

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

33rd Legislative Day

April 18, 1995

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Pastor Mike Roberts of the First Baptist Church, Fairmount, Illinois. Pastor Roberts.

PASTOR MIKE ROBERTS:

(Prayer by Pastor Mike Roberts)

PRESIDING OFFICER: (SENATOR WEAVER)

All -- all rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, March 21st; Wednesday, March 22nd; Thursday, March 23rd; and Friday, March 24th, 1955 -- 1995.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis moves to approve the Journals just read. There being no objection, it is so ordered. Committee Reports.

SECRETARY HARRY:

Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Bills 483, 484, 485, 486, 490, 491, 499, 500, 501, 504, 505, 882, 883, 884, 885, 1050, 1051, 1106 and 1107 Do Pass; and Senate Bills 502, 503 and 1052 Do Pass, as Amended.

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Senator Dunn, Chair of the Committee on Higher Education, reports Senate Bill 718 Do Pass, as Amended.

And Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports Senate Bills 584 and 731 Do Pass; Senate Bills 543, 623 and 854 Do Pass, as Amended; and Senate Amendment 2 to Senate Bill 448 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

The AP requests permission to -- to photograph the Session, and -- as does WICS-TV. Is there leave? Leave is granted. Messages from the House.

SECRETARY HARRY:

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

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

House Bills 667, 765, 1156, 2245 and 907.

All passed the House on March 24th, 1995.

A like Message on House Bills 473, 497, 859, 965, 1731, 1733, 385, 955, 1654, 1730, 1732, 1794, 2326, 2439, 2470, 398 and 410.

All passed the House, April 5th, 1995.

A like Message on House Bills 5, 318, 614, 760, 781, 878, 1473, 1706, 1707, 1708, 892, 1474, 1810, 2226, 2332, 2343 and 2465.

All passed the House, April 6th, 1995.

And a like Message on House Bills 178, 300, 753, 1004, 1108, 1258, 1398, 1596, 1721, 1793, 1842 and 2038.

All passed the House, April 7th, 1995.

PRESIDING OFFICER: (SENATOR WEAVER)

Messages.

SECRETARY HARRY:

Message from the Secretary of State.

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To the Honorable Members of the Senate, 89th General Assembly - I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Respectfully, George H. Ryan, Secretary of State.

To the Honorable Members of the Senate, 89th General Assembly - I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Respectfully, George H. Ryan, Secretary of State.

PRESIDING OFFICER: (SENATOR WEAVER)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 5, offered by Senators Shadid and Garcia.

(Secretary reads title of bill)

House Bill 41, by Senator Mahar.

(Secretary reads title of bill)

House Bill -- or, 377, by Senator Parker.

(Secretary reads title of bill)

House Bill 385, by Senator Maitland.

(Secretary reads title of bill)

House Bill 398, by Senators Butler and Woodyard.

(Secretary reads title of bill)

House Bill 410, by Senator Dillard.

(Secretary reads title of bill)

House Bill 447, by Senator Maitland.

(Secretary reads title of bill)

House Bill 548, by Senators Cronin and del Valle.

(Secretary reads title of bill)

House Bill 583, by Senator Karpziel.

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(Secretary reads title of bill)

House Bill 589, by Senator Cronin.

(Secretary reads title of bill)

House Bill 652, Senator Parker.

(Secretary reads title of bill)

House Bill 667, by Senator Berman.

(Secretary reads title of bill)

House Bill 668, by Senator Cronin.

(Secretary reads title of bill)

House Bill 753, by Senator Maitland.

(Secretary reads title of bill)

House Bill 620 <sic> (820), by Senator Maitland.

(Secretary reads title of bill)

House Bill 854, Senator Sieben.

(Secretary reads title of bill)

Senator Dillard offers House Bill 878.

(Secretary reads title of bill)

House Bill 892, by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 913, by Senator Dudycz.

(Secretary reads title of bill)

House Bill 939, Senator Peterson.

(Secretary reads title of bill)

House Bill 1004, by Senator Butler.

(Secretary reads title of bill)

House Bill 1116, by Senator Dillard.

(Secretary reads title of bill)

House Bill 1119, by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 1132, by Senator Parker.

(Secretary reads title of bill)

House Bill 1156, by Senator Walsh.

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(Secretary reads title of bill)

House Bill 1267, Senator Donahue.

(Secretary reads title of bill)

House Bill 1596, by Senator Walsh.

(Secretary reads title of bill)

House Bill 1792, by Senator Cronin.

(Secretary reads title of bill)

House Bill 1793, by Senator Karpiel.

(Secretary reads title of bill)

House Bill 1833, Senator Parker.

(Secretary reads title of bill)

House Bill 1854, by Senator Weaver.

(Secretary reads title of bill)

House Bill 2227, Senator Parker.

(Secretary reads title of bill)

House Bill 2245, by Senator Dudycz.

(Secretary reads title of bill)

And House Bill 2453, by Senator Maitland.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard has a special guest he would like to introduce to the Senate. Senator Woodyard.

SENATOR WOODYARD:

Thank you very much, Mr. President and Members of the Senate. I have with me today a very special guest, and you ought to feel very safe in the Senate today because my guest happens to be -- my guest happens to be the Director of the U.S. Marshal Service, under President Clinton's Administration. His name is Eduardo Gonzalez. I won't go into a bio background. I'll let him tell you a little bit about himself. But we are very pleased to have him in -- in Springfield today. And I noticed when he was

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introducing himself to a group of community college kids this morning, he introduced himself as Eddie. So, if I could also introduce him as Eddie Gonzalez, from Washington, D.C., why, I'd like him to say a few words to the Senate. Thank you, Eddie. Welcome to Springfield.

DIRECTOR EDUARDO GONZALEZ:

(Remarks by Director Eduardo Gonzalez)

PRESIDING OFFICER: (SENATOR WEAVER)

On page 2 of the Calendar, on the Order of Senate Bills on 2nd Reading, we will start on page 2 at the top. Any Senator wishing to move their bill, we'll go right down the list. Communications.

SECRETARY HARRY:

A Message addressed to the Secretary of the Senate, State House, Springfield.

Dear Mr. Secretary - this office is forwarding herewith a copy of the notice of vacancy created in the Office of Senator in the General Assembly for the 57th Legislative District as a result of the death of Kenneth Hall. Also enclosed is the Democratic Legislative Committee Certificate of Appointment effective April 13, 1995, and the oath of office for James F. Clayborne, Jr., 900 Martindale Lane, Belleville, Illinois, who was appointed to fill the vacancy in the Office of Senator in the General Assembly for the 57th Legislative District.

Yours truly, George H. Ryan, Secretary of State.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Watson arise?

SENATOR WATSON:

Yes. Thank you, Mr. President. Just a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR WATSON:

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I'd like to take this opportunity to introduce a group who's visiting here today and has been here most of the day and will be here this afternoon, as a civics government history class from St. Elmo High School, which is located in Fayette County and -- and the teacher, Connie Lowe, is here with him. And I'd like for them to stand and be recognized. They're in the President's Gallery behind you, Mr. President. We'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise and be welcomed by the Senate. For what purpose does Senator Jones arise?

