us today and ask you to welcome them here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. I'd love to have Senate Bill 763 put back on 2nd. I'm holding it for an amendment, and I inadvertently asked you to move it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator, when the amendment is filed, we shall put the bill on Recall. On the Order of Senate Bills 2nd Reading, Senate Bill 769. Senator Petka. Mr. Secretary, read the bill.

SECRETARY HARRY:

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Senate Bill 769.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 782. Senator Hawkinson. Senator Hawkinson. Senate Bill 783. Senator Watson. Senate Bill 814. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 814.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 817. Senator Raica. Senate Bill 907. Senator Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 907.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 908. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 908.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 923. Senator Rauschenberger. Senate Bill -- Senate Bill 941. Senator Sieben. Senate Bill 942. Senator Sieben. With leave of the Body, we will return to Senate Bill 923. Senator Rauschenberger. Senator -- Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 923.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page -- page 6, in the Order of Senate Bills 2nd Reading, Senate Bill 960. Senator Fitzgerald. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 960.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 992. Senator Donahue. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 992.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1005. Senator O'Malley. Senate Bill 1006. Senator O'Malley. Senate Bill 1035. Senator O'Malley. Senate Bill 1078. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1078.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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3rd Reading. Senate Bill -- 1188. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1188.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1202. Senator Parker. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1202.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1203. Senator Barkhausen. We -- with leave of the Body, we will return to the Order of Senate Bills 2nd Reading, page 3, Senate Bill 293. Senator Thomas Walsh. Mr. Secretary, read the bill.

SECRETARY HARRY:

...(microphone cutoff)...Bill 293.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading.

SECRETARY HARRY:

Pardon me, Mr. President. There is another amendment. Amendment No. 2, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

I would just ask for its approval.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, Senator Walsh moves the -- the adoption of Amendment No. 2 to Senate Bill 293. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Members are reminded to come to the Floor. We will be shortly going to the Order of Senate Bills 3rd Reading. We will be beginning on page 8. We will begin where we left off yesterday. And Senate Bill 420 is the first bill that will be called. Senator Fawell, Philip, Geo-Karis, DeAngelis, Dunn, Woodyard, if you wish your bills to be heard - and all other Members - please come to the Floor. We will be going to the Order of Senate Bills 3rd Reading. This will be final action, so we would urge all the Members to return to the Floor. Before we go to the Order of -- of Senate Bills 3rd Reading, on page 2 of today's Calendar is the -- page 10 of today's Calendar is the Order of House Bills 2nd Reading. House Bills 2nd Reading, page 10. Senator Cronin, do you wish that bill heard? Mr. Secretary,

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read the bill.

SECRETARY HARRY:

House Bill 206.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senator Fawell, for what purpose do you rise? We will now go to the Order of Senate Bills 3rd Reading. We will begin with Senate Bill 420. Senator Fawell. On the Order of 3rd Reading is Senate Bill 420. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 420.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill that was given to me by the Citizens Council on Children. It creates an interagency council for the homeless youth and requires the council to coordinate and make available data on available programs and services relating to the homeless youth. Really the purpose of this bill is to be able to collect this data and tell the agencies how to tap into the Stewart B. McKinley <sic> (McKinney) Act funds, which are at the federal level, for the homeless youth. And I will be glad to answer any questions and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 420 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

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On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 420, having received the required constitutional majority, is declared passed. Senate Bill 424. Senator Philip. Senate Bill 425. Senator Geo-Karis. Senate Bill 425. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 425.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, simply -- it simply directs the Department of Revenue to withhold income tax refunds to any individual who has defaulted on a fine, court fee, restitution, or court costs, and the Department will get five percent of the refund for administrative costs. Before they do anything, they have to get a court order from the clerk of the court. I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is -- is there any discussion? If not, the question is, shall Senate Bill 425 pass. Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Palmer.

SENATOR PALMER:

Senator Geo-Karis, in committee there was an agreement, I thought, that you would work with the Department of Revenue and the Office of the Comptroller to reach an agreement on the implementation of the withholding of refunds and the disbursement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes. I made an agreement, and I agreed -- and I gave my word that when the bill went into the House that would be worked out, as soon as the two Departments gave us, at the -- in the House level, what they wanted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, along the -- the same lines, and I don't have the language of the bill in front of me, but is there any fee to be paid to the clerks of court for their providing or preparing forms, or have the -- are the clerks of court aware of this, that this is a new mandate we're putting on them, and is there any way to pay them for their service?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

My clerk is, and -- and there's no fee. The only thing that the -- the clerk has to do is -- if they have these fees that have accumulated and they haven't been paid, all they need to do is get a court order and send it on to the Department of Revenue. That's all.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Are they in favor of the bill?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

As far as I know they are.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator -- any further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Geo-Karis, this says that if a person doesn't pay the court costs in a case, their -- their income tax refund can be withheld. Does that only apply to criminal cases, or does it also apply to court costs in civil cases?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It applies to anyone who has to -- defaulted on a fine, or a court fee, or restitution, or court costs. And if it's a civil case and any of these apply, it would apply.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, Senator, I handle a lot of cases in court where the -- the person will pay the underlying amount due, but won't pay you the court costs because they think that, you know, either you shouldn't have brought them to court in the first place, or they don't believe in it. In that case, I can have the circuit clerk send a letter down to the Department of Revenue to withhold their income tax refund for a...(microphone cutoff)...or seventy-five dollars?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If the circuit court clerk feels it's advisable, the circuit court clerk can get an order of court to get it. If we don't stop some of this -- and, you know, the -- the clerks are -- plagued with these people who don't pay. And how are we going to stop it? We've got to try it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

But, Senator, in a civil case, the court costs go back to the plaintiff. In a criminal case, it goes to the State. That's -- that's what I would think would be the difference between the two.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I stand corrected. What I'm driving at is the criminal cases.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Question is, shall Senate Bill 425 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay and 3 voting Present. And Senate Bill 425, having received the required constitutional majority, is declared passed. WICS requests permission to videotape the Senate proceedings. Seeing -- hearing no objection, leave is granted. On the top of page 9, the Order of Senate Bills 3rd Reading, Senate Bill 432. Senator

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DeAngelis. Senator DeAngelis. Senate Bill 446. Senator Thomas Dunn. Senator DeAngelis, on -- on Senate Bill 432, do you wish this bill returned to the 2nd Reading for the purposes of an amendment? I beg your pardon. Senator Dunn, on the Order of Senate Bills 3rd Reading, Senate Bill 446, do you wish this bill returned to the Order of 2nd Reading?

SENATOR T. DUNN:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On the Order of Senate Bills 3rd Reading, Senate Bill 446. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I hope you're all aware what this bill does. This bill would create a who's who involved in education, people that represent taxpayers, and that body would come back to us in March of next year - next year. And they would make a recommendation to us about what we ought to do about education in the State of Illinois. That group would be composed of the Director of the Department of Revenue, the Superintendent of Education for the State, six school board superintendents appointed by the Governor, all of the teacher unions, two public members with expertise in school finance to be appointed by the Governor, four supervisors of assessment, four Members of the Senate and the House, the Taxpayers' Federation of Illinois, the Farm Bureau, and just about anybody else you'd want to name. That group would come back to us with a suggestion in March of next

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year. We can accept their recommendation, or we can reject it and come up with our own. And we're going to have to do that, because in December of '96 there would be no more use of property taxes in funding education in Illinois, unless we adopted as part of their recommendation, our own, that property taxes would remain as a source of revenue for education. Now I'm not going to stand here and preach to you the problems in education; you all know what they are. I'm happy to answer any questions that you may wish to address at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate -- Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members -- Members of the Senate. I rise in strong, strong opposition to Senate Bill 446, and I understand the purport of what is being asked here, and I -- I share all the frustrations. I've got battle scars on me, as have others, having dealt with this issue for -- for many years. And there are many proposals floating around this year to really come to grips with the school funding problem, with property tax reform, and -- and the discussion is -- is -- is -- is all over the place, talking about this issue. But this absolutely is not the way we want to go. I don't know how many of you have talked with our friends from Michigan and what they went through when -- when they got into this battle a -- a year and a half or two years ago. And -- and frankly, they are not pleased with what they -- what they have come up with. It -- it resolved the problem, but they have, as a portion of their funding structure now, a small -- but indeed it is there -- a statewide property tax, which a lot of people on this Floor strongly oppose. The Governor, in his Budget Message this spring, has suggested that he ought to form a task force and bring all these proposals

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together, put them on the table and attempt to work through this very difficult problem. Any one of us, as singular legislators, with our own special-interest plan, are not going to get this job done. The Governor has chosen to take some leadership here, put people on a task force who really understand - and on the outside on the periphery of education - not just educators, but people on the outside looking in, to help resolve this problem. Senator Dunn, I -- my fear is, we really put school districts, we really put taxpayers, we put a lot of people at risk if we move forward with a concept like this, albeit you are attempting to resolve a problem, and I understand that. But let's do this the right way this time. Let's allow the Governor's task force, bipartisan as it will be, to move forward and address this problem in a right and systematic way, and I urge opposition to Senate Bill 446.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Yes. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator Dunn, as I read the bill, if after this committee comes back and they have a resolve that we don't agree with, or even if we can't come up with an agreement, there's nothing in this bill that would prohibit -- prohibit us to continue along our own merry way, if we make that choice at that time. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn.

