

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

18th Legislative Day

March 6, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend Wayne Meyer, Tallula Christian Church, Tallula, Illinois. Reverend Meyer.

THE REVEREND WAYNE MEYER:

(Prayer by the Reverend Wayne Meyer)

PRESIDENT PHILIP:

Senator Sieben, for the Pledge of Allegiance.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journals. Senator Butler.

SENATOR BUTLER:

Mr. President, I -- excuse me. Mr. President, I move that reading and approval of the Journals of Friday, February 28th; Tuesday, March 4th; and Wednesday, March 5th, in the year 1997, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journals, pending the arrival of the printed transcript. There being no objections, so ordered. Resolutions.

SECRETARY HARRY:

Senate Resolution 34, offered by Senator Demuzio.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 21, offered by Senator O'Malley.

It's substantive.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Committee Reports.

SECRETARY HARRY:

Senator O'Malley, Chair of the Committee on Financial Institutions, reports Senate Bills 690 and 764 Do Pass; Senate Bills 406, 591, 670, 685, 794, 1044 and 1076 Do Pass, as Amended.

Senator Fitzgerald, Chair of the Committee on State Government Operations, reports Senate Bills 279, 589 and 862 Do Pass; Senate Bills 607, 684 and 852 Do Pass, as Amended.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bills 493, 1018, 1101 and 1105 Do Pass; and Senate Bills 479, 963 and 1019 Do Pass, as Amended.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bills 141, 996 Do Pass; Senate Joint Resolution 14 {sic} (4) Be Adopted; and Senate Bills 347, 348, 378, 675, 703, 949 and 1103 Do Pass, as Amended.

And Senator Peterson, Chair of the Committee on Revenue, reports Senate Bills 396, 515, (715, 771) 804 and 1075 Do Pass; Senate Bills 39, 370, 535, 592, 715 {sic}, 771 {sic}, 785 and 909 Do Pass, as Amended; and Senate Bill 84, the Motion to Concur with House Amendment 2, Be Adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

For the Members that are still in their offices, the Chair would remind you that we will be going to the Order of Supplemental Calendar No. 1, which has been distributed. It is on the Members' desks. Shortly, we -- we will be going to that order of business, so I would urge all Members to please come to the Floor immediately. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Mr. President. I'd like the record to reflect that Senator Garcia is not here due to official business back in his district.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Record will so reflect. On Supplemental Calendar No. 1 is the Order of Concurrence. Senate Bill 84. Madam Secretary.

ACTING SECRETARY HAWKER:

House Amendment No. 2 to Senate Bill 84.

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 84.

Offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a motion to concur in House Amendment No. 2 to Senate Bill 84, and it really is trailer legislation to House Bill 2702, which we passed in the last Session of the General Assembly, which affects the Cook County Assessor's Office. Senate Bill 84, as amended by House Amendment No. 2, would correct the related concerns for the overall effect on the assessment process in Cook County. It would require that specific assessment information be included on the property record for each parcel. Requires the assessor to keep the assessment information for a minimum of ten years. Provides that if the assessor does not maintain any of the required information, the increase in assessment is invalid. If the assessor increases an assessment, a mailed notice to the affected taxpayer must state the reason for the increase. This is similar to current requirements in other counties throughout the State. The amended provisions of this law are first to be effective for the 1997 assessments. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I just want

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to add my voice of support and say to Members that this concurrence motion passed out of Revenue unanimously. It also is in agreement with Assessor Tom Hynes, and -- and I hope that it receives a unanimous vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 84. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 84, and the bill, having received the required constitutional majority, is declared passed. We will now be going to the Order of Senate Bills 3rd Reading. Senator Philip, what purpose do you rise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of -- of the Senate. Senator Madigan is out of town on official business. I'd like the record to so indicate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will so reflect. On the middle of page 7 is the Order of Senate Bills 3rd Reading. Senate Bill 3. Senator Bomke. Senate Bill 8. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 8.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President and Ladies and Gentlemen of the

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Senate. Senate Bill 8 amends the Criminal Code and the Vehicle Code to lower the blood alcohol limit at which a driver is presumed to be under the influence of alcohol...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Radogno. Would you keep the discussions down on the Floor? Will staff please remove your discussions off the Floor? Senator Radogno.

SENATOR RADOGNO:

Thank you. As I was saying, this bill amends the Criminal and the Vehicle Codes to lower the blood alcohol concentration at which a driver is presumed to be under the influence of alcohol from the current .10 to .08. This legislation, if passed, will save lives on the roads and highways in Illinois. That's not something we often have an opportunity to do. That's been the experience in the thirteen other states that have adopted .08 as the blood alcohol standard. Now, .08 will not solve all of our problems with drunk drivers. In addition to .08, we should consider such measures as graduated penalties, which will let alcohol abusers know that they will be punished, and I look forward to working on those kinds of measures. But even standing alone, .08 will work to save lives by acting as a deterrent to send a clear message that driving while intoxicated in Illinois is not permitted and will be punished. It also makes prosecution and conviction of .10 offenders, which are now considered borderline, easier. Furthermore, evidence shows that a reduction in the blood alcohol concentration to .08 reduces fatalities involving drivers with blood alcohol concentrations over .15. In other words, heavy drinkers are not immune to the deterrent effects of this legislation. This legislation does not affect social drinkers, as some have been concerned about. A couple of drinks after work or a shared bottle of wine with dinner will not get a person to .08...

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno, I beg your pardon. Will staff please take your conferences off the Floor? We will have decorum on the Senate Floor, or I will ask the -- the Sergeant-at-Arms to remove all unauthorized personnel. Senator Radogno.

SENATOR RADOGNO:

Thank... I'd like to -- I would like to repeat that last point because it is an important one and has often come up, and that is that .08 will not affect social drinkers. A couple of drinks after work, sharing a bottle of wine with dinner will not get a person to .08. It really takes a significant and steady consumption of alcohol in order to reach .08. At a minimum, it would require a hundred-and-sixty-pound person to drink four drinks. But it doesn't really matter how many drinks it takes to get to .08. At the heart of this matter, the real crux of the issue, is the fact that, at .08, virtually all drivers are significantly impaired and pose a danger to themselves and other motorists and pedestrians. In voting on this legislation, please ask yourself if it should be the public policy of the State of Illinois to knowingly allow impaired motorists to drive on our roads. If you don't believe that's a good public policy, then you should vote affirmatively to lower the blood alcohol level to .08. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have a series of questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The sponsor indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Let me state by saying we're all in this boat together and no

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one wants to see drunk drivers on the road, and I think what you're attempting to do, Senator, is -- is a noble effort. But I guess my first question would -- would have to be is -- you indicated in your comments that this is going to be a deterrent. And, I guess, lowering the blood alcohol level to .08, how will that save lives? How will it actually save lives?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Well, by increasing the awareness and -- and communicating the intolerance of our State for those drivers, it increases the awareness of drivers. They use designated drivers. It does not necessarily lower consumption of alcohol - and that's been experienced in other states - but it does reduce the number of folks out there who are willing to drive at that blood alcohol level.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Are all drivers equally impaired at .08?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

All drivers are impaired. Are they equally impaired? I don't know, but virtually all drivers are impaired. And please remember that driving is not a skill that is a single skill. So you could potentially be able to shoot a game of pool, play a game of cards, carry on a conversation, but those are very different skills than are required when you're behind the wheel of a car, where you're using several complex, interrelated skills at one time. And it's -- it's that ability, to pull all that together, that is impaired.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Jacobs.