SENATOR JONES:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR JONES:

I'd just like for the Body to welcome the new Member from the southern part of the State, "The Land of Milk and Honey", a fine attorney, Senator Clayborne, who has just been sworn in yesterday a new Member of this Body. So I want you all to meet him. Senator Clayborne.

PRESIDING OFFICER: (SENATOR WEAVER)

Pleased to have you join us, Senator. On page 2 at the top of the page, Senator Klemm, on Senate Bill 62? Out of the record. Senator Dudycz, on 100? Out of the record. Senator Peterson, on 133? Out of the record. 134? Out of the record. Senator Raica, on 137? Out of the record. Senator Mahar, on... Out of the record. Senator Sieben, on 336? Out of the record. Senator Fawell, on 361? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 361.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin, on 434? Out of the record. Senator Klemm, on 441? Out of the record. Senator Peterson, on 472? Out of the record. Senator Thomas Dunn. Senator Thomas Dunn, on 506? Out of the record. Senator Fawell, on 539? Out of the record. Senator Maitland, on 616? Senator Thomas Dunn, on 664? Out of the record. Excuse me. Senator Hasara, on 640? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 640.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Fitzgerald, on 695? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 695.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Shadid, on 700? Out of the record. Senator Woodyard, on 728? Out of the record. Senator Hawkinson, on 782? Out of the record. Senator Maitland, on 808? Out of the record. Senator Fitzgerald, on 811? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 811.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Raica? Senator Geo-Karis, on 830? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 830.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. We're awfully noisy today. Could we have just a little quiet? Senator O'Malley? Senator Barkhausen, on 864? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 864.

(Secretary reads title of bill)

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

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Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

SECRETARY HARRY:

3rd Reading. Senator Severns, on 869? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 869.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Klemm, on 951? Out of the record. Senator Rauschenberger, on 991? Out of the record. Senator Fawell, 1026? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1026.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Fawell, on 1048? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1048.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1084. Senator O'Malley? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1084.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Severns, on 1095? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1095.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Petka? Senator Petka, on 1100? Out of the record. Senator Dillard, on 1129? Out of the record. Senator Rea, on 1194? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1194.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On page 5, Senate Bills 3rd Reading. For what

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purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Thank -- thank you, Mr. President. I want the record to reflect that Senator Shadid is absent today on government business.

PRESIDING OFFICER: (SENATOR WEAVER)

The record will so reflect. Senator Butler, on Senate Bill 21? Do you wish to call the bill? Out of the record. Senator Maitland, on Senate Bill 50? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 50.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 50 is a bill that would provide that regional superintendents shall assume office on December 1st, rather than on the first Monday in August following their election. When the bill was introduced, we made it -- it pertained to currently seated regional superintendents. This bill was amended to affect the regional superintendents who would run in four years, so it affected those who run in the year 2002. It makes good sense, we believe, since they are county officers, to -- to take office on the same time as other county officers do. I -- I know of -- very little opposition to this, and I would seek your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate -- excuse me. Senator Berman.

SENATOR BERMAN:

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

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analysis indicates that the Illinois Association of Regional Superintendents was opposed to the bill. Is that still the case?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator Berman, they were opposed to the bill as introduced because it affected the currently seated superintendents. I have not heard from them. This was -- this was the concern that they had. I amended it to affect those who would be running in four years, so when they were running, they would know what kind of a term of office they were running for. No one, to my knowledge, has gotten back to me on this issue, and I assume they've withdrawn their opposition, certainly on that issue. The other concern they had was the fact that -- that it...(microphone malfunction)...

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio -- oh! Sorry. Senator Maitland.

SENATOR MAITLAND:

One of the other concerns that they had was they -- they talked about the audit, they talked about the transfer of money. They have nothing to do with that anymore at all, in any way, shape or form. So that isn't even an issue any longer, as I understand it, Senator Berman.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. -- Madam President, Ladies and Gentlemen of the Senate. I don't -- I don't know if anybody's listening, but the fact is, is that we're attempting to change the term of office. And I know it's a difficult proposition for the voters who vote for regional superintendents and then believe that they take

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office about or on the same day that everyone else takes office. We have, for I don't know how many years now, allowed for the completion of the school year before the regional superintendent takes office. As I understand it now, the term of the regional superintendent will be terminated on December the 1st of 1998. Let me ask you, Senator Maitland, first of all: Why -- what is your notion in -- in changing this, number one? And number two, how long has the current elected system of dates for regional superintendents been in effect?

PRESIDING OFFICER: (SENATOR DONAHUE)

Think we ought to listen to the discussion. Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I apologize. I -- I don't know whether I totally understood all of -- or heard all of your question. But -- but let me indicate to you that back years ago it made -- it made very good sense to have the regional superintendent, although he or she was a county -- even though he or she was a county officer, to have their terms coincide with -- with the school year. Such is not the case anymore because of -- of a number of things that regional superintendents do differently. This was brought to me by a regional superintendent who indicated to me that a new regional superintendent has absolutely nothing and no input into the portion of their -- of their budget that is controlled by the county board and that since everything else now works on a -- on a county year, rather than a school year, it makes better sense for those terms to expire with the other county officers. They truly are county officers, and I believe this is a -- is a logical change.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator... I will ask all unauthorized people off the Floor. Take your discussions off the Floor. Sit down in your seats, please, so we can listen to this discussion? Further

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discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't quarrel with the notion as to what took place in the past, but in the particular instance where my regional superintendent represents now four counties - three new counties - and it just seems to me that it's confusing enough as it is. And I'm saying this on a serious note, John, I'm just asking. It's confusing enough as it is for the term to begin after the school year, but it seems to me that it's probably the -- the best policy because of the certification and other kinds of things that the regional superintendent would -- is required to do, at least those who do not have -- at least those who have more than one county.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

He's either going to have to turn his volume -- I -- I cannot hear him, Madam President. I really can't. I apologize.

PRESIDING OFFICER: (SENATOR DONAHUE)

We've got a discussion going on, a debate between two Senators, and neither one can hear the other one talk. Now, Senator Demuzio, would you mind restating your question? And I would ask that the Senators be in your seats, and listen.