SENATOR T. DUNN:

I think that would be correct, but I -- I don't want to mislead anybody. In December of '96 there would be no levy for

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education on property taxes. We would -- if we passed this bill, we would then have to change that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, it appears to me that that gives us sufficient time to do what is necessary, and if we can't get it bundled properly, to still change the law and continue on the procedure we're on now. I don't think this bill is onerous. I think it shows good leadership, and in fact, I would like to join on as a cosponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Dillard.

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Dillard.

SENATOR DILLARD:

Senator Dunn, if you prohibit all school districts locally from levying a property tax, are there not constitutional or legal problems with respect to bondholders who may have been pledged from that revenue source, the local property tax, to have their bonds paid off locally?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn.

SENATOR T. DUNN:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

You're sure that there's no problem at all locally, from a legal basis, if we wipe this out?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn.

SENATOR T. DUNN:

I'm confident we can come up with a solution, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I thought Senator Dunn had an interesting approach here, and I match this with Senate Bill 1035, which is sponsored by Senator O'Malley, which does -- addresses the other half of school funding. This says no more property tax levies after -- after a certain date, July of -- December of '96, and I think Senator O'Malley's bill says no more school aid formula after January of '97, I believe -- July of '97. Thank you. I would just suggest to you -- and -- and Senator O'Malley's bill is out on the -- on the Calendar also. Senator Maitland and I and Senator Karpel and -- and a number of other Members of this Body spent two years, along with Senator Collins and Senator Demuzio and others - I mentioned Senator Maitland - and Senator Watson, were on the Task Force on School Finance for two years. 1991 and 1992. And we worked very hard. Everybody worked very hard on that. And we made a report. We introduced Senate Bill 38 in January of 1993, and nothing happened. Nothing happened. Now, this approach -- and when I say "this approach", I mean Senate Bill 446 and Senate Bill 1035 are, in effect, saying, "We're going to set a deadline. We're going to cut off property taxes. We're going to stop the school aid formula. Legislature and Governor, get down to work and stop procrastinating, stop avoiding the problem of the children who aren't getting an adequate education", and that's eighty percent of our children in Illinois. The only ones that are getting a decent education are those kids that go to suburban

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schools that have property wealth and are able to afford the level of funding that their property taxes are -- are -- are generating. Now, I hate to do this approach. I think it's playing Russian roulette, but I haven't seen anything - anything - that's a responsible alternative. So I suggest that we set our deadline - set our deadline. Vote for Senate Bill 446. Vote for Senate Bill 1035. We will create our deadlines and we will set a new funding mechanism for all the schools of Illinois. This says to us, "Let's stop talking about it. Let's do it." That's our challenge. So far no one has taken up that challenge. I suggest that we all ought to respond to that challenge. Vote Yes on this. Vote Yes on the O'Malley bill. And then let's do the job that we're elected to do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Thank you very much, Mr. President. This is the first time I've ever heard a speech on the Floor of the Senate where an individual in one sentence compares a bill to Russian roulette and says "Vote for it." I just find this amazing. To think that we are going to eliminate real estate taxes and throw this open for two years hoping that something will happen magically to replace those and fund our schools is living in a dream world. I don't like real estate taxes. I'd love to vote to eliminate real estate taxes. I'd love to eliminate the income tax, the sales tax, the property tax, every tax you can think of. I'd like to vote for that. But that's not what I was elected to do, and it wouldn't be responsible to do that. Several years ago we passed a bill saying we eliminate the school aid formula, and everybody here said, "Yeah, we're going to do that and we'll come up with a new formula." And, by God, guess what happened? When the time came, we extended the deadline for that formula. And we said the next

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year, "We'll come up with a new school aid formula." And guess what? We didn't do it. We ended up eliminating the repeal of the school aid formula. And now we've got a bill eliminating the real estate tax for schools. What is going to replace it? Let's think beyond the easy vote to eliminate a real estate tax. What vote are you willing to cast to impose new taxes? Do you want an eight-percent sales tax? Do you want to tax food and drugs? Do you want to tax medicine? How far are we going to go? Who do you think is going to pay the new taxes to replace the real estate tax? Look who controls the majority in this Legislature. It won't be the corporations. It won't be the guys we've bailed out for the last two months on all of these tort reform and fast-track bills. It's going to be the little guy. This is one more nail in the coffin of the common man, the guy who's out there trying to make a buck. They're going to pay the taxes. There is no simple solution to this. This is a simple vote. And for every simple issue there is a difficult answer. I just can't believe this bill has gotten as far as it has, and I can't believe the people who have supported this. You can -- you can't eliminate the real estate tax with nothing to replace it. This is the height of irresponsibility, to do this. Voting for this without having an alternative mechanism to replace it makes no sense.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I would like to echo Senator Welch's comments. I have enormous respect for the sponsor of this legislation, but I believe that the portion of the bill that crashes the property tax system defines irresponsibility. How many of us teach even our children not to enter into something, you know, from where they are right now, before they know what the consequences of those actions are? If we teach our children that,

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aren't we obligated to at least do that on the Senate Floor of the Illinois General Assembly? Even the answer to Senator Dillard's question about the constitutionality of this and all of the obligations that are out there being supported by the real estate taxes, as bad as they are, I'm -- the quote was, "I'm confident that we'll come up with a solution." I don't think that that's adequate for fifty-nine people in this Chamber to -- to vote for this. And finally, as Senator Welch says, when Senator Berman stands up and describes this as Russian roulette, I would ask anyone who's going to vote for this bill what the quality of the decisions are when you have a gun to your head. So, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I didn't serve on any of the task forces that Senator Berman referred to, but I -- I do know that back in my district, when I -- when I talk to my neighbors and those constituents that are concerned about these issues, as education and taxes, it's an overwhelming opinion that there has to be some other mechanism for funding education other than real estate taxes. I think this bill would force us to come up with some kind of alternate funding mechanisms to fund education. We can't keep going back to the same source. We can't go back to those people that are being taxed out of their homes to support systems that continually come up with deficits. We have to come up with something that is going to correct those inadequacies. I think that this is a bill that we should support. We've supported other measures. We've supported the tax caps issues. We supported the voucher issues. We've supported some -- some issues here that are -- are innovative, creative and maybe not all that correct to some, but