SENATOR JACOBS:

Is it not true that someone could be impaired at .03?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Yes, it's certainly a possibility, and at different body weights, you may -- you may feel a level of impairment sooner than .08. But .08 is the level at which everyone's impaired.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

In a recent survey, didn't Mothers Against Drunk Driving {sic} (Drivers) and the advocates of the highway and auto safety give Illinois the highest rating in all fifty states for our efforts against drunk driving?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

I'm -- I am being told that -- that, in fact, they did; however, I don't think that that should be any bar to us improving our record even further. And if we can save even one life, it's worth doing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

What was the blood alcohol level in Illinois over the last few years -- what is the average blood alcohol level of those that are arrested for drunk driving?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

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The average level is .18.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

And what is the average nationwide? Do you know that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

I don't know the answer to that, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

My understanding, it's .17; it's a little lower than what they are here. If the average is, though, .18 and .17, why would we want to enlarge the definition of the crime? And shouldn't we devote, as you -- as you indicated in your own opening remarks, to go after the -- the real problem that we have in the State of Illinois, and that is the two-time offenders, three-time offenders, four-time offenders and the high blood alcohol level? Why don't we concentrate on that first before we make it a crime for other people?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

That's a good question, but as I mentioned in my opening remarks, the impact of lowering the threshold level actually does have an impact on those higher-end blood concentration levels. So we are improving the problem across the board. Secondly, there are about twenty percent of drivers involved in crashes that are not at that high-end level, and we can impact those. Thirdly, as a deterrent effect, again, to increase awareness and let our citizens know that driving while impaired - and again, I stress,

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everyone is impaired at .08 - is reason alone to pass this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

What percentage of the accident -- the alcohol-related accidents are -- are caused by drivers over .10? Is that ninety-three percent of those are those that are over .10? Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

It's difficult to know that answer for sure, because not everyone who's involved in a crash ends up being tested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, according to a report here I have from National Highway Traffic Safety Administration, ninety-three percent of those driver blood-alcohol-content-related accidents are 1. high -- 1.0 or above, and forty-three percent of those are at .20. In -- in reference to the economics of this proposal - because everything we do in these cases does have a -- a backlash of some sort - what would you say would be the loss - jobs, lost revenues - in this State due to going to a .08? Do you have any handle at all on that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

If I may, I'd like to address what you -- the other statistics you just mentioned. If what you're saying is accurate, and I believe it is, there are still seven percent, then, of crashes

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that are due to folks with a blood alcohol concentration under .10 percent. So, again, there's reason alone. We can save lives by reducing this. It will not solve the entire problem. I don't -- am not trying to say that. With respect to loss of jobs or economic impact of doing this, I do not believe there will be any. As I mentioned earlier, the impact in other states that have this is that there is no change in consumption. So I think we can safely assume that what's happening is people are, one, either consuming alcohol at home, or using designated drivers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

The statistics we have states the State of California experienced a decrease of consumption of six percent below the national average. If Illinois had a similar experience, it is expected to -- to lose between eighteen thousand and twenty thousand jobs, three hundred and fifty million dollars in lost wages, and seventy-five million in lost tax monies. And the problem I still think exists, that it won't make our roads any safer, and that's the sad part. But let me ask you another question. You indicated earlier that this will not affect the casual drinker. It's my understanding, if you have four drinks in one hour, you're going to be considered over .08. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

You may be. That is the minimum that it would take.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Okay. So to get back to the social drinker a little bit, if I

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go to -- if my wife and I go to a wedding reception and we have two glasses of champagne when we come in, and we sit down a little later, maybe have a couple glasses of wine with the dinner that they're having at the wedding, and two and a half hours later or so maybe have an after-dinner drink and I get ready to go home, am I over .08?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Senator, you most likely will not be over .08, because you're talking about a period of time of four or more hours. The body metabolizes one drink per hour. So you need to not only start drinking fast and furious, but you need to keep it up in order to get and maintain .08.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

I think the fact of the matter is, though, as you -- you drink a drink, you pick up .025 for a drink that you drink and you lose less than one percent per hour. So under the scenario that I painted, I think you would be over .08. I have a quote here from the Chicago -- I mean, excuse me, from the Decatur Herald & Review which Secretary of State George Ryan stated that .08...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Jacobs. Ladies and Gentlemen, the sponsor of the bill is indicating she can't even hear the question. Please keep your voices down or I will ask all staff that is not involved in this legislation to leave the Floor.

SENATOR JACOBS:

I have a quote from the Decatur Herald & Review which Secretary of State George Ryan states that .08 would be just - and -- and I'm quoting here - "a first step toward .05". If this bill

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is signed into law, will you sponsor the Secretary's proposal for .05?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

I have no intention of sponsoring that. I would have to be convinced, as I am about .08, that all drivers are impaired and that that should be the public policy of this State. I don't know or believe that about .05.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

You've seen the -- the public opinion poll that was conducted by the Sun-Times and the question was: Should the State lower the threshold for being considered legally drunk? And the numbers were Yes, eleven percent; No, eighty-nine percent. And the only reason I bring that up, because I think that there was an allusion that this was a -- a human outcry from the public and those figures don't seem to indicate that, Senator. Are you aware of that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

I am not aware of that poll; however, the Kemper Insurance Company also conducted a poll that indicated that there is over sixty-percent popular support for this measure. I also think it's important to note that when people know the facts and have actually -- and a number of folks in this Chamber have had an opportunity to experience this and are convinced that .08 does not constitute social drinking and that there is clearly a level of impairment; that with that knowledge, their opinion may change.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Jacobs.

SENATOR JACOBS:

I'm -- I'm not going to belabor this a lot longer. In fact, that's basically my last question. But as I view this bill, I'll tell you what I really see this bill to be. As we indicated, Illinois already has one of the best programs in the State {sic} because George Ryan and -- and, even before him, our -- our previous Secretary of State have done an excellent job toward reducing the problems of drunk driving, and I think they are to be applauded. But all of a sudden - all of a sudden - MADD comes along and says, "George, you're an A. All you've got to do is give us .08 and you're going to be an A+." But lo and behold, this Legislature, for a couple of years, didn't give the .08. So although we're still one of the best, whoops, George slips down. That's not fair to this Secretary of State. I think it's the wrong direction, and I think that we are to be commended on the job we have done in the area of drunk driving. But to the bill: In this bill, there is no treatment, there are no educational provisions to ensure that we teach not only our children, but to teach our adults that they shouldn't drive and drink or drink and drive, that they should not do that. I think that education that is coming along the line has allowed, as I see this -- the figures, a reduction overall in DUI because of education, but there's none of that in this bill. I think going after the high-end users and the repeat offenders is the way to go. But, you know, even with that, I'm not going to stand in front of this Body and tell you that passage of that legislation for tougher fines and tougher restrictions on those people will save lives, because we currently have .10 and we're killing people every day. So, we have not been able to deter just by doing that. I think this bill should go much further. We need to truly figure out a better solution to make sure our roads are safe from drunk

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drivers, and I honestly do not see how this action, this bill, will do anymore than to give the Secretary of State a A+ and a bump in MADD's rating and I, therefore, ask for a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

WCIA and WAND have requested permission to tape the proceedings. Hearing no objection, leave is granted. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Last night, four of us tried to go out and get drunk at a .08. I didn't succeed. I had four bourbons in an hour and a half - four shots of bourbon, bourbon and ginger ale; that's all I could consume, very frankly - and I got up to a .04. Four shots in an hour and a half, and I got up to .04. I couldn't -- I was getting dizzy and I couldn't drink anymore. This was a controlled test, by the way, so everything was measured out, and we were not allowed to drive afterwards. Senator Cullerton and Senator Halvorson split two bottles of wine. Senator Cullerton got up to a .07; Senator Halvorson, I believe, did get up to a .09. And that was over a two-hour, two-and-a-half-hour period. We were all eating, by the way. We were -- we were eating -- we had pizza, but not that much, and Senator Donahue also. And I -- I'm not sure what she registered by the end of the evening, but I'm sure she'd be happy to -- to pass that knowledge on. My point is: I don't know social drinkers that sit down for a dinner and each consume one whole bottle of wine over a period of dinner and not even reach what we are talking about. I did not attempt the driver's test after I reached .04. I, frankly, was dizzy, and anyway, as I have tried to explain to my Transportation Committee, I'm short and I couldn't see the cones, and they wanted me to back up. And after I attempted it, the State policeman who was in the car with me suggested maybe I -- I ought to -- I ought to forget it, because I

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wasn't doing a very good job. And that was when I was cold sober. So -- but -- but the others did go out and -- and try and drive. I understand -- I think John did a -- a very good job; I think Debbie did not do quite as good a job. But the bottom line is, we were all impaired. I would hate to have gotten into my car and attempted to drive back at that point. I was not allowed to, and rightfully so. And I was just at .04. Granted, I'm not a great drinker, but nevertheless, I registered .04. I think this is indeed needed. We have heard testimony year after year in the Transportation Committee. I would suggest to anybody that questions whether that is social drinking, go and do the same thing. It's kind of a fun evening. By the time you're through, you don't really care whether you -- where you are, but it -- it certainly proves that you are impaired at that point. I think this is an excellent bill and is long overdue, and I urge an -- an Aye vote for it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. Speaker, Members of the Senate. I think that it's good to, perhaps, concede that there has been a little bit of an exaggeration on both sides of the -- this issue. I listened carefully to Senator Jacobs' points, and I -- I think it's true that -- that the -- the most dangerous drivers who are drunk are people who are at a blood level alcohol level of about 1.5, 1.6, and perhaps we should continue to look at our laws to see if we should even make our penalties even tougher for those people. But I've always felt that at .08, I believed, that people are impaired and they ought not to be driving. I also have in my district probably more restaurants than anybody would have in -- in their district, given that I have the Loop in Chicago and the North Side, and I'm very concerned about the fact that the