SENATOR DEMUZIO:

I -- Senator Maitland, I understand in the past where the regional superintendent was, in fact, considered as a county official. In my particular instance, however, now, I have a regional superintendent who has just now garnered three additional, new counties. I know it's confusing enough for the voters as it is, with respect to the new term of office beginning after the school year, but it seems to me like it makes much more sense because the fact that at that point, they would be -- since they're going to be recertifying teachers and that notion, it

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seemed to me like it make more sense. But perhaps you could -- you indicate that they have no functions whatsoever to do?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

No -- no, I didn't -- I didn't say that, but I don't think on -- on teacher certification, the anniversary date of the regional superintendent, frankly, makes -- makes any difference at all. I would -- I would say, Senator, the other -- the other argument that did -- that was -- was made - it was a mild argument - was one of concern that -- that -- that a superintendent who is thinking about the possibility of running for office for that same position - in other words, a school superintendent - that it -- there would be probably a slight advantage to them for the anniversary date to stay the same, but we think that the change, since the responsibilities of the regional superintendent have changed so dramatically, makes more sense, and the budget aspect is an important one, we believe.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Maitland, to close. The question is, shall Senate Bill 50 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 9 Nays, none voting Present. Senate Bill 50, having received the required constitutional majority, is declared passed. Senator Raica, on Senate Bill 64? Out of the record. Senator Rauschenberger, on Senate Bill 78? Senator Raica, on Senate Bill 80. Senator Dillard, on Senate Bill 124? Senator Woodyard, on 141? Senator Garcia, on Senate Bill 147. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 147.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. Senate Bill 147 came out of the Judiciary Committee by -- it was passed by an 11 to 0 vote. The bill amends the Circuit Court Act and the Associate Judges Act by requiring circuit court and associate judges designated by the chief judge of each circuit to attend an annual seminar on family violence issues. The Administrative Office of the Illinois Courts will conduct or arrange for the -- conduct the annual seminar. The bill also repeals the Circuit Court Judges Travel Expense Act, an Act which currently serves no useful purpose.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 147 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. Senate Bill 147, having received the required constitutional majority, is declared passed. Senator Cullerton, on Senate Bill 161. Senator Cullerton, on 161. Senator Syverson, on 169? Senator Syverson. Senator Welch, on Senate Bill 177. Senator Rauschenberger, on Senate Bill 182. Do you wish to -- have this -- returned to 2nd Reading for the purposes of amendment? Senator Rauschenberger seeks leave of the Body to return Senate Bill 182 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 182. Madam Secretary, are there any Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This is a clarifying amendment, which accepted input from both the ICC, as well as the Citizens' Utility Board, in dealing with -- with the disclosure and the communication -- allowed in the ICC. This -- it represents ongoing negotiations. I'd appreciate its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, all those in -- oh! Senator Welch.

SENATOR WELCH:

I have a question of the sponsor, if he'd yield for a question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, this bill allows for parties to a case before the Illinois Commerce Commission to talk directly with a judge or a commissioner without advising the other party. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm -- I'm advised -- I'll -- maybe we can save this for 3rd Reading. I'm advised by staff that I spoke to soon. We have an Amendment No. 3, which is a further clarification, but the short answer to your question, Senator Welch, is, yes. And I'd like to take this out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Out of the record. Senator Hasara, on Senate Bill 192? Senator Hasara, on 192? Out of the record. Senator Trotter, on Senate Bill 203? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Senate Bill 203 is identical to Senate Bill 1546, which passed out of the Senate last year 58 to 0. This year in committee, it -- it also went out unanimously. What it essentially does is require the Department of Public Aid to include in its annual report about the Healthy Moms and Healthy Kids program, data on the immunization rate of children in the program and the low birth rate <sic>, as compared to statewide rates. We amended it to include that if, in fact, the -- Mediplan Plus Plan is passed, that we continue with that report in regards to the federal government also giving information to us.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 203 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 203, having received the required constitutional majority, is declared passed. Senator -- or, DeAngelis, on Senate Bill 204? Out of the record. Senator DeAngelis, on Senate Bill 212. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 212.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. Senate Bill 212 is a bill that we passed previously. When we passed the tax caps, inadvertently it was determined by Bond Council that the aggregate extension -- aggregate extension could not include debt service for bonding. This bill restores that part that allows that amount to be considered part of the aggregate extension. Let me point out to you: This bill does not allow a park district to exceed the caps. What it does do: It allows them to add their debt service as part of their aggregate extension. In addition, there's an amendment for the city colleges of Chicago which will allow them to somewhat diminish the loss from a bad investment that was made by one of their officers. And I guess that's pretty much it. So, like to have your favorable support on Senate Bill 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 212 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, none voting Present. Senate Bill 212, having received the required constitutional majority, is declared passed. Senator Maitland, on 253. Senator Ralph Dunn, on Senate Bill 263? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 263.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Madam President, Members of the Senate. This is a bill that allows employees of the universities who get credit now -- who allow their -- children of employees waivers of tuition at the university where they work, this would allow the waiver to be applied to any school in the system, or any school in the State that -- that goes along with the waiver. Senator Hasara is a cosponsor of the bill, and I think she also would like to speak on it, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senator Dunn, I -- I just -- I knew this bill was out here and got caught a little bit off guard. This is an attempt to -- to broaden the tuition waiver policy - the fifty-percent tuition waiver policy - that we now have in the State. Right now, as I understand it, within governing bodies, the students if they have a parent that works at one of those three universities or one of those five universities, can -- can receive a tuition -- a fifty-percent tuition waiver at one of the other universities. Is that correct? This...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Maitland. Senator Dunn.

SENATOR R. DUNN:

That's correct. This would broaden it. It wouldn't give them any more tuition waivers, but they could go to another school if -- if those schools participate in the program. And I understand that this is supported by the Board of Higher Education and SIU,

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and the University of Illinois, I think, is also in support. And it was the Board of Governors and Board of Regents. We have amended them out and put in the other schools that are in the system. So, this is a voluntary thing for the schools, as I understand it, so that they have to do it if they participate in it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Again, Senator, for clarity: An individual must work at one of the universities for a period of seven years. After that period, the sibling <sic> is permitted to go tuition waiver free, plus fifty percent, to any one of the other -- that university or any one of the other senior universities in the State. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn

SENATOR R. DUNN:

That's correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Okay. I -- I just would -- would remind the -- the Body -- and, Senator, I'm probably going to oppose the bill. I -- I -- I know we have to make a change. We have a number of individuals who work within the -- the governing boards that have been changed. They had a problem with their siblings <sic> who are now going to another university, and I think we have to resolve that part of the issue. But I really have a concern about expanding this tuition waiver policy to -- to any one of the other eleven universities in the State.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Hasara.

SENATOR HASARA:

Thank you, Madam President. I rise in support of Senate Bill 263. One thing I think it does is give a lot more flexibility to the children of university employees. If you think about it, right now it's very difficult for them to pass up the opportunity of the tuition waiver, so they're pretty much locked in to the university in which their parent works. So, as Senator Dunn said, I do not see this requiring a lot more waivers. I see it giving the students of the employees more flexibility in the university that they would attend. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

Yes. I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Dunn, do you have any estimate in how much money this will cost, how much money will be lost by the universities for the cost of these tuition waivers?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR R. DUNN:

This is -- this is being done now in the universities with their own employees in their own schools, and this would just broaden it out. As far as I know, it wouldn't bring any new people into the system; it would just allow them to go to the school of their choice, if it happened to be of another school. I don't think there's any -- waivers don't really cost money.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

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SENATOR WELCH:

Well, Senator Dunn, I could understand if an individual had his parents teaching at somewhere like Eastern Illinois University and the son or daughter wanted to go to a really good school like Southern Illinois University in Carbondale. I can understand that. What I don't understand is why we're changing the policy that we passed several years ago. The purpose behind allowing these waivers, as I understood it, was that the parents were at the same university; the student was going there; their parents lived in the same town; it was convenience; it was support of the university the parent taught at. This totally changes the philosophy behind these tuition waivers. This is a benefit, to me, that probably should be negotiated in a -- in the next salary round for these professors or these employees of the universities. To me, we're giving something away for nothing that we probably could use to keep costs down at the university. We are going to be losing tuition money, because if an individual decides to go to the University of Illinois instead of the university where his parents teach, today they would have to pay tuition. Under your bill, they won't. That's a loss of revenue to the University of Illinois. So, it seems to me, this is not a good idea. This is something we can't afford at this time, with all of the colleges and universities asking for more money from Springfield. So I think we should vote No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Madam President. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Dunn.