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to others a direction that we should be going in, as far as trying to do something about taxes, real estate taxes in particular, and at the same time, doing something creative with education. So I would suggest, Mr. President and Ladies and Gentlemen, that we do support this concept.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Just a few comments. First of all, I don't speak very often on too many bills in the -- in the Senate or on the Senate Floor, but those of you that know me know that I've been a strong advocate for changing how we fund education, since the early eighties and the mid eighties, working with the Farm Bureau organization supporting programs like CHIEF, changing how we fund Illinois education. But I really do think that this bill is not a responsible action. And I can tell you, I have two kids in the public school system in downstate Illinois. I think they're receiving a quality education. Am I happy with the way that we fund education? No, I'm not happy with that. Not at all. And I don't think anyone on the Senate Floor is happy with that. But I can also tell you the problem is not finding more money; it's the distribution of those funds. And that's what frightens many of us as downstaters, is how those funds will be redistributed as we look at a fair and equitable school funding formula throughout the State. It's been talked about, this is Russian roulette, and certainly Senator Welch and I don't always agree, but I think he's hit the nail on the head here today. And, Pat, I have to commend you for that, and -- when we talk about that. And we talk about responsible alternatives. Well, if there are no responsible alternatives, then I would suggest this is an irresponsible alternative. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. I rise in support of Senate Bill 446. All the years I've been here in Springfield and all the issues that have been discussed as it relate to education and all the issues as it relate to property tax - caps, for example, which this Body passed and has been signed into law by the Governor - and I look at the Calendar, and I see all those bills in there that are exemptions from the property tax cap. We talk about property tax continue to rise, how senior citizens on fixed income -- we put in a -- a five-percent growth, or whatever the -- the price of the cost of living index, whatever -- whichever is lower. We put all those things in, but we still recognize one fact: That -- the inequity of funding education in Illinois, where some students may have twelve to thirteen thousand dollars for their educational needs and in some areas you may only have three thousand dollars. So if we're going to grab the bull by the horn and do the job -- and I recall, Senator Berman, all those commissions and hearings and recommendations that came down to fund education, but no one is really -- no one is willing to sit down and pass the necessary legislation to really do the job. There is nothing in this bill that would prohibit the commission that is formed from all sectors of our society in this State to come up with recommendations. They may recommend that the property tax be extended. They may do that. But they also may recommend that we should shift the burden from the senior citizens of the State of Illinois and shift it to income and quit penalizing our senior citizens. But we can play games with the property tax. But if you are sincere as you are, on the other side of the aisle in particular, when you stood up on those tax caps and talk about the people who are paying these heavy burdens, especially those in suburbia Cook County, then you would support

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this bill and you would trust those individuals who would be appointed to that to do the job, to take the burden off of the property tax owners <sic> and come up with a recommendation - a fair and equitable recommendation - for the children of the State of Illinois. And I urge support for Senate Bill 446.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I rise in reluctant support of this bill, because I see this bill as -- as being a no-confidence vote: a no confidence in the Legislature of Illinois and no confidence in the Governor. It's a no-confidence vote in the sense that it says that we have failed to deal with one of the most serious problems in the State of Illinois. As a member of the School Finance Task Force, a task force chaired by Senator Maitland and Senator Berman, I thought that we were going to finally come up with a -- with a plan with bipartisan support that would allow us to move forward. The plan -- the ideas were put forth, but they were rejected. They were not acted upon by this Body. Now we're setting up another task force. And how long is that going to take? It's going to take years, and whatever that task force comes up with will probably be rejected. So I think that this bill says, "Hey, guys, you're not doing the job. We're going to have to force you to take action." And therefore, it's time that we do this so that we could get moving. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I rise -- and I guess we don't have on this side of -- of the Chambers -- of the Senate rather, the opportunity to explain our vote. But I'm going to explain mine. Senator Berman was right when he said this

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is Russian roulette. And let me tell you something: I do not doubt the confident <sic> of the people that -- that you've signed that will be included on this task force to come up with some viable solutions to funding education. That is not my problem. But I do have some real problems with the confident <sic> of this Body to -- to -- to enact those recommendations into law. And I can only deal with that by experience. As Senator Berman and others have said, that we've already had task force that worked, I think, with some of the best minds in this State to come up with solutions, and we didn't enact those solutions. But I'm worried because we have a problem right now with what are we going to do about Medicaid deficit. Is there solutions for that? No. And if and when this bill -- I mean, the deadline come for getting rid of the property taxes, of which I am absolutely in favor of, have been, have campaigned on ever since I ran for office and even before. I am for property taxes, but let me tell you something: I am not willing to trust the future of our children in the hands of this Body or this administration to make a decision as to what we're going to do when there's nothing left. That's the problem. I'm voting Present.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR T. DUNN:

Thank you, Mr. President. Well it's -- it's pretty clear here, I think, today, where the interests lie, and I'm afraid some of the interests lie in self-interest, as Senator Welch pointed out. The -- the debate proves exactly why we have no solution, because everyone's protecting their turf and no one's interested in the big picture. You know, in Michigan there was an initiation like this, and they changed the funding of education from a dismal thirty-three percent - close to Illinois - to seventy-nine percent. Is that a bad result? Was it a bad result to let the

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citizens of Michigan decide how they wanted to correct the problem of funding of education? Is it our philosophy that we don't trust the people to make the decision? Is it our philosophy that we don't have the courage to discipline ourselves? If you sat in Congress, would you have voted to amend the Constitution last week? Sure you would have. You would have disciplined yourself because they are an undisciplined Body. And sad to say, in the issue of education, were a string of broken promises to property taxpayers, to children, to the poor and to our own districts. And, yes, you can find fault with this bill, just like any bill. If you're looking for an excuse, we can all find one on any bill. I've learned that lesson here. This is a bill that puts in the hands of responsible people to make a recommendation to us. They can make five recommendations to us. They can make ten recommendations to us. They're not bound or limited by anything. And if we don't like it, we can counteract that by rejecting it and passing our own. I urge an Aye vote in behalf of the taxpayers and the children.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 446 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 22 Nays and 9 voting Present. And Senate Bill 446, having not received the required constitutional majority, is declared failed. Senate Bill 449. Senator Woodyard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. This -- this bill was recommended by the Illinois Farm Development Authority and makes changes in a couple or three areas. One, the first one is just a technical correction on changing their reporting from a fiscal year to a calendar year. The second provision would allow the debt to asset ratio on people who are entitled or enrolled in the program on the loan guarantee to be reduced somewhat, providing that person is in the program. The other provision would eliminate the cap - the two-hundred-and-fifty-thousand-dollar net worth cap - and the Department feels that this will also improve entry into the program. I know of no opposition to this bill and would ask for its favorable acceptance.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 449 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 449, having received the required constitutional majority, is declared passed. Senate Bill 451. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill came out of the Ag

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Committee and it's an initiative of the Department of Conservation that they may develop firearms training programs, charge fees and deposit them in the Wildlife and Fish Fund. It really is -- is not an effort to change any current practices within the Department, but comes as a result of Audit Commission recommendations. They attempted to change this last year and apparently changed the wrong -- the wrong Section of the Statute. I'd be happy to try and answer any questions. Otherwise, ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 451 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, and none voting Present. And Senate Bill 451, having received the required constitutional majority, is declared passed. Senate Bill 452. Senator Donahue. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 452 is really a -- a very important piece of legislation. In 1992, the federal government passed the Mammography Quality Standards Act, and it kind of told the FDA to promulgate rules and regulations regarding these -- the inspections and such of these types of facilities. We feel that in the State of Illinois, under the Department of Nuclear Safety,

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we can do it better, and we can do it cheaper, and we can do it quicker. And I think all of those of you that know of the breast cancer situation and how important mammography is, you should support this legislation. And I will answer any questions. I -- I have actually some very interesting pictures and things that can show how this works, but I would just simply ask your support and would be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 452 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 452, having received the required constitutional majority, is declared passed. Senate Bill 453. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This -- this bill is a cleanup of our Group Insurance Act to allow an adopted child or a child who is in the custody of State employees to be considered under our group insurance plan, even though his parents may be alive and not declared unfit. We have cases where State employees are the adoptive parents or the guardians of a child and cannot enroll them on our group health insurance plan because their parent -- the parents of the child have not either passed away or been declared unfit by a court. It's a technical correction, brings this in compliance with

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federal law. It's a -- a just bill. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 453 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 453, having received the required constitutional majority, is declared passed. Senate Bill 455. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation amends the Urban Forestry Assistance Act. It's requested by the Department of Conservation and would expand the program to allow units of local government, rather than just municipalities, to apply for financial assistance and technical assistance in issues of urban forestry. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 455 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 455, having received the required constitutional

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majority, is declared passed. Senate Bill 457. Senator Geo-Karis. Senate Bill 465. Senator Maitland. Senate Bill 476. Senator Sieben. Senate Bill 477. Senator Karpiel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 477.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank -- thank you, Mr. President. Senate Bill 477 amends the Downstate Forest Preserve District and allows counties of under four hundred thousand population with forest preserve districts to sell land which is less than one acre. The board has to approve the land sale by unanimous vote and the land must have been appraised within a year before the sale date. Net proceeds must be used only for future land acquisitions. This is a bill coming from the Kane County Forest Preserve District, and it simply allows them to buy back some very -- or rather to sell some very small parcels of land that had previously been purchased by the district.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, is there any limit on how many one-acre parcels can be sold? In other words, theoretically, could they subdivide the entire forest preserve district and -- and sell them an acre at a

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time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

I don't think -- no. There -- as far as I know -- I mean, in the bill there is no -- I don't think there's a -- a limit. But this isn't to subdivide other pieces of property into little pieces so they can sell them. I mean, they either own parcels that are larger than one acre, or they don't. I mean, the limit is one acre.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Are they prohibited from subdividing a parcel?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

I don't believe that's in the -- written into the legislation. That was never really envisioned, so -- but that....