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restaurant association has been saying that if we pass this bill, that people are going to not -- they'll be fearful, they won't go out and they won't drink as much as they otherwise would, and there'll be the loss of jobs and money, as Senator Jacobs described. So, quite frankly, I had never taken a Breathalyzer test, and I was very curious to see what would happen, and that's why we did this last night. And we tried to simulate a situation where if I took my wife out for dinner and we decided whether or not we were going to have some wine, whether or not I'd order a bottle of wine or whether or not I'd order wine by the glass, so I wouldn't -- wouldn't be able to have a full bottle. So we -- Senator Halvorson played the role of my wife last night, and it was very -- it was very realistic. She started complaining about how I never was home, how I don't give her enough money for the kids. It was -- it was very realistic. But -- but we sat down and we -- we bought a meal, and we sat and -- and ate it while we shared this bottle of wine. We first took the Breathalyzer test at 7 o'clock. We were obviously .00, to prove that we didn't have anything in our -- blood alcohol, and then at -- after finishing this bottle of wine, at 8 o'clock we took the Breathalyzer test. She was at .04; I was at .03, and we had finished a bottle of wine. So we said, "Let's have another bottle of wine", and we did. So then we drank the second bottle of wine. So now we've each had a full bottle of wine. At that point, it was 9 o'clock; I was at .06. I still had a couple of points left. I could have gone out drinking some more. She was at .09 and, I'd say, a little giggly. And then we went out in this car and she -- with the State trooper, and she started running over these cones. And I did not want to be in that car with her driving, unless it was under these controlled circumstances. So the bottom line is, I drank a full bottle of wine and I stopped drinking at 8:35. In an hour and a half, I had a full bottle of wine, and I was at .06

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Now, some people are suspicious, so I got to tell you that when we came back in at 9:30, I took the Breathalyzer again, and I went up to .07. So that was the maximum I got to, .07. I didn't have anything more to drink, but the -- the alcohol got -- more alcohol got into the bloodstream. So I was at .07. Senator Halvorson's came down from .09 to .07. So at that point, after an hour and a half, drinking a full bottle of wine - each of us - we were at .07. I think that the -- the message here is that I don't think that's social drinking. We were impaired, yet I was still legal, and even under this bill, I would still be legal, for me to go out and -- and drive. So, the message, I think, to the people in the restaurant industry and to the public is that you can still go out and be a social drinker - and that, to me, is -- is really a lot of alcohol - and you can still be within the law. And for that reason, I think we really ought to pass the bill. There -- if it's only seven percent or three percent of the people who are stopped and found to be at this level, those people -- they are not able to operate that vehicle as safely as someone who's at -- who's at a lower level. It may save some lives. It'll probably save some lives. I don't think it'll have the impact of losing the jobs that -- that is feared, and I think, in general, when the word gets out that this is really how much people can -- can drink and still be under the law, that they'll find that it's -- it's something they can live with. For that reason, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. It is very difficult in the morning, walking into the Rotunda, coming in on the north end, where we see posters of victims of drunk drivers standing on the wall - each and every one of those faces that's

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looking back at us as we try to understand the mystery of why they were severely injured or, in most instances, they were killed. We try to search if there is something that we can do or something we should have done that may have perhaps made that tragedy go away. But I think that before we pass this bill out, and I do believe that right now there are votes to send this bill out, that we ought to think about the law of unintended consequences. You may ask what I mean by that. That is where we pass legislation that has a certain specific goal but we do not understand that there are certain consequences attached to that which may give us the exact opposite result. A few years back, Congress passed legislation that was going to tax the rich and they decided to tax yachts. It was fifty thousand dollars on cars and yachts. Congress, within a period of time, realized that ninety percent of the people who were buying those things simply stopped buying, and they put a lot of people out of work. I don't believe that this is an economic argument, but I do believe that there is an unintended consequence that will necessarily result from this. Right now, on the books in the State of Illinois, a person between .5 {sic} (.05) and .10 is in a gray area and can be prosecuted. They can be stopped by troopers and by peace officers throughout the State. They will be subjected to field tests, hauled into the police station and required to take a Breathalyzer, and only at that point in time will the presumption be activated. But you may say, "Well, so what?" Here is where the unintended consequence comes. I believe that it is irrefutable that those individuals who have been killed invariably are killed by drunk drivers whose blood alcohol reading is literally off the Richter scale - very high blood alcohol counts, in excess of .20. I prosecuted cases of reckless homicide where the blood alcohol reading, believe it or not, was in excess of .30, where people were almost comatose and driving vehicles. This legislation will have nothing to do

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with that - absolutely nothing to do. But what it will do is require prosecution resources to be expended on individuals who are at .08 and .09, people who invariably will try to beat the system by asking for trials. And so what will happen to those individuals who should not be behind the wheels of a car because they are a clear and present danger to the citizens of our -- of our State not only on the highway, but those people who are right next to the roadway? Those individuals will be able to -- because of lack of prosecution resources, they'll be able to plea-bargain their cases. And make no mistake about it: They will simply stack up our jury trials and our bench trial calendars, and they will be able to walk in and prosecutors will have no choice but to cut them a deal so that they can focus the resources of their office at .08 and .09. And I think this is the real danger of this legislation. Now, I understand that the sound in the distance is that of a train and it's on the track, and I simply want to be a voice of dissent to tell you that in my opinion, that when this bill passes and is signed by the Governor, that it will have the unintended consequence of having people who should be prosecuted and severely -- and we have put in mechanisms in this State over the last several years. Senator Hawkinson sponsored one of the best anti-drunk-driving bills that we've ever passed, and that is doing away with court supervision in this State for a second-timer; you only get one bite at the apple. That, in my opinion, will have more effect on -- on drunk driving and prosecution of drunk driving than this legislation. So, you know, the argument may be, "Well, if you have a little bit of salt, that's real good for you, but if you dump a lot of salt on the plate, it's not necessarily good for you." My colleagues in the Senate, before you cast this vote, please -- please understand that the unintended consequence may be that you will make the roads of the State of Illinois a -- even more dangerous because

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people that should be prosecuted with the full resources of the police power of this State may be able to escape. I will vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Shadid.

SENATOR SHADID:

...Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Shadid.

SENATOR SHADID:

Senator, do you have the numbers for the amount of people who are presently arrested on .08 in our State?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

No, I don't have those, and of course, those would be folks that would be arrested not at the per se level, because the per se level is still .10. So -- and I don't have numbers of folks that are arrested and prosecuted at .08 right now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Senator Petka talked on this, and I won't belabor it, but he -- he also mentioned, as a former State's attorney, that people are presently being arrested for .08. And so folks understand what goes on: When the police officer sees someone driving in an erratic manner or -- or violates a minor law, he will stop them; if he smells alcohol, he'll ask them to get out of the car and do a field sobriety test. And if they fail the field sobriety test, he takes them to the police station and gives them a Breathalyzer test, if they agree to take it. That is when it's determined whether they're .08 or .10 or .15. They are arrested for DUI if it's .08, and the State's attorney will then make a decision based

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on all the evidence and the circumstances whether he's going to prosecute or not. And I think that's sufficient. It's -- I would like to see... And I voted, by the way, for the bill that Senator Petka mentioned, Senator Hawkinson's bill last year, where you only get one shot at supervision, and I think that will deter it. I think we should also be looking at graduated penalties. I think there's a bill coming over from the House now that I will support that has graduated penalties for repeat offenders. I think this is what we should be looking at, not people at .08 that can presently be arrested, and if the State's attorney wants to charge them, they go to trial. I don't think they've proven the point to me that reducing it to .08 is going to have that big of impact on DUIs. So I would encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. It's kind of an interesting debate going on here, and yet I think we're -- we're missing the main point of this whole thing. The question is -- is... Let me make several points, I guess. One is, what is the intended consequence of this bill? The intended consequence is to save lives - to save lives. And I, like Senator Petka, walk by the -- the MADD display downstairs every morning, and I tell you, it's enough to bring tears to your eyes because you know every one of those persons was a live, vibrant person and their death was caused by somebody who had too much to drink. On -- the other point I'd like to make is that I'm a little surprised that this -- that even the economic consequences of this have been brought up. Again, I have to go back: The intention of this bill is to save lives. Without it, do we save jobs? What kind of an argument is that, if you'll pardon that blunt statement? The intention here is to save lives, not to save -- not to save jobs. You know, if