SENATOR T. DUNN:

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Senator Dunn, maybe I didn't hear the answer, but could you tell us what the current cost of the waiver system is?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Madam President. I don't know as there's any cost estimates made available. This would not increase the cost of what they're doing now, except it would be portable. It would allow a student who's going to Northern Illinois University, if his parents work there and he's going tuition free, he could transfer that down to Southern, if he was so of mind and it was all right with his parents and school that participated. So, I don't think there's any added cost to this. It just makes the tuition waivers flexible so that they could go to the schools of their choice. Doesn't add anything to the cost.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn, are you concluded? Senator Demuzio.

SENATOR DEMUZIO:

Senator Dunn, let me -- let me pose this question to you. As -- as I saw something recently in a chart of the tuition waivers that have been granted to university -- as I understand it, both institutional, as well as statutory waivers, were somewhere in excess of over a hundred million dollars from the previous year. I -- I asked somebody to get me that chart. I don't know what it is. But over a hundred million dollars in tuition waivers, both mandated and legislated, and that includes legislative scholarships. Fifty percent - how much would that add now to the tuition waivers of the institutions that you're attempting to -- to do this for today?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

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Thank you, Mr. President. As far as I know, this wouldn't add anything to it. It might transfer it from Southern Illinois at Edwardsville to Carbondale or to the University of Illinois. It doesn't necessarily mean there'd be more scholarships or more tuition waivers. And as I understand, the hundred million dollars includes athletic scholarships, minority scholarships and all the other scholarships. If I -- also just as an aside, I think that our legislative scholarships add about four million dollars to -- to that hundred million dollars. I'd ask for a favorable roll call, if there isn't any other questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I -- I must tell you, in all fairness, I didn't hear hardly any of that because there's too much racket in here, and I would...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. Senator Demuzio, as far as I know, this wouldn't add any new money. This would just allow the kids who are going to go one school to transfer to another school without adding more money to it. As I understand it, they have a hundred million dollars in tuition waivers that our figure shows includes athletic scholarships, minority scholarships, and all the other -- or, tuition waivers that they give at the different schools in the State. I further understand that our legislative tuition waivers that we give add -- is about four million dollars in that hundred million dollars, as I understand it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

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I guess all I'm asking is, if we pass this piece of legislation, how does it differ from what the universities can do now, and secondly, how many additional individuals and what the cost would be for tuition waivers under this bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

I thought -- I tried to make it plain, Senator Demuzio. There wouldn't be any added costs. There shouldn't be. This is people now who are going to school where their parents work. If they want to and it's suitable to the schools, why, they can go to another school instead of the school that their parents work. It wouldn't be any added cost that I can see to be added onto it. It just transfers the -- it makes these tuition waivers portable or -- so they can go someplace else.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Burzynski. Senator Demuzio. I'm sorry, Senator Burzynski.

SENATOR DEMUZIO:

Based on that illustration, are you -- are you suggesting that a student at Southern Illinois University -- I'm sorry - a person who works for Southern Illinois University is entitled -- and is entitled to a tuition waiver currently can send their child to the University of Illinois under a tuition waiver? Is that what this bill does?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

That's right, Senator Demuzio, if they meet the requirements of the school and the school will have them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Burzynski. Senator Burzynski, at

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Senator Dunn's microphone.

SENATOR BURZYNSKI:

Thank you. Just as a point of clarification. Senator Welch asked a question a few minutes ago relative to tuition waivers now, and what this bill is really trying to do is to ensure the students who are participating in tuition waiver programs, say, for instance, at a Regents school -- a Board of Regents school, now they currently can have a tuition waiver from Northern to ISU to Sangamon State. And what this bill is trying to do is to allow for that continuity for those types of students that are in a kind of a Catch 22 with the change in the new governance system. Same way with the Board of Governors.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator Dunn, I just want a point of clarification. Our analysis says "employees of the university". Does that mean all employees, or is it limited to faculty? I heard one of my colleagues talk about those who teach there. I just want to make sure.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. This means all of the employees of the university, whether they're the janitor or the maintenance people, or they're the professors. It would be all the students -- all children of the -- of faculty and staff.

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Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Senator, I don't have a lot of qualms with what we're doing here, but let me just ask a question. Whenever this was first introduced and we first started giving scholarships to -- to offsprings of -- of the employees at State universities, what was the intent of that, and does this change that intent, if you know the answer to the first question? Because it would seem to me if our intent is just to ensure that all employees of universities get a college education, then I agree with your bill. If the intent was, as a -- as a collective bargaining issue, to ensure that those siblings <sic> could go to school at the school of their -- where their parents were teaching and/or working, then that's another issue. So, if you have an answer to that, I'd like to know.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. Senator Jacobs, as far as I know, this was not a collective bargaining item. This is a perk that the universities decided it was a good thing for their employees, and maybe you'd call that a perk. I'm sure it's a perk, but whether it's collectively bargained, I don't think it was. This is a -- presently universities now can go to children of -- of the employees can go to their own school, but this would allow portability: They could go to some other school, if they so desired and the school took them and they had an agreement with

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them. So, it doesn't add anything other than allow the kid that's going to one school to -- to go to another school for part of his education.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

I guess my question then just reiterates itself; that if that was the intent that we just want them to go to -- to a State university, why did we not include that in the first place? And is this truly a dramatic change, or is it a minor change, in -- in your opinion?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

I truthfully don't know why we didn't do it in the first place. We should have. This just straightens out what we should have done several years ago.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I stand in support of this legislation, and I'll tell you why. Basically, nonacademic employees working for higher education throughout the State of Illinois make probably ten to fifteen, twenty percent less than the same category working for the State of Illinois here in Springfield. It is a fringe benefit to these employees, but the portability of this would allow these students to go to institutions that they're not -- that they're parents don't teach in or work in, for various reasons. And I think it's obvious that each -- each institution has a certain mission and these kids have different ideas about what they want to do. I think it's fair, and I -- I'd hope everyone will support it.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in support of this bill. I think it's a very good bill. Sometimes a student just needs to be at a different campus than the parent and the parent needs the child to spread their wings. So I'd ask for a favorable roll call for this bill. I think it's a good bill, and I'd -- I support the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Dunn, to close.