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 477 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, and 1 voting Present. And Senate Bill 477, having received the required constitutional majority, is declared passed. Senate Bill 528. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 528.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Under current law, if you are a charitable institution or a not-for-profit and you buy computer and communications equipment, you do not pay a sales tax; however, if you lease it, you do. This bill says you will not pay a sales tax when you lease it, and two conditions have to be met: one, you must lease for at least a year; secondly, if you resell it to a taxable entity -- entity, you have to pay the tax.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 528 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, and 3 voting Present. And Senate Bill 528, having received the required constitutional majority, is declared passed. Senate Bill 535. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 535.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the General Assembly -- Members of the Senate. Senate Bill 535 would place into the School Code a provision which would permit local school districts to exempt those who are in an army ROTC program from participating in PE classes. In Joliet Township, in the high schools, which school district is shared by Senator Dunn and

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myself, it has been the custom for over seventy years to permit this type of an exemption. Recently the Will County Regional Superintendent of Instruction, who is a lame duck, told the school district that they were in violation of State law, that exemption could not be granted. We believe that because of the demanding physical nature of ROTC training, that -- that there is a rational basis for the exemption from gym. This bill seeks to place that exemption into State law. And, Mr. President, I'll answer -- entertain any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 535 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays and none voting Present. And Senate Bill 535, having received the required constitutional majority, is declared passed. Senate Bill 542. Senator Watson. Senate Bill 560. Senator Hasara. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 560.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Bill 560 adds the Korean War Memorial to the sites under the jurisdiction of the Department of Historic Preservation. It sits right across from the Vietnam Memorial, which is already under that Department. I would ask for a favorable roll call.

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Is there any discussion? If not, the question is, shall Senate Bill 560 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 560, having received the required constitutional majority, is declared passed. Senate Bill 561. Senator Hasara. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 561.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Bill 561 changes the requirement from using headlights from a half hour after sunset to sunset. I might add that this piece of legislation came to me from a constituent, who happens to be in the gallery, as the result of a very unfortunate accident where a local young man was killed, and it is felt that -- in fact, I was surprised to find that in Illinois you do not have to turn your headlights on till a half hour after sunset. I have researched other states and many of them have sunset as the time that the headlights should go on. I see this as a good safety bill. It seems to make a lot of common sense, and I think it's also interesting because it points out that an average citizen can write a letter and see good change in our Statute. I would be glad to answer any questions, would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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Thank you, Madam Chairman -- I mean, Mr. Chairman -- Mr. President and Ladies and Gentlemen of the Senate. When this bill was in committee, I had some reservations on it. I still have some reservations. As we indicated at that time, and we do thank Senator Hasara for sending us the information which clearly shows that a good number of states still have the leeway of a half hour after sunset. The problem I have is, again, there is no true definition of sunrise-sunset. And I think that to say that at sunrise you -- at sunset you have to turn your lights on, when is sunset? And I think the half-hour leeway makes sense. I understand the problem that existed. I'm not sure, under the circumstances, as I said in committee, whether those lights being on at that time would have made a difference or not. It's still unknown. But yet, at the same time, it is just almost impossible to determine for sure what is sunset. And I think to leave that to the discretion, if you will, of -- of an investigating officer is -- is a little bit inane, and I think the half-hour leeway made sense. I think we should keep the law as it is, and I urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR HASARA:

Thank you, Mr. President. It is definitely true that the time the sun sets, that you can see anyway, is nebulous; however, I contend if you can't tell when sunset is, you can't tell when thirty minutes after that is either. I see this as a good safety bill. I will tell you that legally the time used is the time that's published in the paper every day. So if you -- if you want to make it thirty minutes after that, that would be the legal requirement. But why would we do that when there is such a safety factor, as unfortunately we saw in Springfield last fall? I would

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very much appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 561 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 12 Nays, none voting Present. And Senate Bill 561, having received the required constitutional majority, is declared passed. On the top of page 10 of your regular Calendar, on the Order of Senate Bills 3rd Reading, Senate Bill 566. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 566.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply requires the assessor or chief county assessment officer in all counties to notify all property taxpayers who qualify for the senior homestead exemption that they also may qualify for property tax deferral pursuant to the Senior Citizens Real Estate Tax Deferral Act. And I ask for favorable consideration. Lot of the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 566 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. And Senate Bill 566, having received the required constitutional

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majority, is declared passed. Senate Bill 567. Senator Weaver.
Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 567.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. Senate Bill 567 would create the Economic Development Project Act <sic>, and the efforts of this bill are to try to redevelop closed military installations here in Illinois. There are several communities that are -- that -- the bases have been closed, and the municipalities surrounding the base are trying to redevelop and -- and reuse these facilities for the betterment and to replace jobs lost through military closure. It gives the municipalities certain powers to lease, to sell, acquire, improve infrastructure, to use the revenues from the sale or lease of these facilities to make these improvements in the bases, maintain streets, sanitary lines, drainage, water, et cetera. It's an effort to help communities who've gone through huge losses of employment due to the closure. And if any one has any questions, I'll try to -- try to answer them. It would affect several -- bases in Illinois, and there are efforts going on by the communities to try to redevelop and recreate jobs in the area.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 567 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay and 1 voting Present.

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And Senate Bill 567, having received the required constitutional majority, is declared passed. Senate Bill 573. Senator Maitland. Senator Maitland. Senate Bill 573. Senate Bill 587. Senator DeAngelis. 587. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

This is a bill that was requested by the new Comptroller. It's moving us more into the twentieth century. It allows you to electronically send in your bills to the Comptroller's Office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator DeAngelis, what's the cost of this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Overall it will save money. I'm not so sure you need any additional equipment. It reduces the cost of a voucher from about fifty-four cents to twenty-one cents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

So how much money is this going to save the State of Illinois?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't know, but I can tell you, if it saves money at all, vote Yes. Even if it's a dollar. And I know it's more than a dollar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

I wanted to know 'cause I wanted to spend the money we were saving. That's why I asked the question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 587 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays and none voting Present. And Senate Bill 587, having received the required constitutional majority, is declared passed. Senate Bill 598. Senator Maitland. Senate Bill 604. Senator Fawell. Madam Secretary, read the bill.

END OF TAPE

TAPE 2

ACTING SECRETARY HAWKER:

Senate Bill 604.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill for the Girl Scouts of DuPage County. They own a -- a camp there called Camp Greenwood. On that camp is a security guard cabin. The person who is hired by the Girl Scouts are required to live in that cabin, so that he can guard the property, particularly when the Girl Scouts aren't there. This would take that cabin off of the -- off the tax rolls; otherwise, it requires an awful lot of cookies to pay the real estate tax. That's all it does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I just wanted to point out, we certainly all voted for this in committee, but I think there's a certain irony to this, that this is passed about a shed - one shed - for the Girl Scouts. And I think it points out once again why we need to do some serious analysis of our -- our taxing system in the State of Illinois. And we had a -- a resolution in Revenue today; so I hope when that comes to the Floor, we will take that seriously.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Shaw.