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that were true, if that was a legitimate concern about saving jobs, maybe we all ought to walk before that MAD {sic} every once in a while and say, "Thank you. Each one of you contributed to the economic well-being of this -- of this State. You died for a good cause, because you saved jobs." I think this -- I think this is a -- a good bill. One more point, on education: Listen, you'd have to have an IQ of -- in the single digits - in the single digits - not to understand that when you drink -- you're -- you're driving and -- and drive, you're driving impaired. Who in the world doesn't know that? I think you can take any ten-year-old kid and they'll tell you that. So we can stall this for as long as we want, but ultimately we're responsible for damaging or even -- or even the -- even death. And I think this is -- if we only save ten lives, one life, it's well worth it, and I don't think we'll lose one job because, as Senator Fawell is a living example, there are people who will have fun and -- and have a reasonable, good chance of not killing anybody. So let's vote for this. What -- what can we do other than to save lives?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I would -- just a light question first, then I'll make comments. I assume the effective date of this will be after St. Patrick's Day, March 17th. After that being said, you know, we're -- we're talking about a couple of questions like -- first thing is, what's impaired? I just want to make sure that the sponsor said that .04 someone may be impaired. Well, we live in a mobile society today. Neighborhood bars are gone, neighborhood bowling alley. People walking to places are gone. As a matter of fact, we've almost become partners with the liquor industry. We've taxed it so much that when -- when consumption does drop, so does

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our budget. You know, now, when -- we used to have neighborhood bars. You try to open up a neighborhood bar in the City of Chicago, it's next to impossible. The Mayor doesn't want 'em; nobody wants these neighborhood bars. So you know where they're all going? TGIF's, Bennigan's, all these places; they're going to the malls. So if you want to open up a bar, let's say Wild Onion or -- or Cadillac Ranch or whatever these bars are, you want to open them up in these places, to get the proper zoning, you have to have a certain number of parking spaces or you don't get the license. So if you're going to have a bar and the only -- only way you can get a license is you've got to have enough parking spaces where people could drive to the bar to get drunk and then go back in their car. Now, I think that's what Senator Jacobs was talking about. This issue about drinking and driving is a very, very difficult decision in our society because we have traditions clashing. That's what we have here. We have these long-standing traditions about drinking in our society and they're starting to clash with the way society wants to change things. Well let's not fool anybody here. Let's not fool anybody. If .04 is impaired in some people, then they shouldn't be driving a car. So, I'm here to tell you, in my opinion, I don't know if it's .08, .04, .15 to some people. The answer is and I think what we're saying today by voting Yes, which... Am I going off and on?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro, on Senator DeLeo's mike.

SENATOR MOLARO:

Okay. By voting Yes today, what we're doing is we're saying, "Social drinkers, beware." Now, even though some of the Senators in this Chambers may have went and had a bottle of wine and they didn't get up to .08, that doesn't mean other people do or don't and can't get to that level. We are saying, "Social drinkers, beware." It's pretty strange that we had two State's attorneys in

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our Chamber -- to ex-State's attorneys and a sheriff voting No and speaking against it. Law enforcement people seem to be against this bill because they know what it is doing. We are telling social drinkers, "Beware." We are saying the tradition of going to a bowling alley and having four or five drinks and then going to drive your car, it's over, can't do it anymore. We're taking the back end of these traditions - not the traditions. You still want to go out and get drunk and maybe get to where you would be .20, go ahead, but you can't drive a car. You want to go to a wedding and have four or five drinks, don't drive a car. Hire a limousine. You want to go bowling and have five, six drinks, can't do it. Hire a limousine. You want to go out and just have pizza with your friends, can't do it. It's over. The party's over. That's the idea. We're clashing traditions here, and I think what we're saying - and I would have to say history is going to prove the people who vote Yes right - we're saying in today's society, where everything is mobile, where you can't go walking places, here's the thing: You want to go drink and have fun, go ahead, but you cannot drive a car. I said this in committee and I think I have to repeat it here today, that thirty, forty years from now when we do get down to .02 - and that's where it's going to be; there's .15, then .10, now .08, and even our sponsor said you could be .04 and be impaired - it's going to be to the day where it is going to be zero tolerance. The liquor industry people, be prepared for it. We're going there, and it's zero tolerance, and I think history is going to be on our side. If you want to go out and have a couple of beers or a bottle of wine or a half a bottle of wine, you cannot drive. Let's not fool people and say, "Hey, you can have a bottle of wine and still it's okay; you'll only be .06 or .07." We can't play those games. You want to have wine, you can't drink {sic}. And I think forty, fifty years from now, we are going to have our grandchildren saying,

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"Hey, you mean back in the seventies and eighties and nineties you were able to have wine and beer and still legally go out and drive?" They're not going to believe us. History will show us that even if you're the least bit impaired, you shouldn't be -- go behind the wheel of a car, and I think we should vote Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I'm only speaking today because some of the speakers, I think, have left the impression, and certainly much of the publicity surrounding this issue have left the impression, that today it's okay to go out and drink if you're at .08. Well, we've made great strides over the past decade under former Secretary of State and now Governor Jim Edgar and current Secretary of State George Ryan. I sponsored and cosponsored many of the former's legislation to enact our summary statutory driver's license suspension, get us away from two tests down to one test, making it an automatic conviction now under Illinois law if you blow a -- blow .10. It used to be it was only a presumption if you were at .10; now it's automatic. Some of the speakers have indicated that they may be impaired at .04 or .03 or .04 or .06 or .07 and have not said so, but left the impression that, well, you're still not going to be at point okay -- so it's -- you're okay. Well, it's not. Senator Shadid and my former State's attorney, Senator Petka, have indicated, and I agree, that anybody who's impaired, at whatever level -- blood alcohol level, should be prosecuted if they're driving, whether they're at .08, .07, .06. If you're impaired, you should be prosecuted, and good State's attorneys will prosecute you if you're at .06 today or at .08. This debate is about whether you should be automatically guilty if you're at .08. It's not whether we can prosecute you. We can already do that, and we do. The question is, should you be

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automatically guilty at .08; that's the issue today. So you shouldn't go out and drink impaired at .04 or at .06 because you will be prosecuted. As Senator Shadid noted, experienced police officers, when you are stopped, are going to have you take the field sobriety test, or if they smell the liquor, or you have the bloodshot eyes, or you cannot walk the line straight, or you cannot close your eyes and touch your nose with fingers. You will do all those things. There's also the evidence of how you're driving. If you're hitting the cones or you're weaving, that is also evidence that can be used to prosecute you. So everybody should be prosecuted in this State if they take any drinks, as Senator Butler suggested, and they are impaired, and they are today prosecuted. Now, there are arguments that obviously if you make it an automatic conviction, it's going to be easier to prosecute you. But at some point, society has to decide where to draw the line. I was the sponsor of Secretary Ryan's zero tolerance bill for young men and women under twenty-one because the law doesn't allow them to drive {sic} and there should be zero tolerance as a matter of public policy. But the current law states we have presumptions, we have areas of no presumptions. But let's be clear that you can and are prosecuted at .08 today. This is simply a debate as to where we draw the line and say you have no defense; you're automatically guilty at a certain blood alcohol level.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a couple of months ago, I was a guest at the Tavern Keepers' dinner, and I thought, too, that their bill of graduated penalties would be a good one to consider. Just recently a young lady by the name of Marissa Mueller, of Antioch, age eleven, who was an outstanding

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gymnast, was in a backseat of a car, the car was rammed by this drunk, who had been in and out of -- in and out and probably got by with it before, and killed this little girl. Let me tell you, that brought it home very much. I can agree with Senator Hawkinson's statements, but I think, as Senator Butler said, the question here is if it's a possibility to save lives. I might tell you that I happened to be in the Transportation Committee waiting to have my bills heard and I heard the testimony of Senator Radogno and Representative Lyons who testified how impaired they were when they were under .08, after they had six or seven drinks. There's no question that your -- your driving is impaired. It's -- you have to have your reflexes all about you, and when you're in that position, I don't think you're safe. You're not safe for yourself. You're not safe for others. I think, too, that if this bill comes through with graduated penalties, I'm going to vote for that, too, and let the Governor choose which one he feels will help the most. I think this is a bill worthwhile considering. And I apologize to my Tavern Keeper friends and to my restaurant friends, because I am going to vote for this bill considering the fact that the main thing is if it's a possibility to save lives, we should do it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR RADOGNO:

Thank you. And this has been a really great discussion, and to be honest, there's a lot of points that I agree with the opposition on. We have done a great job in the State of Illinois of raising awareness of drunk driving and keeping our roads as safe as possible, but we can do a better job. I think the concept of graduated penalties, as has been discussed, is a -- is a great one, and I'd be willing to work with and sponsor legislation in that regard, in addition to .08. It's definitely a good plan.