SENATOR R. DUNN:

Thank you, Mr. President. In closing, I want to thank everyone for the debate on it, and I hope that I explained it all right. And while I maybe didn't say it in my earlier debate, both AFSCME and the -- and the IFT and those other people connected with the -- with the unions certainly support the bill. I know that. Thank you, and I appreciate an an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 263 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 43 Ayes, 9 Nays, no Members voting Present. Senate Bill 263, having received the required constitutional majority, is declared passed. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Senate Amendment No. 2 to Senate Bill 354 - referred to the Committee on Commerce and Industry; Senate Amendment No. 2 to Senate Bill 640 - referred to the Judiciary Committee; Senate

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Amendments 2 -- Senate Amendment No. 2 to Senate Bill 758, Senate Amendment No. 1 to Senate Bill 816, and Senate Amendment No. 2 to Senate Bill 1080 - referred to the Public Health and Welfare Committee; Senate Amendment No. 2 to Senate Bill 398, Senate Amendment No. 1 to Senate Bill 504, Senate Amendment No. 3 to Senate Bill 1204, Senate Amendment No. 1 to Senate Bill 885 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, Senate Bill 283. Senator Hendon? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 283.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This bill -- this bill is the tow zone sign bill and all it does is it requires that the words "tow zone" on a tow zone sign on private property be in colors -- bright colors so the people can read them at night. It's simply to let the people of the State of Illinois beware that they are parking in an area of which their vehicle may be towed, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Senator Hendon has worked very hard on this bill. I think he's got it in good shape now, and I would suggest that we all vote Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Hendon, do

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you wish to close?

SENATOR HENDON:

I just ask for a favorable roll call, Mr. Chairman. I appreciate Senator Fawell for her support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 283 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 51 Ayes, 1 Nay, no Members voting Present. Senate Bill 283, having received the required constitutional majority, is declared passed. Senate Bill 284. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you -- thank you, Mr. President. Senate Bill 284 amends the Metropolitan Water Reclamation District Act to annex certain territory in Matteson into the MWRD. For background, these types of bills are requested by the property owners in order to obtain sewer service. Annexation of property to the MWRD must be done by legislation. This bill would annex approximately one hundred and forty-five acres of land which is contiguous property to the MWRD. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 284 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. Senate Bill 284, having received the required constitutional majority, is declared passed. Senate Bill 327. Senator Dunn. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 327.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President, Members of the Senate. Senate Bill 327 provides the framework for the use of coal combustion with by-products generated in Illinois. One of the things it requires, that the Department of Transportation to foster, wherever economically feasible, safe -- and safe, the use of coal combustion by-products in road building materials; design specifications for areas such as beds, backfills, fills, trenches and embankment. This bill is brought to us by the -- by the Citizens' Council on Energy Resources. Supported by the Coal Association, United Mine Workers and the Pollution Control Board. Be glad to answer any questions and urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 327 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Bill 327, having received the required constitutional majority, is declared passed. Senate Bill 338. Senator del Valle. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 338 creates a seven-member Supreme Court Commission on Court Interpreters to study interpreter use and need in court proceedings. The Commission shall make a final report to the General Assembly by 1/1/97, and there is a sunset provision in the bill for the abolishment of the Commission by 5/31/97. The purpose of the Commission is to make recommendations to improve the quality of court interpreters and to increase the access for non-English speaking persons to the court system.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 338 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 53 Ayes, 1 Nay, 1 Member voting Present. Senate Bill 338, having received the required constitutional majority, is declared passed. Senate Bill 368. Senator DeAngelis. Senate Bill 388. Senator DeAngelis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 388.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

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SENATOR DeANGELIS:

Thank you, Mr. President. 388 is a product of the Audit Commission. It removes a redundancy in the reporting systems. It was amended to ensure that in the event that that redundancy that we're removing, the other party that's responsible does not do it, we go back to the old system.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The -- I'm sorry. Senator Demuzio.

SENATOR DEMUZIO:

Is -- is there some reason to fear that there will not be an Inspector General in the -- in the next budget for Mental Health?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Demuzio, that amendment was put in to take care of some fears from your side.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? The question is, shall Senate Bill 388 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 -- 57 Ayes, no Nays, no Members voting Present. Senate Bill 388, having received the required constitutional majority, is declared passed. Senate Bill 398. Senator Madigan, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Madigan seeks leave of the Body to return Senate Bill 398 to the Order of 2nd Reading for the purpose of an amendment. I beg your pardon. Out of the record. Senate Bill 431. Senator Sieben. Senate Bill 432. Senator DeAngelis? Senate Bill 433. Senator Barkhausen. Senate Bill 457. Senator Geo-Karis? Read

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the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is a bill to Central Management Services. Currently, the delays in paperwork and processing make it difficult for the CMS and agencies to conform with the law certifying that an employee's been properly appointed before payroll vouchers go out. This bill would change the law to conform to current practice of certifying after payroll goes out, and it also provides that -- a clean-up amendment in it for the Governor's new Executive Order, which reorganizes some agencies into the Department of Natural Resources, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 457 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Bill 457, having received the required constitutional majority, is declared passed. Senator del Valle, for what purpose do you rise, sir?

SENATOR DEL VALLE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR DEL VALLE:

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In the gallery, we have representatives from the Darwin, Mozart, Auburn, Nixon and Funston schools. I want to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the gallery please rise and be recognized by the Senate? Welcome to Springfield. Senate Bill -- Senate Bill 538. Senator Collins. Senator Collins on the Floor? Senate Bill 542. Senator Watson? Senate Bill 549. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 549.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This amends the Board of Higher Ed Act so that the community colleges will have their own board, which they presently have, but it will be autonomous and -- by transferring the duties of the IBH to the Community College System -- Board. It has been approved by the Association of Community College Presidents and the Association of Community College Trustees. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? the question is, shall Senate Bill 549 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 50 Ayes, no <sic> (2) Nays, 1 Member voting Present. Senate Bill 549, having received the required constitutional majority, is declared passed. Senate Bill 574. Senator Mahar. Senate Bill 582. Senator