SENATOR SHAW:

Senator, how many of these types of camps in the State of Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

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SENATOR FAWELL:

I'm not sure, but I -- I know there are a couple others. And by the way, this is not a shed; this is -- this is a -- when I call it a cabin, that's because that's what it looks like, but it's -- it's a living quarters for the -- for the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

The -- this -- does this affect the entire State of Illinois, where these other cabins that you're talking about that the Girl Scouts' organization own, would this affect the others in the -- in the State?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Well, why are we just doing for just this one? Don't we want to help all of the Girl Scouts in Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Senator, we have passed similar legislation out of this Senate on three different occasions, and I included all the other Girl Scouts. Unfortunately, you have a colleague by the name of Representative Currie who managed to kill it every single year, and I finally gave up and said, fine, we'll do it just for the County of DuPage, then. Now, if you want to talk to your colleague over there and tell her to add the rest of the Girl Scout camps, I have no problem, but I got a little tired of trying

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to pass this and have her kill it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

The -- certainly, I want to commend you on your effort here, but certainly I would enjoy seeing the other -- and I will talk to Representative Currie over on the other side of the Rotunda, in reference to adding the other such camps to this bill here. And you would have no objection, is that what you're saying?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Well, as I said, you know, I -- being a former Girl Scout leader myself, I don't have any problem with the other camps joining us, but I -- you know, I just want to get this darn thing done. I'm frankly tired of -- of having the Girl Scouts come to me every single year and ask me to do this for them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

I've never been a Girl Scout, but I still would -- would hope that you would support -- would support our efforts on the other side of the Rotunda, if we can talk to Senator -- Representative Currie. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Fawell, part of this property that is being guarded is

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tax-exempt, is my understanding. The part that isn't tax-exempt is a building that houses Girl Scout cookies. Now, you're asking for an exemption for the house because the guard lives there and he's guarding Girl Scout cookies? Is that what the bill is?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

I -- I guess this is going to be my reelection bill. This -- they -- they -- they finally convinced the courts to at least take a couple of rooms off, because they store Girl Scout cookies in a -- in a couple of the extra rooms. The -- the thing they've never been able to do is make them understand part of the requirement to hire this man is he must live - it's about a hundred to a hundred and twenty-five acres - he must live on that property, because they have cabins that have been built, frankly, in former years, mostly by the fathers of the Girl Scouts, and they've got tent sites. And they're concerned about vandalism. So it is a requirement that this person live in that particular house in order to have the job, and that's what we're trying to do. Yes, there's a couple of rooms where they store the Girl Scout cookies.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, is -- is he paid by getting to eat as many cookies as he wants, or how does that work?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

...(microphone cutoff)...noticed there's been -- a few missing occasionally.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Fawell, the custodian doesn't get any money to store the cookies, does he?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

No, that's part of his requirement too.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, first of all, that custodian is needed to be on the premises; we all know that. And I think it's silly for us to deny an exemption when the cause is very worthwhile. To answer to my colleague on the other side, I haven't been a Boy Scout either. But the point is, the Boy Scout and the Girl Scout movements are very good movements. We should encourage them, not try to detract from them, and therefore I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Senator, I -- I don't think this would -- no longer -- I don't think this is needed anymore, because you may recall, the Governor just last week signed the -- the tort reform bill. Remember, one of the main reasons why we passed the tort reform bill was to save on the cost of Girl Scout cookies. So, I think now that we're going to save all this money on Girl Scout cookies, they can afford to pay

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the property taxes with the money they're going to save from the tort reform bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR FAWELL:

Thank you very much. Senator Cullerton, I'll tell your nieces when they're on the Greenwood property as Girl Scouts that they can just sell a few more cookies. All I ask is for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 604 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, and 3 voting Present. And Senate Bill 604, having received the required constitutional majority, is declared passed. Senate Bill 615. Senator DeAngelis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 615.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 615 does exactly what it says. It repeals the Merit Advisory Board of the State Comptroller's Office. This is a board whose membership currently is unknown, whose purpose is equally as unknown, and whose meetings are never held. So I would suggest that we get rid of what is not happening.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall Senate Bill 615 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 615, having received the required constitutional majority, is declared passed. Senate Bill 629. Senator O'Malley. Senate Bill 682. Senator Maitland. Senate Bill 779. Senator Palmer. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 779.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Under the Family Practice Residency Act, medical students are given scholarships if they agree to serve in designated shortage areas in the rural and urban areas. And what this bill does is just to increase the penalties for those who choose not to carry out their obligation, by giving them a period of time to repay it and setting an interest rate on the money that they would owe. And I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 779 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 779, having received the required constitutional majority, is declared passed. Senate Bill 851. Senator Klemm. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 851.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 851 is the result of a special wildlife rehabilitation task force that met last year, to try to -- they were concerned about the welfare of wildlife, and they came up with suggestions to allow the Department of Conservation to set forth regulations to govern the qualifications and facilities of wildlife rehabilitators. And they also wanted language that would allow the Department, under their permitting procedure, to allow private educational organizations to possess wildlife, and it expands the existing law. And I know of no opposition, and I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 851 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 3 Nays, none voting Present. And Senate Bill 851, having received the required constitutional majority, is declared passed. Now, if you turn your Calendars to page 6, to the beginning of Senate Bills 3rd Reading, we shall begin with Senate Bill 21. Senator Butler. Senate Bill 43. Senator Woodyard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 43.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This is the bee bill, and it does basically two things. It streamlines the administrative hearing process and -- and certainly makes it a lot shorter and cleaner than what it has been. These administrative hearings deal with people that transport bees, for the most part, in and out of the borders of the State of Illinois on -- from Texas to Canada. And one of the problems that they've encountered is that some of these bees are carrying the sporadic mite, as well as other diseases, and also at times we've even gotten Africanized bees. This allows the Department to expedite those hearings in a much quicker manner. Also, the second provision in this, we took it back to committee, put this amendment on that was a result of an article in a newspaper, quoting the Auditor General about the honeybee Commission that was formed thirty years ago and has not had one meeting. It has no members appointed to it, and it has no appropriations. And so this repeals the honeybee Commission, with the consent of the Department of Agriculture and the honeybee Association. That's what the bill does. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 43 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 43, having received the required constitutional majority, is declared passed. Senate Bill 50. Senator Maitland. Senate Bill 74. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

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Senate Bill 74.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. Chairman. Senate Bill 74 amends the Private Employment Agency Act to exempt from the scope of the Act all consultants and recruiters who are compensated slowly -- solely by employers. The State will continue to regulate transaction where the fees are paid by individuals as employees. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 74 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, and none voting Present. And Senate Bill 74, having received the required constitutional majority, is declared passed. Senate Bill 78. Senator Rauschenberger. Senate Bill 80. Senator Raica. Senate Bill 83. Senator Sieben. On the top of page 7, Senate Bills on the Order of 3rd Reading, Senate Bill 86. Senator Fawell, do you wish this bill returned to the Order of 2nd Reading for the purposes, of an amendment? Senator Fawell seeks leave of the Body to return Senate Bill 86 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 86. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is merely putting back the Chicago Police Department to look at the -- to -- or on the fingerprinting.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor say Aye. Opposed, Nay. The Ayes have it. Senator -- you didn't have your light on. Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. Would -- would the sponsor explain that again. I didn't quite hear what she said. It sounded like when I was in the House; they did a mumbling job over in the House, but I know she wouldn't do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

No. I'm -- I'm sorry. This is -- this is for the adoptive parents, and we were just trying to eliminate, under the bill, having to go through the FBI twice, one under the INS and the other one under FBI, and -- and presently under the present law, it also requires that those fingerprints be run through the Illinois Police Department. We're putting the Illinois Police Department back in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 92. Senator Lauzen. Madam

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Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 92.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 92 amends the Property Tax Code to direct the Department of Revenue to publish all administrative decisions and advisory memorandum on property tax exemptions, along with a topical index. It also, in its amendment, allows commercial enterprises access to information under the Freedom of Information Act, and the exact wording on that is that "Access to information shall not be denied, however, merely because the applicant is a commercial enterprise." And it expands the definition of accessible public records to include the pleadings and records that are the basis of those decisions, and we've limited how far the Department and people have to go back, to January 1st of 1990.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Lauzen, this is going to expand the amount of photocopying that's going to have to be done to -- to supply all these documents, I would assume. Can -- do you have any cost estimate on how much it's going to cost the various departments that oppose this: the Department of Revenue, the Municipal League,

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Cook County Assessor. They seem to be opposed to this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

It's interesting that during the extensive debate in the Revenue Committee, and -- where the opponents expressed their concerns, that Senator Fawell argued persuasively that to the contrary of creating more copying, if we make this accessible to people who potentially will publish this, that there will be less of a demand on people to make copies, because it'll be printed as we print tax manuals and legal reports like -- I think that the example she used was WEST. At the end of that conversation and that extensive discussion, the vote was 10 to 0 Do Pass recommendation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 92 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, and none voting Present. And Senate Bill 92, having received the required constitutional majority, is declared passed. Senate Bill 93. Senator Rauschenberger. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 93.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President and Members of the Senate. Senate Bill 93, as amended, enables private businesses in campus

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communities to compete with university stores through agreements with their particular universities. This bill also changes to allow for the continued issuance of debit cards used for food, beverage, and other educational items required for use in classroom activities to students receiving financial assistance, as long as they allow -- as the institution allows private retailers in the community an opportunity to compete in such sales through agreements with the institutions. This bill was brought to correct some competitive problems that have arisen through the continued and expanded issuance of both debit and credit ID cards at our public universities. It simply re-levels the playing ground and allows private retailers who compete in those communities equal access to the -- to the services that the institutions have decided to provide.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, is this still opposed by the University of Illinois, the Board of Regents and the Board of Governors?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No. The -- it is still opposed by the University of Illinois. The Board of Governors worked with us on amending the bill. It was amended. We met twice on it and everybody had input. The Board of Higher Education's neutral on it; U of I and SIU are opposed; Board of Governors is in support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Welch.