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There's been a lot of emphasis though in this discussion on how fast one gets to .08, whether it's social drinking or not social drinking, and there is a lot of variability in that. Certainly, Shaquille O'Neal can drink a lot more than Kerri Strug. But the point really isn't how fast you get there. The point goes back to impairment. You should not be driving a car at .08, and the reason you shouldn't be driving a car at .08 is because you can kill yourself, you can kill other -- other motorists and you can kill pedestrians. All drivers are impaired. Now, Senator Hawkinson raised an excellent point in terms of -- we're talking about at what point is someone automatically considered guilty. Right now it's at .10. Many years ago we had no line of demarcation at all. I mean, there was no blood alcohol level at which one could be arrested and presumed to be under the influence. In some states, and frankly I don't recall if it was Illinois, it was .15 at one point. But as we gain more knowledge and understanding about the effects of alcohol on the body and we're able to understand medical research and in -- perceptual tests better, we find that we need to adjust our thinking and we need to bring this threshold blood alcohol level in line with our knowledge. So, I do believe, since we know virtually all drivers are impaired at .08 and since they can kill people and by lowering that level we have the potential to save lives, that we should go ahead and pass this bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 8 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 8 Nays, none voting Present. And Senate Bill 8, having received the required constitutional majority, is declared passed. On the Order of Senate... On the Order of Senate Bills 3rd Reading,

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Senate Bill 16. Senator Fawell. Senator Fawell. Senator Philip, what purpose do you rise?

SENATOR PHILIP:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to introduce the outstanding Secretary of State for the State of Illinois, the Honorable George Ryan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the Senate, Mr. Secretary. Senate Bill 16. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 16...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Ladies and Gentlemen, we will be continuing on the Order of Senate Bills 3rd Reading approximately till -- till 2 o'clock this afternoon. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 16.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This legislation was brought to me by the Illinois Association of Aggregate Producers. Actually, this is one of our former colleague's bills, Babe -- Babe Woodyard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

This was a bill that Babe had originally, and he asked me to cosponsor it. Basically what it does is it puts our -- our producers of aggregate products on the same level as the coal mining industry. It will allow that the new -- the -- the taxes

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for the machinery that is used to produce the rocks, in effect, in a gravel pit will not be taxed, just as the machinery that is used to produce coal is also not taxed. I'll be glad to answer any questions, and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 16 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 3 Nays and 3 voting Present. And Senate Bill 16, having received the required constitutional majority, is declared passed. Senate Bill 20. Senator Garcia. Senator Peterson, on Senate Bill 36. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 36.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Under current law, the Senior Citizens Assessment Freeze and {sic} Homestead Exemption allows eligible property taxpayers to claim an exemption deduction from assessed valuation in amount...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Peterson. Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. This bill would freeze -- deals with the assessment freeze on the homestead exemption. Eligible property taxpayers that are at least sixty-five years of age with a total household income of thirty-five thousand or less are

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eligible. Currently, the Cook County Assessor is required to annually give notice of the application period by mail or by publication. There is no such requirement of the Chief County Assessment Officer in any other county in Illinois. This bill would require the other chief assessment officers in Illinois to publish, at least sixty days but no more than seventy-five days prior to the date on which the application must be submitted, and the notice would appear in a paper of general circulation in the county. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator - looking where you were last year - I passed a bill last week which would -- would give the local assessors the flexibility to change the date to make it conform with the other senior assessments for homestead exemptions. Just -- just want to make sure that this bill doesn't reset a date which would -- would then have the effect of nullifying that legislation. I...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

No, it doesn't set a specific date. All it says is that at -- at least sixty days but no more than seventy-five days prior to the date on which the application must be submitted. So that would take care of your inquiry.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 36 pass. All those in favor will vote Aye. Opposed will

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vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 36, having received the required constitutional majority, is declared passed. Senate Bill 55. Senator Mahar. Senate Bill 56. Senate Bill 67. Senator Watson. Senator Watson. Senate Bill 69. Senator Watson. Senator Watson. Senate Bill 83. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 83.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an income tax checkoff bill and there are two components to it. One is for mental health research; the other is for cancer research for children. This did pass this Senate Chamber last year unanimously. The only change in this bill is for the second checkoff, for cancer research, which is different from last year, the only difference is we have expanded it to include cancer wellness centers. There are presently only five checkoffs on the income tax form that will be available for the coming year. There are usually at least spaces for eight. So we do think that these are two good things that we should have for checkoffs, and I will answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 83 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

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On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 83, having received the required constitutional majority, is declared passed. On top of page 8, on the Order of Senate Bills 3rd Reading, is Senate Bill 108. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically this bill just requires that license numbers be used when advertising for locksmiths. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall Senate Bill...
Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, many of us were surprised to find that we were licensing locksmiths after last year and have had a number of our smaller locksmiths call and complain that they had no input, that they're overregulated, higher bond. What new requirements now are we putting on locksmiths here that we're going to get complaints about?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

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SENATOR BURZYNSKI:

That's a very good question, Senator Hawkinson. There's no new requirement, other than -- no financial requirement, other than when they advertise, Yellow Pages, et cetera, that they publish their license number along with their -- in their advertisements.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Are you willing to hold this bill to reexamine the question of some of the requirements that we're putting on some of the smaller locksmiths and some of the prohibitions that we're putting on our police departments, and perhaps consider amendment, or in the alternative, to make those kinds of considerations in the House?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Senator, I'd be more than happy to do that. I -- I'd like to move the bill out, but, yes, I think you raise some very valid questions. As Chairman of the Licensed Activities Committee, I agree. There are a lot of licensing things going on now that I agree with that perhaps we could downsize those or at least take them out of the licensure program. So, yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 108 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 Nays and 2 voting Present. And Senate Bill 108, having received the required constitutional majority, is declared passed. Senate Bill 109. Senator Syverson. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Over the last few years this Body has done a good job in passing legislation to make our streets safer for our children and for our families. We've passed programs such as truth-in-sentencing, the Sex Offender Registration Act, drive-by shooting legislation, to increase those penalties. We've made progress. But one area that needs more work is in the area of protecting women and children, especially in their own homes. Senate Bill 109 is a step in making homes safer for families. It's a tool in fighting domestic violence. Senate Bill 109 creates a new category which provides that involuntary manslaughter in which the victim was a family member or household member would become a Class 2 felony, which would increase the sentencing to not more than fourteen years. I think this is a good piece of legislation. I appreciate all the cosponsors that we've had on this. Be happy to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 109 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 109, having received the required constitutional majority, is declared passed. Senate Bill 112.