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Carroll. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 582, I believe, corrects a defect in the Illinois Crime Victims' Compensation Act. One of the few mistakes I made was probably leaving this one particular subsection out when I drafted that law many years ago. What it covers is the situation where a person is killed by a hit-and-run driver. The family would then be allowed to go in, if we have this signed into law, and get compensation, if appropriate, under the Crime Victims' Act, for their funeral expenses, et cetera. We do allow it now under current law for things like driving while under the influence, and for some strange reason, there has been interpretation that if it's a leaving-the-scene incident, then the family was not capable of recovering. I believe it was strictly an error on our part. This legislation would correct the error. I had this situation with a family in my district where the mother was killed in a hit-and-run accident - clearly a criminal act, as determined by the police departments involved - and yet, they could not obtain funding under the Crime Victims' Act for the burial expenses. I would ask for a favorable roll call and answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 582 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. Senate Bill 582, having received the required constitutional majority, is declared passed. Senate Bill 597. Senator Bowles. Senator Bowles, 597? No. All right. Senate Bill 606. Senator Syverson? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 606 is a -- is a bill requested by the Illinois Health Facilities Planning Board. It just makes technical changes. I know of no opposition and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 606 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Bill 606, having received the required constitutional majority, is declared passed. Senate Bill 625. Senator O'Malley. Senate Bill 626. Senator Mahar. Senator Mahar? 626? Senate Bill 629. Senator Mahar? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 629.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. Current -- currently, permit applications for sanitary landfill operations are two years. This bill would move that permitting process to three years, if it's only for sanitary landfills. And the justification for this is that more information is required under the new Subtitle D regulations. In addition to that, retailers who have facilities where they store over five hundred tires on a site have to fill out paperwork for a tire storage site. This would be applications such as Sears. By this that would -- that threshold would go from five hundred to thirteen hundred, so they would not have to be included under the tire storage site application process.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Mahar, we've had two years for a long time, as being the amount of time your permit is good for, and now you want to extend it to three. Why should we extend it to three years? With two years, the -- there is sufficient time - if the company is willing to go ahead and expedite their geological testing - there's enough time for the community to get together and support or oppose it. By drawing it out to three years, it's going to be used to dampen down any opposition, it would seem to me and try to let people forget that there was a permit even issued. What's the

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reason?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

No, this is -- this is after the siting process. This is before a permit has been issued. And besides, we just passed the Subtitle D requirements, I think, last year.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Mahar, to close. The question is, shall Senate Bill 629 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 50 Ayes, no <sic> (2) Nays, 3 Members voting Present. Senate Bill 629, having received the required constitutional majority, is declared passed. Earlier, Senator Mahar was called off the Floor. With leave of the Body, we will return to Senate Bill 574. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 574.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President. Senator -- Senate Bill 574 adopts the provisions of the federal underground storage tank lender liability rule proposed by the U.S. Environmental Protection Agency. The bill is designed to make credit more available, thus aiding the implementation of tank upgrade requirements. The federal EPA has encouraged states to adopt this -- these statutory provisions. This bill passed the Senate Energy

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and Environment Committee unanimously and is supported by the Community Bankers, the Illinois Petroleum Marketers' Association, the Illinois Petroleum Council, and the Illinois Bankers' Association.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. There's nothing that concerns me more than when we get up and talk about underground tank legislation. There's no more overkill in this country than what we've done to the little guy out there who was providing gasoline to the rural communities of this State, when we -- when we -- not we, but Congress implemented the Underground Tank Law. Now, I -- I'm not sure where this is going, but if we're spending more money or we're requiring more regulation or we're giving the EPA more authority, then this is the wrong direction to head. And I'd like to ask the sponsor to respond to that concern.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Watson. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. No. This is just exactly the opposite of that. This will allow the lenders to provide more -- more capital to gas stations who wish to borrow the money, and under current law, it's very difficult for the bankers to engage in that. So, this -- the USEPA -- there's no regulations involved here. This is a -- a common-sense approach, I think, to lending to the little guy.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Watson, you're absolutely right. We've got all these little people all over the State of Illinois who bought these

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filling stations, turned them into houses, got -- got out of the gas business. They're stuck with the tanks. They have the liability. They can't get out from underneath them anywhere. But now we're going to let out all of those financial institutions who lent money, with no liability? What are we doing here? We ought to be -- we ought to be looking out for that little guy who's in a small community who got stuck with all these tanks and who's now going bankrupt in order to have to figure out how he's going to get them out of the ground, pay all the money, take all the -- make all the tests and get something from the Department of EPA that says that they're clean. Why -- if we're going to let these guys out, why don't we let the little guy out too? He's the one who got stuck with the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in support of this. I think the previous speaker is -- isn't totally informed of what this really does. You know, right now the little guy, if he's got a station or something, there's no way he can borrow a penny on -- on that property. Banks or anyone won't loan him any money, because when he bought that station, he also bought the liability; that -- when the majors sold these stations to these little guys, they also sold the liability and the responsibility, and as a result of that, they -- they can't borrow a penny. And I think this just helps them be able to borrow a little money to operate on. And I think it's something -- a step in the right direction.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Mahar, to close. The question is, shall Senate Bill 574 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 39 Ayes, 6 Nays, 10 Members voting Present. Senate Bill 574, having received the required constitutional majority, is declared passed. Senate Bill 645. Senator Raica. Senate Bill 650. Senator Watson. I'm -- I'm sorry, Senator Raica. Senate Bill 645. Senator Raica. Read the bill, Madam Secretary.

END OF TAPE

TAPE 2

ACTING SECRETARY HAWKER:

...645.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 645 amends the Criminal Code and the Illinois Police Training Act by permitting retired peace officers, who meet certain conditions and have a valid FOID card and driver's license and who have completed a firearms qualification and certification training program, to obtain a concealed weapons identification from the Local Governmental Law Enforcement Officers' Training Board and, subsequently, carry concealed firearms on their possession or in their vehicle. This was worked on by Senator Dudycz, Senator Shadid and the Illinois Police Training Board, in cooperation with the Illinois State Police. And I just ask for

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everyone's support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The -- Senator Demuzio.

SENATOR DEMUZIO:

Well, I think we're moving a little fast here. May I inquire of the Senator, it may fairly well be proper for a retired person who has been in law enforcement for X numbers of years and meet the qualifications that you have indicated that they must meet under this bill in order to be eligible to carry a firearm, but can you indicate to me who is liable, who is responsible, in the event that there is some event, or wrongful act, or whatever? Now, we require, as I -- as I remember, private detectives in this State to have a million-dollar bond of some sort if they are carrying a concealed weapon, along with their licensing criteria. But if something goes haywire here, who -- who is responsible? Who is liable?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Demuzio, since this individual is a retired police officer, and technically when he is retired, he is a -- just a civilian, the individual is responsible and not the local municipality that the individual came from.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well then, wouldn't it sound and make some sense then to have some requirement in here also that requires them to post X numbers of dollars of insurance liability in case they make the wrong decision, make the wrong move? I mean, that person could be

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retired on the minimum pension, for example, and make the wrong decision with respect to this -- what -- what's in this bill, and then the person to which the -- the event or the deed happens wouldn't have any recourse to get any type of financial -- recourse. I mean, I -- you follow what I'm saying? In other words, I just don't understand that we are allowing these individuals, where we have private detectives to do the same thing, meet the same criteria, but we're not requiring them to have any type of liability insurance. I -- I just -- I just have some difficulty with this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

Is there an age limit in your bill? So, in other words, if a retired police officer reaches a certain age, will he be required to turn his gun in?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Senator Molaro, there is no age restriction on this particular piece of legislation. When Senator Shadid and Senator Dudycz, myself and the other governmental agencies met, it was felt that because of the fact that they would own a FOID card, first, and secondly, that they have a current Illinois driver's license -- as you know, the Secretary of State's Office actually renews driver's licenses quite often. If for some reason the individual lost his driver's license, either because of medication or because of his

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eyesight, obviously he would not be able to carry a weapon. Secondly, the Illinois Police Training Board is -- are qualifying these individuals, or they would receive a waiver in order to carry this concealed weapon. So that was the precaution measures that was put in, as far as age, 'cause it was felt, exactly at what age do you put down that this individual would not be able to -- to have a weapon.