SENATOR WELCH:

Well -- well, we rewrote this legislation several years ago and there was a consensus then. It was similar to the consensus we reached on rewriting the Public Utility Act, the Telecommunication Act. We had everybody involved. There was a great deal of controversy about this. I'm not sure why we're going about this piecemeal at this time. And before, there was agreement between the universities and the retail merchants in those communities. Now, apparently, there is no agreement, but we're pushing this through on -- on one side's behalf against the other side. I don't know that that makes much sense.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, it's been my experience, in just two short years, as we generally have legislation where all of the opposed parties agree, the legislation usually doesn't do very much. This bill does dramatically change and make institutions play on a level playing ground with -- with competing private bookstores that pay both property taxes and income taxes to support those universities. So, I'm not concerned that University of Illinois and Southern Illinois University are not a hundred percent in support of this. It's a fair bill. The bill says that -- that if the -- the university wants to use a credit or debit procedure, that they have to allow, by agreement, including the ability to charge fees to that merchant, to have to allow the merchant the same access to the credit or debit procedures that the university adopts for its own -- you know, for its own internal sales to the students.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

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SENATOR WELCH:

Well, Senator, the difference is that the bookstores that sell books and pay the taxes also charge the students more. So, if you shift the weight -- the level -- shift the playing field towards the retail merchant outside of the school, it will increase the cost for the students. And certainly, I don't think that's a great idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, I'd be very interested in seeing your documentary evidence that shows that private industry charges more for books than -- than monopolistically controlled government bookstores. In my experience, it's actually the opposite. The student has free choice to go to the university school bookstore today, as they will in the future, under this bill. This bill adds choice. The student then decides whether they're going to go across the street to the private bookstore or to the in-university one. It doesn't preclude any choice by the student.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Senator, the point isn't that there is freedom of choice. There are certain items that schools cannot sell. They're prohibited from selling that because the local retail merchants complained that they do pay taxes, and therefore, they should have a monopoly themselves on those items. So who has the monopoly here? The school, or the retail merchant? I think that if you do open up the playing field, let's take off this cap that says that anything that wasn't sold in university bookstores before 1980 can now be sold. And let's let -- let's have the open competition. Let's see if the monopoly of the school can compete once they're

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free in the marketplace to compete with the retail merchants. I think we should empower these local school bookstores to compete. Let's have an equal opportunity society and let these people be in the marketplace and see who prevails.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator, from what I'm -- from what I understood about this bill, basically what you're talking about is -- is how the goods are paid for. I mean, you're talking about having a charge card that is presently being able to be used in a college bookstore to be also used at a -- at another store that's in the vicinity, if that merchant wants to accept that charge card. We're not talking about, you know, whether they're going to buy a book at A or a book at B; we're talking about how they're going to pay for it, and they can pay for it with a charge card. And I think that's an entirely different matter, as -- as to what our colleague said on the other side. I think this is a good bill. I heard all their testimony, and I think we ought to vote for it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further...

SENATOR FAWELL:

Let the kids use their charge cards.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RAUSCHENBERGER:

We in the General Assembly appropriate and spend more than 1.6

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billion dollars supporting institutions of higher education in the State of Illinois. For anyone to say that it's competition on a level playing ground, with a school bookstore that pays property taxes, income taxes, employment taxes and sales tax to the State of Illinois and to the local governmental bodies, I am terribly confused, 'cause I don't see how that's equality in any way, shape, or form. All this bill does is levels the playing ground and says to universities, "If you would like to institute within your campus a credit or debit procedure allowing your students to buy merchandise, you have to make it available to other merchants that want to sell to those students through an agreement on a level playing ground." I would encourage a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 93 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 2 Nays and 2 voting Present. And Senate Bill 93, having received the required constitutional majority, is declared passed. WMAV has -- seeking permission to record the proceedings. Hearing no objection, leave is granted. Senate Bill 107. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 107.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Under current law, when tax sales are conducted and there are no buyers, the county becomes the trustee of that property. If in the event it's successful in

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selling it, then the proceeds are distributed among the various units of government. What this bill does is it removes any liability for any environmental factor on the part of the county; however, it still maintains the liability on prior owners or any subsequent owners. This allows the county to go ahead and conduct the sale and not be liable for anything that might have been there previously.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 107 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, no voting Present. And Senate Bill 107, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm very pleased to offer you for recognition our County Clerk, Willard Helander, from -- who's also my constituent, from Libertyville. Willard Helander. And she's here with us today with the County Clerks' Convention, and I ask you to welcome her.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest stand and be recognized. Welcome to Springfield. Senate Bill 108. Senator Maitland. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 108.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 108 expands the regulations that have been promulgated by the Department of Revenue with respect to medical -- medical appliances that will be eligible for exemption from the one-percent sales tax. Currently, the -- the regulation suggests that a medical appliance is an item which is intended by its manufacturer for use in directly substituting for a malfunctioning part of the body. We expand that now to include devices - lifts, as an example, - on -- on vehicles that are used by disabled people, and they would then be exempt from the tax. And I would -- would seek support of Senate Bill 108.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill 108 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 108, having received the required constitutional majority, is declared passed. Senate Bill 122. Senator Klemm. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 122.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill No. 122 provides that the Secretary of State will check the accuracy of the vehicle registration number and vehicle make, prior to the City of Chicago sending out parking ticket notices. Also provides that it shall be grounds for dismissal of the ticket if the vehicle registration number or vehicle make are incorrect on the ticket. We've had a number of problems with parking tickets -- from the City of Chicago that were erroneously issued. And with working with the City of Chicago, I want to thank Bill Luking, to give us suggested language that they supported, and it is included in Amendment No. 1. And I also wanted to thank the Municipal League for their support and making Amendment No. 2, correcting the problems for the downstate. I don't know of any opposition to the bill. It's -- Secretary of State agrees to be able to handle it without any costs, and I do ask your support to perhaps stop the practice of inadvertent tickets coming down to here, people who were never in the City of Chicago.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 122 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 122, having received the required constitutional majority, is declared passed. Senate Bill 124. Senator Dillard. Senator Dillard. Senate Bill 141. Senator Woodyard. ...Bill 167. Senator Klemm. Senate Bill 176. Senator Cullerton. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 176.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This bill is designed to close a loophole in the Department of Mental Health's Confidentiality Act, and it is supported by the Department, and the Illinois Guardianship and Advocacy Commission. Basically, it would say that certain patient records that are the subject matter of court hearings would be covered by the Confidentiality Act that currently exists. It -- it grew out of a situation where an attorney representing a client discovered that just by calling a court, that they could get information concerning court hearings where someone was trying to be involuntarily committed. And so, the purpose of this is to close that loophole. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Does this bill in any way restrict the right of the courts to have access to information that they currently have access to in -- in child custody cases and the like?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

No, it doesn't. It's -- it -- the court would still have all of that information. It's only meant to -- people outside of the

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court would not be able to access this information concerning these commitment proceedings.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator, I've been running into this same problem and have been looking at this same law when -- and I noticed right now that a person -- a therapist, or a crisis center, or someone that needs that information, if the -- the individual who is mentally ill will not sign the paper and say that this can be disclosed to them, have now got the ability to go into court and get that information. Will this impair that crisis center or therapist right now to get that information?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

I'm not certain, because I believe that this bill is designed to cover situations where someone has been -- when there's been an -- either an involuntary or a voluntary commitment hearing. And that's the type of situation this is designed to cover. And basically, it just -- the reason why this came about was that a -- a father called the court to find out the status of a civil commitment pending for his son, and I think he had the same name and it turned out that the court was giving him all the information that -- about his own case that was in mental health court. So, I don't know if it applies to the situation you're talking about.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any further discussion? If not, Senator Cullerton, to close. The question is...