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Senator Syverson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 112 requires that an offender who's placed on electronic monitoring for alcohol or drug offenses pay the costs for incidental monitoring of those drug tests. That is already in place. This goes on a little further just to clarify the mechanism for collecting the fees. This has been requested on behalf of the county boards. I know of no objection to that and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 112 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 112, having received the required constitutional majority, is declared passed. Senate Bill 113. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is another small step in our

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efforts to combat drunk driving and those who've had their licenses suspended and continue to drive. It's an initiative of the Illinois State's Attorneys Association that would provide that in the prosecution for aggravated driving under the influence of alcohol or drugs or driving when you license permit or privilege to operate is suspended or revoked, that you might -- that you might introduce into evidence a certified copy of the driving abstract from the Secretary of State of the defendant as proof of any prior conviction. Be happy to try and answer questions, otherwise like to ask for your favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 113 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 113, having received the required constitutional majority, is declared passed. WICS-TV Channel 20 has requested permission to record the proceedings. Hearing no objection, leave is granted. Senate Bill 125. Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. Senate Bill 125 is a bill that went through Judiciary and came out on the Agreed Bill List. What it provides is that a plaintiff in a divorce case must assert that they do not have a pending petition

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for dissolution in any other county. This was a direct result of a case which occurred in Will County in which a plaintiff had filed a suit in another county. It came into Will County. This is basically to cut down on the proceedings. It's -- for the sake of a judicial economy. It will require one additional line in a -- a petition for dissolution. I know of no opposition, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 125 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 125, having received the required constitutional majority, is declared passed. Senate Bill 151. Senator Mahar. Senate Bill 160. Senator Walsh. Senate Bill 164. Senator Philip. Senate Bill 211. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 211.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 211 creates the Gambling Referendum Act, and it -- it will allow the people of the State of Illinois the opportunity or the right to vote at the '98 general election on this very simple question: Should the General Assembly expand legalized gambling in the State of Illinois by either increasing the number of riverboat casinos or by authorizing additional forms

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of gambling such as land-based casinos...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Sieben.

SENATOR SIEBEN:

...such as land-based casinos, video lottery terminals, or slot machines? The voters will have the opportunity to vote on that question with a simple answer of Yes or No. This is the same legislation that we voted on here in this Chamber on April 24th, 1995. In looking at that roll call vote, I see that the majority of the Members here have already voted in favor of this legislation. In fact, there were only eight No votes at that time. So I don't know that we need a considerable amount of discussion on this. It's simply an advisory referendum question on the expansion of gambling, a statewide advisory. I strongly support the right of local communities in areas like Lake County to also hold their own local referendums, which I think they should do. I live about twenty miles from a riverboat that's in an area that had a local referendum and they approved it, but I think the essence here is that casino gambling in this State has an impact in an area far greater than the licensing or the enabling community that allows the boat to be there. And I can tell you numerous stories of the problems caused in my district, and I had no right to vote on whether there was a casino next door to the community I live in. So I would ask for your Aye vote. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

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Is this an advisory referendum or is this a mandatory referendum?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

This is an advisory referendum.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have the highest respect for the sponsor of this legislation, but I don't think it is fair. When you already have riverboats in different areas and when we sponsored the bill for the riverboats - and I -- I voted for it with Senator Jacobs - we did it to help distressed areas. We have distressed areas in Waukegan, Illinois, in the Fox Lake area, of my county, and also North Chicago of Lake County. But when you want to pass an advisory referendum like this, when there -- other areas are having riverboats, like in Joliet, where they're making money hand over fist and they're helping their social services and they're helping their schools, and yet you want to deprive my county of having a local referendum in a township, I think you're wrong. Let the townships decide or the municipalities decide by referendum whether they want to have a -- a riverboat or not, or expand any gambling. I don't think you're fair when already you have a number of riverboats all over the State and some are not in the areas where they should be to help the distressed areas. I think it's unfair, because even though it's an advisory referendum, it's going to be taken as, "Well, it's the law." But the people in Galena have different needs than the people have in Lake County, Illinois. The people in Joliet are doing very well. The people in East St. Louis are doing very well with their riverboats. But why do want to deprive

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our areas? Let our areas have a local referendum. As a matter of fact, the Village of Antioch had a referendum -- advisory referendum on that question, and I said to them if it comes out favorable I'll support you, if it comes unfavorable I'll support you. They decided not to have -- not to have a riverboat in their area. So I honored their commitment. All I'm saying to you is you're not being fair, folks, when you pass a bill like this to the other areas that should have a riverboat to help their economy. And I actually am opposed to this bill. We should have a local option, not a statewide advisory referendum on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Mahar.

END OF TAPE

TAPE 2

SENATOR MAHAR:

I would move the previous question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are seven additional speakers. Further discussion?
Senator Jacobs.

SENATOR JACOBS:

I'll make my comments brief, Mr. President and Ladies and Gentlemen of the Senate. Just to elaborate a little bit on what the previous speaker indicated. I, too, have the utmost respect for Senator Sieben. In fact, we're going to do a radio show a little later, the two of us. My problem I have with this is, we already have the gaming in the State of Illinois and we have nine communities that are already locked in, and now we're going to go

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to a Statewide referendum. And I -- and I still feel that that's a tainted referendum, Senator, because we have nine communities that could vote No or they could vote Yes just for the protection of their own interests. But more importantly than that, and getting back to what the previous Senator said, was that -- the local option. I -- if there's got to be a referendum, I think it should be on the local referendum, because I do not think that the people of Cairo, Illinois should have the right to tell the people of Lake County, Illinois what they should do in Lake County. And, for that reason, I'm going to be a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I spoke against this identical bill that Senator Sieben sponsored last year. This -- and I remember asking him this -- this question. This is an advisory referendum as to whether or not we should expand gambling. The only body that can expand gambling is us, the General Assembly. So we're asking for advice. We want to have a referendum so that the results of that referendum would give us advice. And I asked Senator Sieben, who has a riverboat in his district and who limits this referendum to expansion of gambling, not whether we should have gambling at all, whether or not if the referendum passed that we should expand gambling, would he vote for more riverboats, and he said no. So it's an advisory referendum if it passes the way he wants, but if it doesn't pass the way he wants, then it's an aberration or something. So why we doing it? Why we doing it? The fact is that under current law the governing body of a municipality or a county must approve the docking of a riverboat in a municipality. There's local control. And it seems to me if you want to have a referendum, let's have a referendum on whether we should get rid of all these riverboats.

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Governor said he wouldn't sign the bill if he was the Governor. Very -- you know, we've got a majority here of people, perhaps, who -- who didn't even vote -- support the riverboats. Maybe we can get rid of all of 'em, including the one in your district. But to have this referendum is -- it's hypocritical. We make the decisions down here. We vote Yes or No on these bills. And if you want an advisory referendum that you're going to follow the advice on and you admit that up front, that would be different, but you've already said you will only will take the advice if it comes out the way you want. For that reason, I think we should vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. I have been one that has been opposed to the expansion of gambling, but this is a concern to me that we are going to have the potential of people in other parts of the State dictating what goes on, either in northern Illinois or in southern Illinois. I follow up on what Senator Jacobs and Senator Geo-Karis have said. I think this sets a wrong precedent. I strongly support the idea of a local referendum. Make it mandatory or binding if the local communities want that. We are talking about making a substantial change in a local community when you bring in gambling, but that should be left up to the locals to do that. I would prefer that this legislation be changed to making it a binding referendum on the local communities that are going to be affected and not having people in other parts of the State dictating what goes on, whether it's in northern or southern Illinois or if it's over in Lake County. I think just that this sets a wrong precedent, and for that reason, I -- I won't support this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. In my district, as I walked door-to-door throughout this campaign, we found out that it was an overwhelming amount of people who wanted to have a say. In the State of Illinois, within ninety minutes, eighty percent of the people in Illinois can get to a gambling boat, and I think it's just a matter of giving the public a say as far as what they, you know, want. I'm glad to be a cosponsor and I do ask an -- Yes vote on this, but I did have one comment, and I would ask if the sponsor would yield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Halvorson.

SENATOR HALVORSON:

Thank you. I just wanted to ask if it would be possible to add an amendment or to consider also a county referendum being added at some later time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

I -- I think the fact that we're at 3rd Reading now means we're going to take a vote on this bill today, and certainly as the bill moves over to the House - you know, they've got their own issues with this legislation - I think we could work with the House sponsors at that time to consider that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Halvorson.

SENATOR HALVORSON:

Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Link.

SENATOR LINK:

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Thank you, Mr. President. I represent the other half of Waukegan with Senator Geo-Karis, and I've talked to the Mayor of the City of Waukegan and he welcomes a local referendum. But I think the thing that we should realize right now is that we should save the taxpayers a lot of money by not even having this referendum, because I guarantee you this referendum will pass overwhelmingly in the State of Illinois because you will have ten cities opposing us already, and that's the ten cities that have riverboats right now. And I think what we have to do is realize that this is here, and people like -- the people in Waukegan deserve this and want this riverboat. They have spoken out and they want it. Senator Geo-Karis mentioned that Antioch, which had a local referendum, voted overwhelmingly against this, and we honored that privilege of staying away from Antioch. And I encourage any other local municipality to vote against it. But I think if we're doing a statewide referendum, all we're doing is wasting the taxpayers' dollars on this, and I think we should switch this bill to a local mandatory referendum, which I would support and I think all the other Senators would support. But I encourage a strong No vote on a statewide referendum.