PRESIDING OFFICER: (SENATOR MATTLAND)

Senator Molaro.

SENATOR MOLARO:

If the sponsor would yield, I'll -- I'll ask two questions together, so we don't have to go back and forth. First one is, is there an age that you're aware of -- mandatory age retirement for police officers? Second thing I would then ask is, are the -- are these retired police officers who do request this gun and are given it, to be concealed, are they going to be given identification or badges or stars to go along with them, or are they just going to keep the -- the -- the -- the weapon? And the third thing is, on -- when they go for this training -- there's never a problem with training someone how to use a gun - as we all know, too sadly, it's very easy to learn how to shoot a gun. The biggest question when giving these people guns, or anybody else - and I know there's going to be some companion bill coming out in a couple of days - is when to use it. Does this training continue to teach these officers, as society changes, 'cause they haven't been a police officer for ten or fifteen years, as to -- not how to use a gun 'cause that's easy to learn, but does it have classes as to when to use a gun? And those are the three questions. Thank you.

PRESIDING OFFICER: (SENATOR MATTLAND)

Senator Raica.

SENATOR RAICA:

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Thank you, Mr. President. The first answer would probably be no. The second answer, as far as the weapons are concerned -- was that regarding -- well, let me answer the last one, as far -- the police officers are trained and they have their education and their skills and certified as police officers or as peace officers and are very familiar with deadly force. So, in that particular case -- these are police officers. We're not talking about someone who goes into a -- a gun store and now goes to a gun class and we're asking him to carry a concealed weapon. So, as far as I'm concerned, these are professional law enforcement individuals who have been in law enforcement for 15 years. The answer to your second question, Senator Molaro, is that the Illinois Police Training Board has -- will be giving these individuals waivers or a certificate showing that they have -- number one, have a FOID card; two, have a driver's license; and three, have successfully completed a qualifications class as determined by the Illinois Police Training Board. But I would like to remind Senator Molaro that, as far as the star is concerned, if an individual retires from -- for -- from a particular municipality or agency, nine times out of ten they're given a star. However, this does not say that they're peace officers. This merely says is that they were peace officers and they're allowed to carry a concealed weapon. So, as far as making arrests, the only arrest they'd be able to make is as a civilian and not that of a police officer.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator Raica, my analysis says that several other states

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allow the retired officers to carry weapons and I wondered if you have any information about their experiences, especially as far as safety, as far as a number of the questions that have been raised about why we should allow retired officers to carry guns?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

With the permission of the Chair, I would like to answer Senator Palmer's first question. And as far as the retired police officers, the reason why, I'd like to divert to my colleague, Senator Dudycz. In -- in respect to your first question, Senator Palmer, the states that currently have peace officers or retired peace officers that do carry weapons, none of them have revoked their law. However, I don't have any statistics on anything as far as if any of them have been involved in some type of altercation since they've had the weapon approved by their -- by their legislative bodies. So that would be the answer to the first -- first question and -- and, Mr. President, I'd like to yield to my colleague, Senator Dudycz.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you. Thank you, Mr. -- thank you, Mr. President. I have, in the past, resisted this type of legislation because I -- because I'm not sure -- I wasn't sure whether it was proper, for a time when we were trying to get early retirement for police officers, to allow them to carry weapons - we would be sending the wrong message out. Since then, I have been approached by members of the ATF, the FBI and other law enforcement agencies, both local and national, have explained to me the situation and some personal experiences that they have had in dealing with people they have imprisoned at times; that some of those -- at times, some of those

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people who have been in prison have come out and have actually sought those police officers with weapons, have accosted them and at times have -- have fired a weapons at them. There is a real fear by the police officer who retires that some of the people, some of the hundreds, if not thousands, of people -- or one of the hundreds or thousands of people that he may have arrested and placed in the penitentiary may be coming out there after him. Some of the safeguards that have been worked out have removed my objection and I'd like to briefly go -- explain some of them. This -- for each one of these officers who is retired and seeks the permission to carry a weapon for -- it's for self-protection only. It has nothing to do with powers of arrest or -- or dealing with insurance. His liability, in -- in that respect, would be as a personal citizen. The -- the use of the weapon would be only for his protection and that of his loved ones. The -- plus he would have to renew this -- this permission from the State once a year. In order for him to be qualified, he must have been a graduate of a police training institute or an academy who served at least 15 years as a sworn police officer - full-time police officer - who was qualified to carry a firearm, and that includes all federal, State and local law enforcement agencies. And he must be a retired police officer whose service was honorably terminated through retirement or through disability, and not through a result of discipline or some other sort of discharge. And he also has to -- like Senator Raica said, he must be able -- he must possess a current FOID card and a driver's license. The driver's license being because in order to maintain a driver's license, you must have certain abilities and that's to be able to drive a motor vehicle and to be able to see with your eyesight, and those provisions have been included. And also, finally, someone who has completed a fireman -- a firearm qualification and certification course, which is required by the Local Governmental

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Law Enforcement Officers' Training Board, for -- for active officers within the last month, so the -- so the retired officer who -- who gets this permission must have received the training and he must be recertified once every year. And I would just -- with those provisions, that has removed my objection to it. And I think that these officers, who -- who -- who served the public and give many, many years of their lives protecting us, deserve the right to protect themselves from of the unsavory characters that may accost them in the future, in their retirement days.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, we're going to go until 2:30. This is a very important bill. For some reason, the noise level here is very high today. Please, if you must carry on your conversations, talk closely to one another so that your voice doesn't carry. It's very difficult for the speakers to hear. Senator Hendon.

SENATOR HENDON:

Thank you -- thank you, Mr. President. I -- I rise in strong support of this bill. Think it is a -- a good bill. There have been a number of police officers who came to me, and I talked to Senator Dudycz about this last year. And after they make an arrest and send someone away who deserves to be put away for twenty years, this person comes back after these officers. They come back and they -- they terrorize them, they -- they threaten them, they try to get them back. And if you're out there putting away dope dealers and -- and armed robbers and murderers, then you should have the right, after you retire, to protect yourself. Someone mentioned the companion bill, similar bill that's coming up. I'm going to vote for that one too, because we have a right, law-abiding citizens, to protect our lives. So do these police officers, and I urge -- urge an Aye vote. Many black officers also have come to me about harassment that they've received from other people after they have retired who didn't like the fact that

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they rose up through the police ranks. So I urge an Aye vote for this very good bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