SENATOR CULLERTON:

I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...shall Senate Bill 176 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 176, having received the required constitutional majority, is declared passed. Senate Bill 177. Senator Welch. Senate Bill 182. Senator Rauschenberger. Senate Bill 203. Senator Trotter. Senate Bill 210. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 210.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. In explanation of the bill, currently the community college system has to promote two bills every year relative to its appropriations and its rate. This combines that process into one bill to -- to clarify and also to -- to also keep down the number of bills we have in this Chamber every year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 210 pass. Those -- Senator Hawkinson.

SENATOR HAWKINSON:

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

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, are there any changes in the -- in the rate for this coming year, or is it yet to be set?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

The rate is yet to be set. But it will be still -- it still will be set in the same method, the same fashion that it has been in the past. It's just that they'll already have the statutory authority to do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 210 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 210, having received the required constitutional majority, is declared passed. Senate Bill 227. Senator Thomas Dunn. Senate Bill 253. Senator Maitland. ...(microphone cutoff)...Order of Senate Bills 3rd Reading, top of page 8, Senate Bill 267. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 267.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 267 does something that's been long overdue, and that is to afford those people who

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are self-employed the same opportunity as those who employ other people and that is the ability to deduct the costs of their health care insurance. There's a couple of provisions in here: that the amount may not exceed their taxable income, and no deduction is allowed if the taxpayer's eligible to participate in any other health or long-care insurance, and it does not apply to any amount deducted for income tax purposes. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill. And I would point out that the Department of Revenue is opposed to this bill, and this was one time that I agreed with the Department. And this bill sets a very, very dangerous precedent. I would suggest to you that this bill is the tax accountants' full-employment bill. We are doing something by this bill which we have never done before - at least to my knowledge we've never done before. The State of Illinois income tax is substantially - and that's an understatement - but substantially in compliance with federal tax guidelines. And what we do, as you are well aware, is after you complete your federal tax returns which may take pages, or volumes, or only a page, depending upon your status, you then take a couple of pages, or a page, and use the numbers that are in your federal tax return, apply it to your State tax return, do some calculating and you know what you owe. This is imposing a different tax structure, and I'm really not addressing the merits of what the deduction will be. But it is making a dramatic change in allowing a specific deduction on your State tax return that the federal government doesn't recognize. Now, I've got a long list of things that Uncle Sam does wrong, but we haven't introduced

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them, we haven't adopted them, because it would substantially alter our pretty simple State tax approach. That's what this bill does. It changes the State tax return approach to taxes. I think it's a very, very dangerous -- on the long run, expensive approach to an issue that really ought to be taken up in the federal government, not here. For that reason, I urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Mr. President and Members of the Senate, while I have a great deal of respect for the sponsor, I would oppose this bill. Illinois has a flat-rate, simple income tax today. It's not an income tax that's filled with deductions and complications and credits. The reform movement in Washington today, when they discuss a flat-rate income tax, is based on the same premise we currently have in the State of Illinois: low-rate, flat-base, predictable, not filled with -- with deductions and complications. I think the merits of what the -- the sponsor is trying to do has -- has -- there's some good ideas there. I don't think we should take an effective flat-rate, simple income tax form and begin to open up a whole series of deductions and tax credits which will turn our flat-rate simplicity into a nightmare similar to what the federal government has built over the last twenty years. So, I'd respectfully ask the sponsor to consider taking it out of the record.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis. Any further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

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Senator, what would prevent an individual from going out and starting his own business that is not a profitable business and using this tax deduction as a method to deduct their personal medical expenses, their -- their insurance?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Welch, I said in my explanation that this cannot exceed the taxable income of the individual. So therefore, if that person were operating with a loss, would have no benefit.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Is it -- is the taxable income on your Schedule C on your federal tax, or is it the individual's taxable income as an individual household, which is your -- or your adjusted gross income? Is it your Schedule C or is it your overall income?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

If you're self-employed, it's the same schedule, except you may have other pages in it. In other words, you don't file a corporate -- if you did a corporate, this would -- you could deduct it. This is somebody who works for themselves: manufacturers' reps, a bricklayer who has his own -- he has a truck and a trowel. Those people -- those are the kind of people.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Let me give you an example. Let's say that this bill passes, and an individual has the right to deduct their insurance costs for medical care. I decide I'm -- I'm going to start a business

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just to take advantage of this, even though I don't have any income. I -- I put a sign on the side of my car saying I am now a tree cutter. I file a Schedule C showing no income, but I have expenses and the expenses are my medical insurance for my family, and I show a loss. Can I then take that deduction on the State income tax return, even though I don't cut down any trees, but I do have a business I'm calling the Welch Tree Service, and I'm -- suddenly got a sign on the side of my truck saying that I'm a tree cutter? Can I then use that to say I'm self-employed, even though I don't know how to cut down a tree?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Will you give up being a lawyer to be a tree cutter? I -- you know -- why don't we just say a lawyer instead of a tree cutter. Okay? If you're a lawyer and you're self-employed and you have health care costs, why can you not be able to deduct that like someone else who may have that business that's a tree cutting business, who is allowed to deduct it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

That's not my point. My point is, let's say it's a business that I know nothing about, like cutting down trees, and I just do this as a front. Kind of -- just to take advantage of this. What's to stop me from saying I now am a tree cutter? And you know, put on a lumberjack shirt if that's required, but I have a sign on the side of my truck that says I'm a tree cutter. And then I file a Schedule C saying that the tree service had only one expense, and that was the cost of the health insurance and use that as the deduction. It seems to me this may be susceptible to that fraud on the part of an individual. Let's say I'm working

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eight to five at a -- at a job. I'm an employee, but on the side I decide to start my self-employment business -- my self-employed business to take advantage of this and have a tax deduction.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Welch, with the state of our legal profession in this country, I would think that schemes and scams will always exist. But how about the honest guy who goes out there and works? He's got a truck. He delivers dirt. He -- he cannot deduct his health insurance. A guy that's a bricklayer, or a guy that's does cut trees, he can't deduct his insurance. Yet if he worked for you, you could deduct his insurance, or he can deduct his through you. I mean, it's -- I don't why if there's a health insurance cost with someone who's employed in a business, why it's deductible in certain instances here, but not deductible -- if you're desirous enough and -- and an entrepreneur, you can't deduct it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Senator, would you accept an amendment that would say that you could deduct the health insurance only against income from your self-employment shown on your Schedule C on your federal return? So you would have to have some income to be offset by the cost of the medical care, so that you don't have the provision where everybody just decides they're -- they're self-employed, to take advantage of this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Welch, I am not so certain that doesn't -- that doesn't exist in this bill already. Okay? But the fact of the

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matter is, is that if you don't have taxable income, you can't deduct it. And if you participate in another plan, you can't deduct it. And it doesn't apply to any amount that's deducted from your federal income tax. Now, I -- I -- if the person's got another business, why doesn't he deduct it in that business -- through that business, rather than create another one that doesn't make any money that he can't deduct it from anyhow?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator Lauzen.

SENATOR LAUZEN:

If I'm not mistaken, one of the -- one of the things that this would correct -- the reason why this is such a thorn in the side of small business owners is that when you employ people, their premiums are deductible, but yours as the employer is not deductible. I believe that this is what Senator DeAngelis' and Senator Dudycz's bill is trying to do, at least at the State level. I agree with the people who are saying that this should be handled at the federal level, but until they do handle it, I believe that these sponsors are taking the initiative to get it at least right in Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR DeANGELIS:

Well look, just let me point out that, you know, this is something that I think we need to do for those people who are earnestly employed, who don't have the same opportunity as other people, and I think it's a question of fairness. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 267 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 Ayes, 17 Nays, 3 voting Present. And Senate Bill 267, having not received the required constitutional majority, is declared failed. Senate Bill 269. Senator Geo-Karis. Senate Bill 275. Senator Karpziel. Senate Bill 298. Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 298 is an administration bill. It's merely a change of a name. It changes the name to Airport and Airway Improvement Act of 1982, to correspond with the federal law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 298 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are none -- or 4, pardon me, and 7 voting Present. And Senate Bill 298, having received the required constitutional majority, is declared passed. Senate Bill 300. Senator Woodyard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Senate Bill 300 is actually what has become known as Conservation 2000. It is an initiative dealing with agriculture and conservation in this State, and it is the most innovative, aggressive program that I've seen introduced in the General Assembly in the sixteen years I have been here. It would -- the bill would actually fund programs contained within the bill, to the tune of a hundred million dollars over a period of six years. It -- it deals with sustainable agriculture, with research, and those kinds of areas, also the Soil and Water Conservation District grants and stream bank and erosion control. It also allows the Department of Conservation to enter into studies and recommendations on water policy. And for years I have felt that we are -- that we've needed a cohesive water policy. We have not had one in this State. It also would allow the Department of Conservation to acquire and expand habitat and riparian areas of -- along river corridors. But we were able to get into the bill that the Department would not be able to use eminent domain. It would have to be a willing seller and a -- and a willing buyer. And with those, Mr. President, I would be glad to answer any questions. The -- the bill when it was presented in the Ag-Conservation Committee had a -- a stack of proponent witness slips from all over the State with many, many organizations supporting this, and there was not one witness slip by an opponent. And for those reasons, again, I would be glad to answer any questions or -- or solicit your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, it -- it seems like a laudable goal, but I see that the bill creates a -- a new fund. And I wondered if you could just address where the money is supposed to come from and how much is supposed to go into it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Yes, thank you, Senator. Sixty million dollars over this period of time would actually come from General Revenue funds, and contained within the bill, there would be a transferal once a year into this conservation fund. The other forty million dollars over the six-year period would come from bond funds, and although that's contained within the bill, I believe there's a bill over in the House that actually increases the bond authorization for that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, I know we haven't gotten into the -- the budget yet this year, but is this something that the Governor included in his budget? This -- is this -- and is this sixty million over a five- or six-year period?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that this is included in the budget and also the bond and GRF money, the first year, Fiscal '96, would be in the amount of six million five hundred thousand.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

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SENATOR WOODYARD:

Well, thank you, Mr. President. And I just want to simply recommend that the Body pass this legislation. It was introduced over a year ago and got embroiled in a -- a political situation, and I think the time is now for us to begin protecting our ecosystems. It's one of the very, very few bills that I've seen in the past where environmentalists, conservationists and people from the ag industry have come together in support of this kind of measure, and I urge your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 300 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 300, having received the required constitutional majority, is declared passed. Senate Bill 301. Senator Hasara. Senate Bill 313. Senator Butler. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, this -- Senate Bill 313 creates for the first time a Roller Skating Rink Safety Act. It establishes a -- a series of -- of standards by which the roller skating rink must adhere to in the interest of safety, and at the same time, it spells out four situation, or five situations, for the skater. I -- at some point there was some objection from the trial lawyers regarding this, but we have

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worked with them, and as far as I know, all of their objections have been removed. So I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 313 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 313, having received the required constitutional majority, is declared passed. Senate Bill 327. Senator Ralph Dunn. Senate Bill 350. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 350.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Ladies and Gentlemen of the House. Senate Bill 350 amends the Adopt-A-Highway Act to provide that a length of municipal, township, county or State right-of-ways may be adopted by the group. Since I passed House Bill 2741 back in 1992, creating the Adopt-A-Highway Program in Illinois, over six hundred groups have contacted IDOT to try to participate and get information in this program. Nationwide we have over seventy-five thousand organizations that are participating in Adopt-A-Highway programs that are now within forty-eight states. We have almost a million participants doing this work. We cover over a hundred and sixty-one thousand miles. This expands it to allow us to do the State highways. And I want to thank both IDOT and the Teamsters' Union for helping us work

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this out and I do ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 350 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 350, having received the required constitutional majority, is declared passed. Senate Bill 366. Senator Petka. Senate Bill 388. Senator DeAngelis. Senate Bill 392. Senator Woodyard. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senate Bill 392 is an initiative of the Illinois Chemical Fertilizer Dealers' Association. Contains two provisions. Upon introduction, the bill contained three provisions. We amended it to take out some objectionable language which would have allowed the Department to seize certain types of pesticides. I know of no opposition to the other two provisions, one of which provides a specific date on annual renewal of -- of the pesticide licensure. And number two, it -- it also empowers us to permanently do land application of -- of pesticides. We've been renewing both of those provisions for several years on an annual basis, and it was thought that now was the time to just put it in law and not have to renew these things every year. And with that, I'd be happy to answer any questions or ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Woodyard, was there a provision allowing the Department of Agriculture to seize those pesticides that weren't in compliance with the Act and was that taken out?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

Yes, Senator Welch. That -- that was stricken with the -- the amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Did that provision include banned pesticides like Eldrin or DDT or EDT? Could those have been confiscated before it was taken out of the bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Woodyard.

SENATOR WOODYARD:

I don't know that I can answer that, because I think the language of that amendment just said deletes the language that allows the Department of Agriculture to seize. But I presume on prohibited pesticides that they could still do that. I really don't know.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

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Well, do you think that can be cleared up if it gets -- when it gets to the House then, Senator? Because it seems to me that if you have an illegal pesticide and the Department finds out about it, they should remove it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR WOODYARD:

Yes. I -- I have just been told -- in closing, Senator Welch, that this applies only to nonrestricted pesticides. They cannot seize that. It's my understanding that they could seize restricted pesticides and I hope that clarifies that. With that, I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 392 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 392, having received the required constitutional majority, is declared passed. We will now return to the Order of 2nd Reading so that Members who were not on the Floor when we went through the 2nd Reading the first time will be afforded the opportunity to have their bills moved. On the Order of 2nd Reading, we have Senate Bill -- on the bottom of page 4, Senate Bill 733. Senator O'Malley. Senator O'Malley, do you wish the bill to be read? Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 733.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1005. Senator O'Malley. Mr.

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Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1005.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 1035. Mr. -- oh, pardon me. 1006.

Senate Bill 1006. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1006.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. ...(microphone cutoff)...any other Member who would wish to have their bills moved from 2nd to 3rd Reading, now's -- now's the time. Senator Barkhausen, for what purpose do you rise?

SENATOR BARKHAUSEN:

Yeah. Mr. President, as long as you're on this Order of Business, Senate Bill 1203 is one that I'd like to move if I could.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 1203. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1203.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SIEBEN:

Yes, Mr. President, I would like to move Senate Bill 756 from 2nd to 3rd.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 756.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 941. Mr. Secretary, read the bill.

SECRETARY HARRY:

...Bill 941.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR WATSON:

Thank you, Mr. President. I'd like to have the same privilege. I'd like to move Senate Bill 207 and Senate Bill 299.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 207. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 207.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Senate Bill 299.

ACTING SECRETARY HAWKER:

Senate Bill 299.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Resolutions.

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SECRETARY HARRY:

...(microphone cutoff)...Joint Resolution 35, offered by Senator Weaver.

(Secretary reads SJR No. 35)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 35. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Now, Senator Weaver has moved for the adoption of Senate Joint Resolution 35. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Senator Maitland, for what purpose do you rise?

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Just simply ask leave of the Body to table Senate Bill 136.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland moves to table Senate Bill 136. Hearing no objection, leave is granted. Committee Reports.

SECRETARY HARRY:

Senator Barkhausen, Chair of the Committee on Financial

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89TH GENERAL ASSEMBLY
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Institutions, reports Senate Bills 440, 796 and 934 Do Pass.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bills 597 and 967 Do Pass; Senate Bills 169, 212, 326 and 646 Do Pass, as Amended; and Senate Resolution 32 Do Pass.

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned to committees: Referred to the Committee on Education - Senate Amendment 1 to Senate Bill 1035; to the Committee on Insurance, Pensions and Licensed Activities - Senate Bill 1082; to the Committee on Local Government and Elections - Senate Amendment 1 to Senate Bill 80 and Senate Amendment 2 to Senate Bill 444; re-referred from Public Health to the Committee on Welfare -- or the Public Health and Welfare Committee to the Rules Committee - Senate Bill 1082; and referred to the Committee on State Government Operations - Senate Amendment 1 to Senate Bill 388 and Senate Amendment 1 to Senate Bill 763.

PRESIDING OFFICER: (SENATOR DUDYCZ)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 801, offered by Senator Hasara.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Pursuant to the adjournment resolution, Senator Lauzen moves the Senate stand adjourned until noon, Tuesday, March 21st.

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