I guess I'm receiving mixed signals here. We're saying we're doing this because a police officer who makes arrests may have someone come after them in their retired years. But yet, at the same time, we're saying, however, that certain officers who may have been disciplined for something that may not have anything to do with -- with use of firearms, does not have that same right to protect himself or herself. That appears, to me, to -- to fly in the face of the argument that we're trying to protect these police officers for what they have done. And I'd just like to have some sort of response of clarification on that, because it just appears to me -- appears to be contradictory.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you. Thank you, Mr. President. Senator Jacobs, the -- I think the key word would not be "discipline" in this specific legislation; however, "discharge". This is not saying that an individual who has been disciplined cannot carry a weapon when he's retired - in other words, if an individual's been suspended for five days or ten days; however, if the individual's conduct led to a dismissal or a firing or termination of that individual, it was felt by the professional law enforcement here in this

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Chamber - Senator Shadid, Senator Dudycz, the Illinois Police Training Board and the State Police - that we ought not allow a police officer who, for lack of a better term, may have been discharged because of a felony, carry a weapon. So the safeguard was put in if this individual had left the police department on good terms, or retired, or in some instances, a disability, those would be the provisions in which this individual can carry a concealed weapon, and not an individual who was discharged or dismissed because of disciplinary action.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

I still have a problem with discharge. There's a lot of reasons that a police officer can be discharged, many of which would not really influence whether that person has violated any of the rules of carrying a weapon. That person is no less threatened than the person who may not have done what that officer did to be discharged. As an example, there's a case, I think, just up in the suburbs where an officer was caught in a police car having an affair with his girlfriend. That police officer was discharged. Now, does that officer has any less risk of being attacked by someone he or she may have arrested? Or on the other hand, if they -- if -- if that is all they've done, does that disqualify them from being able to carry weapon after they're retired, or after retire, discharge, or whatever the case may be? I -- I get hung up on the retirement and the discharge issue.

PRESIDING OFFICER: (SENATOR MAITLAND)

Was -- was that a question, Senator Jacobs? Was that a statement? Okay. Thank you. Further discussion? Further discussion? Senator Raica, you wish to close, sir?

SENATOR RAICA:

Thank you, Mr. President. Senator Dudycz just mentioned to

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me, Senate Bill 1129 will becoming before this Body, which would allow all citizens to carry a concealed weapon throughout the State of Illinois. And, Senator Jacobs, that may answer your -- your question regarding police officers who have been terminated or discharged for disciplinary reasons. However, because this Body has always acted in the highest tradition as far as law enforcement officers are concerned, it was felt better, by the sponsors, that we leave this in its pristine form in allowing someone who is a retired police officer, in good standings, and left the department in good standings, rather than an individual who left because of discipline reasons. This is an important bill to police officers retired and those going to be retired throughout the State of Illinois, and I would just ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall Senate Bill 645 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 43 Ayes, 8 Nays, no Members voting Present. Senate Bill 645, having received the required constitutional majority, is declared passed. Senate Bill 650. Senator Watson? Senator Garcia, for what purpose do you arise, sir?

SENATOR GARCIA:

Thank you, Mr. President. On that last vote, I -- I -- pressing the button, it didn't register. I intended to be recorded as voting Aye. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

So noted, Senator Garcia. Senator -- Senate Bill 681. Senator Syverson. Senator Syverson? Senator Syverson? Senate Bill 689. Senator Raica. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 689.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Committee Amendment No. 1 becomes the bill and it creates the position of division chief of dental health within the Department of Public Health. It requires the Department to select a licensed dentist to serve as the division chief. Basically, Mr. President and Members of the Senate, the law is going to -- I guess, is going to sunset or change, and there's a possibility that a hygienist or some other individual may take charge of this position. And it was felt by the dentists throughout the State that an individual -- one of their peers serve in this position, as it currently sets, and that's all this bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 689 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. Senate Bill 689, having received the required constitutional majority, is declared passed. Senate Bill 703. Senator Tom Dunn. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 703.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

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SENATOR T. DUNN:

Thank you, Mr. President. This bill would provide that if a business received a high impact business investment credit or a real property tax abatement from a taxing district and then moved out of that area before the term of the agreement was complete, that that company would have to pay back the investment tax credit back to the taxing district. It passed out of Revenue 10 to nothing. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 703 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Bill 703, having received the required constitutional majority, is declared passed. Senate Bill 717. Senator Ralph Dunn. Read -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 717.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. Senate Bill 763 would allow employees of the Department of Corrections who leave -- leave -- whoop. Excuse me. I'm -- wrong one -- don't want that one. 717. Out of the record.

PRESIDING OFFICER: (SENATOR MAITLAND)

Out of the record, Madam Secretary. Senate Bill 739. Senator Butler. Senate Bill 746. Senator Raica. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 746.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 746 amends the Department of Public Aid Act -- or Public Health Act. It permits the Department of Public Health to isolate a person or quarantine a place to prevent the probable spread of a dangerously contagious or infectious disease, including the noncompliant tuberculosis patient, until such time as the condition can be corrected or to -- danger to the public health eliminated. As you know, there's been a great rise in tuberculosis, and this was requested by health care professionals and supported throughout the State. And I just ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall Senate Bill 746 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Bill 746, having received the required constitutional majority, is declared passed. Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCH:

Thank you, Mr. President. Just checking the microphone, 'cause the other one was malfunctioning. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Committee Reports.

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ACTING SECRETARY HAWKER:

Senator Butler, Chairman of the Committee on Commerce and Industry, reports Senate Bills numbered 620 and 793 Do Pass; and Senate Bills numbered 320, 768, 777, 1205 and 1206 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

ACTING SECRETARY HAWKER:

Senate Joint Resolution No. 40, offered by Senator Severns.
It is substantive.

Senate Resolution 43, offered by Senator Jones and all Members.

Senate Resolution 44, offered by Senator -- Senator Hasara and all Members.

Senate Resolution 45, offered by Senator Shaw and all Members.

Senate Resolution 47, offered by Senator Weaver.

And Senate Resolution 48, offered by Senator Weaver.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 23, offered by Senator Watson.

(Secretary reads title of bill)

House Bill 153, offered by Senators Peterson and Thomas Dunn.

(Secretary reads title of bill)

House Bill 610, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 1258, offered by Senator Sieben.

(Secretary reads title of bill)

And House Bill 2343, offered by Senator Woodyard.

(Secretary reads title of bill)

1st Reading of those House Bills.

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PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR RAUSCHENBERGER:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR RAUSCHENBERGER:

The Senate Appropriations Committee will meet immediately upon adjournment of the Chamber. I would please urge all Members, both Republicans and Democrats, to go immediately to 212. A number of Members have commitments for 5 o'clock and 5:30, involving ceremonies. So we'd like to begin as -- as soon as possible. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

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

SENATOR CRONIN:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR CRONIN:

Thank you. The Senate Education Committee will meet at 3 p.m. -- 3 p.m., rather than 2. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you very much. For purposes of an announcement. The Transportation Committee will meet immediately after adjournment in Room 400.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you. Any further discussion? Any further business to come before the Senate? If not, Senator Weaver moves that the Senate stand adjourned until 12:30 p.m., Wednesday, April 19th.

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Senate is adjourned.

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