PRESIDING OFFICER: (SENATOR DUDYCZ)

To the Senators who have put their lights on after the previous question had been moved, you will not be recognized. The final -- final speaker, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Sieben, you indicated that you have a riverboat in your district and there's problems with the riverboat.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sieben.

SENATOR JONES:

It's creating some problems.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

I -- you're asking if the Silver Eagle in East Dubuque has had problems operating as -- as a boat?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR JONES:

No. You indicated in your opening remarks that -- a riverboat in your district, and there were problems as such.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Let me clarify that point. There is a riverboat that is in my district that I represent in East Dubuque, in Jo Daviess County. Where I live in Geneseo is in Henry County. Adjacent to my hometown there is the riverboat, the Casino Rock Island, which is actually in Senator Jacobs' district. Since my hometown is only twenty miles away from Rock Island and access to the Casino Rock Island, along with the -- the President in Davenport and the Lady Luck in Bettendorf, many residents and citizens from my community go to those riverboats. All right? We didn't have an opportunity to vote in any kind of a referendum, but we are now seeing the consequences of compulsive and addictive gambling on the residents in my community that are impacted by the easy access to casino gambling.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR JONES:

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Senator, are you aware that those licenses are for a stated period of time? Do you know how -- the length of time a license is given to a riverboat?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Yes. One-year term. I believe that in July of every year they apply to the Gaming Board to have the license renewed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR JONES:

Therefore, if this legislation passes then, and if those communities who vote for -- are against expansion vote in favor of this resolution, then would you be in favor of the Gaming Board not renewing those license for those current license holders? Because this could conceivably happen - be it in Joliet, be it in Peoria, be it in East St. Louis - that -- that the Gaming Board itself may look at how those communities vote and decide that you no longer need a license 'cause of this referendum. This could conceivably happen. Are you in -- are -- is that your intent?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

I think the intent of this question is to give the people of the State of Illinois the right to vote on any further expansion of legalized gambling in our State. Your question to what the Gaming Board should do when they review the -- the renewal of licenses, I can't speak for the Gaming Board. That's a decision they'll have to make based on a lot of information that they review when they look at that relicensing of an existing boat operator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sieben, to close.

SENATOR SIEBEN:

Thank you, Mr. President. Just a couple of responses to some of the questions. The issue of local referendums, I certainly would encourage those sponsors and those Members who spoke to wanting a binding countywide referendum of the people for licensing of riverboats, I would encourage you to introduce that legislation, go forward with that idea, propose that idea, require that, so that we do have some type of opportunity for the people in an expanded area, rather than just in a community, to vote on the question of whether riverboats are licensed to operate in -- in their neighborhood. This question, really, is an advisory referendum and allows the people a chance to speak. The people that have talked to me feel like in this State we have tremendous opportunity already to gamble. We have lottery terminals virtually in every store in the State of Illinois. We have racetracks or off-track betting parlors strategically located all over this State. And now we have riverboats operating within easy drive of every citizen of this State. Do we want to continue to be a gambling State, increasing the access and the availability of State-sanctioned, State-operated -- or State-authorized, I mean, gambling across this State? I don't think we do. I think there are a lot of people in this State that want to say enough is enough. This is their way to do it, with a vote in -- in this advisory referendum at the '98 ballot. Thank you, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 211 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 18 Nays, 6 voting Present. And Senate Bill 211, having

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not received the required constitutional majority, is declared failed. Senator Sieben.

SENATOR SIEBEN:

I'd request that this bill be placed on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben requests leave for Postponed Consideration. Leave is granted. Bottom of page 8 is -- in the Order of Senate Bills 3rd Reading, is Senate Bill 214. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President. Senate Bill 214 would create an aluminum can recycling program in all State buildings. The State already has a program for high-grade white and computer paper. It does not have one for aluminum can recycling. This bill is supported by CMS and the Illinois Environmental Council. It would be implemented in about nine months, and the program should pay for itself.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 214 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill -- Senate Bill 214, having received the required constitutional majority, is declared passed. On the top

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of page 9, in the Order of Senate Bills 3rd Reading, is Senate Bill 222. Senator Cronin. Senate Bill 232. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 232.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This comes as initiative of the State's Attorney of Henry County, who's had repeated prosecutions of one or more individuals for public indecency, and this increases the penalties for repeat offenders. The first offense remains a Class A; second and third remain a misdemeanor, but require some jail time; and on a fourth offense, it's a Class 4 felony. Be happy to answer any questions; otherwise, ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski. Senator Burzynski. The question is, shall Senate Bill 232 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 232, having received the required constitutional majority, is declared passed. Senate Bill 233. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 233.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is an initiative of the Chiefs of Police, the Illinois State Police, the State's Attorneys Association and the Sheriffs' Association designed to deal with the problem of fleeing and eluding in high-speed chases. The penalty will be a Class A misdemeanor for a driver who knowingly flees and eludes and requires a suspension for up to twelve months for a second conviction. A third or subsequent conviction will be a Class 4. It also provides that in the situation of aggravated fleeing and eluding, and that's where the speed's over twenty miles an hour over, there's damage to a vehicle, makes a technical change which says that if a -- an individual who's fleeing and eluding rams a police car or other public vehicle, that that is also aggravated. Right now it's just private vehicles that are rammed. And provides in the situation where there's aggravated fleeing and eluding, that there can be a forfeiture of the vehicle. Again, it is subject to the provisions which would protect innocent owners or lienholders. Be happy to try and answer questions; otherwise, would ask for your favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

I just wanted to ask the sponsor, what if they ram the police vehicle and they're only .08?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Question of the -- question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Berman.

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SENATOR BERMAN:

Is there a requirement that the police car be a marked police car?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

I take it that -- that question is not intended to address the question of property damage of a police car versus a private vehicle, but rather is in the nature of fleeing and eluding element itself. This bill doesn't change the nature of the offense and there is a knowledge requirement that you know that you're fleeing and eluding an officer of the law. So whether it's marked, if it -- if it has either the oscillating lights or the markings, but there is a knowledge requirement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 233 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 233, having received the required constitutional majority, is declared passed. Senate Bill 234. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill comes from the Illinois Medical Society. It amends the

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Hospital District Law and would allow one member of the board of directors of a hospital district to be a member of that district's medical staff. Know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 234 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 234, having received the required constitutional majority, is declared passed. Senate Bill 235. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation amends the Emergency Medical Services System Act. Changes the geographic specifications for licensing a freestanding emergency center to allow Trinity Medical Center in Rock Island County to accept basic life support ambulance runs. Senator Jacobs is my cosponsor. It affects a hospital in his district, and he would, I'm sure, help answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 235 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 54 Ayes, no Nays, and 1 voting Present. And Senate Bill 235, having received the required constitutional majority, is declared passed. Senate Bill 236. Senator Syverson. Senate Bill 237. Senator Rauschenberger. Senate Bill 239. Senate Bill 247. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 247.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 247 amends the Lead Poisoning Prevention Act. Currently the law requires that all positive and negative results of lead screening be reported to the Department of Public Health within forty-eight hours. This is becoming a -- a bookkeeping nightmare for many doctors' offices and clinics. What we're asking in this legislation is that we continue to report all positive tests within forty-eight hours, but this allows, on a timely manner, that the negative results be reported to the -- the Department. I know of no objection to this, and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 247 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 247, having received the required constitutional majority, is declared passed. Senate Bill 255. Senator Rea. Senate Bill 256. Senate Bill 258. Madam Secretary,

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read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment 1 becomes the bill. It adds ratites to the definition of "animal" in the Meat Inspection Act, and the purpose of this legislation is to move closer to providing ratite producers an opportunity to improve the marketing potential of their product. It does enhance the industry. I know of no known opposition. It -- the Department of Agriculture does support it, and there has been a number of people that have joined me as sponsors. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 258 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 258, having received the required constitutional majority, is declared passed. Senate Bill 292. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 292.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

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SENATOR HAWKINSON:

Thank you, Mr. President. Senate Bill 292 is another initiative from the Illinois State's Attorneys Association and it deals with TASC - that's T-A-S-C - probation. That's a special kind of probation for drug offenders for certain offenses, and it's a kind of probation that even for certain felonies allows expungement from the record. This bill, however, would limit the offenses that can be used for TASC probation by excluding the offense of robbery. It was the feeling of the State's Attorneys Association that I share and my cosponsor, Senator Shadid, that robbery is a crime of violence, and you should not be eligible for expungement. This does not, in any way, prohibit an ordering of drug treatment for an individual convicted of robbery, but it would prohibit this specific kind of probation that would allow the crime of robbery to be expunged from one's record. Be happy to answer any questions; otherwise, would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 292 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, none voting Present. And Senate Bill 292, having received the required constitutional majority, is declared passed. Senate Bill 315. Senator Watson. Senator Watson. Senate Bill 329. Senator Rauschenberger. Senate Bill 355. Senator Link. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 355.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill will authorize a special license plate to designate Child Protection plate. It provides an increase in fees that will be paid as grants to hospitals providing pediatric care subject to the General Assembly's appropriation and the Secretary of State's approval. All money of the General -- all the money of this Child Protection Fund shall be paid as grants to Illinois hospitals providing pediatric care, and credits Child Protection Fund Advisory Board to consider the grant applications made by hospitals and made recommendations by the Secretary of State approval of those applications. After the -- after the Governor's Budget Address yesterday, I think this plate becomes even more important, with his consideration of child care, that we do something with the private sector and let them pay for the bills, and I would appreciate a positive vote on this matter.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

I have a -- thank you. I have a couple of questions for the sponsor. First of all, I noticed you mentioned something about a child protection advocacy board. Is that a board that's already in existence, or is that a new board that we're supposed to -- to be looking at appointing?

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Senator Link.

SENATOR LINK:

No. That will be a new board appointed by the four Leaders and the Governor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

How many members will there be? Just one from each Body or are there more than that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Just one member. Five total.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Will they have to go through the confirmation process? Is that one of the agencies that will be confirmed by the Senate, or is that just an advisory committee not requiring Senate confirmation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

It will be just an advisory committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Well then -- then to the bill itself: Senator, do you have any idea how many special license plates we have already in the State of Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

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SENATOR LINK:

Right now there are -- the Secretary of State is administering eleven plates.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Only eleven plates?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

From the Secretary, that's his comment. Only eleven plates that he is administering right now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Do you have any idea how much these plates will cost the State of Illinois to produce?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

...the question, Senator?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Certainly. I -- I was wondering if -- if you knew how much it would cost to produce these plates, to -- to start up the process to implement the new license plate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

It's -- it's the same price as all the other special plates right now, and that there would have to be eight hundred and fifty

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applications for these plates before we would start it up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. Senator, what will these plates look like? I -- I mean, you know, we have some plates that are out there now that -- we have a very good plate really emphasizing the problems we have with domestic violence and we've been finding out now recently that these plates are being used as a sign of the gangs and those kinds of things. What will these plates look like?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

This will be up to the Secretary of State, but I am sure that he will design something with the children on it so that we could indicate that -- what this plate is for.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Do you think, Senator, there might be the possibility that we could have a -- a statewide contest where children might, in their schools, try and design a plate that would be acceptable?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

I think that would be a great idea, Senator, and I would condone that idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, thank you. I might -- I might find my way to see fit to

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vote for this bill if -- if you will at least consider that, Senator. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any 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 DUDYCZ)

Sponsor hesitantly yields, Senator Jacobs.

SENATOR JACOBS:

Senator, I -- I'm a little surprised. Here you are a good Democrat, just elected as a Democrat, Democratic County Chairman, and you bring a bill like this, which the bill, in and of itself, is okay. But do you realize that you have already used the Governor three times, the Secretary of State four times, and do you really think that that's something that we on this side of the aisle should support your legislation with a voting record like that? Do you think that's something we should do?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Senator, we never know what's going to happen in the future and who will be sitting in those positions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

I would just suggest then, it's too bad that our -- our Leader is not here because he could chastise you for -- for being remiss, but maybe, because it is your first bill, we could forgive you, but we'll see what happens a little later.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I certainly commend my colleague from Lake County for being wise enough to use the very good names in this Assembly, and I'm surprised that Senator Jacobs finds fault with that, because, you know, at least your Democrat over there is beginning to learn better. And we're delighted...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon. Senator Geo-Karis, I beg your pardon. For this one bill, staff is encouraged to speak on the Floor. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I think that we've gone on long enough and my colleague has suffered enough, and I would certainly like to see this pass for him.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LINK:

I just -- I have nothing to close, but I thank my colleague from Lake County, in Senator Geo-Karis, who has always given me the correct advice on what to do in this Chamber, except for my voting record, and I would -- would hope that we would get a positive vote on this. I thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 355 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 355, having received the required constitutional majority, is declared passed. On the top of page 10 of your regular Calendar is Senate Bill 371. Senator Peterson. Senate Bill 421. Senator Berman.

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Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 421.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill does some corrective language in the Chicago school reform bill that was passed two years ago. What it does is to delete the requirement of the involvement of the deans of the College of Education at the University of Illinois, and just says that the Reform Board shall confer with the Council of Chicago-area Deans of Education. This bill came to me from the University of Illinois who requests that they not be imposed with that kind of responsibility. It passed out of committee unanimously. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 421 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 421, having received the required constitutional majority, is declared passed. Senate Bill 423. Senator Fitzgerald. Senate Bill 427. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 427.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is an initiative of the Chicago Bar Association and a product of their Matrimonial Law Committee. It makes only a slight change. Right now a court-appointed attorney for a child in a divorce proceeding to represent that child's interests represents the child in regard to support, custody, visitation interests and so forth. This simply adds that that court-appointed attorney for the child can represent the child's property interests as well. I'd be happy to try and answer questions; otherwise, ask for your favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 427 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 427, having received the required constitutional majority, is declared passed. Senate Bill 437. Senator Butler. Senate Bill 455. Senator Fawell. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill is -- was brought to us by the garbage people. Right now there is a law that says that you

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cannot have anything extending beyond three feet of the front wheels of a vehicle. Unfortunately -- the -- the container that picks up these great big garbage containers is longer than three feet. It's kind of a technical bill. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 455 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 2 voting Present. And Senate Bill 455, having received the required constitutional majority, is declared passed. Senate Bill 460. Senator Cullerton. Senate Bill 465. Senate Bill 473. Senator Syverson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 473.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. This legislation adds a additional circuit judge to the Seventeenth Circuit. The last time that was done was in 1988. Since that time, the criminal felony cases have over doubled, traffic cases have increased by over thirty thousand, the population just -- or the caseload in the last year has increased by over twenty percent. We have support from the -- the Supreme Court, plus the -- Judge Robert Coplan, who's the Chief Judge, who is making this request. And I'll be happy to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Syverson, these additional judges always seem to be a hit-and-miss thing, depending on -- on who requests them. Is there a list or a set of criterion -- criteria used by the courts that when a certain number of cases are handled by a circuit, they therefore are entitled to a full circuit judge or an associate. And if that's true, isn't there -- wouldn't there be a list created that we could see showing every circuit, how many cases they have pending, how close they are to being allowed a new judge, so that this stuff won't just come up kind of out of the blue?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

That's a good idea. At this -- at this point, I don't think there is. All we know, that there is a -- a large number -- or, there's a -- there's a large need for this in the Seventeenth circuit. It has the second highest caseload in the State, and I think currently the Supreme Court does look at the caseload of these -- of these -- of these circuits. And this circuit happens to be northern Illinois where there has been a lot of growth and a lot of increases in cases, and there is definitely a need for this position. We do have a list of those additional circuit judges that have been added out of this Legislative Body in the last few years, and again, this just goes into -- into line with what we have done in the past.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Welch.

SENATOR WELCH:

But -- but, Senator Syverson, merely the fact that it has the second largest caseload, it may also have the largest number of circuit judges. I mean, just the caseload, to me, doesn't seem to -- to be the criterion. Could you tell me what counties are in the Seventeenth Circuit? I'm not familiar with where the Seventeenth is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Has Boone County and Winnebago County, which would be mainly the City of Rockford.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, how did this -- did the Chief Judge ask you to sponsor this, or was this your idea, or how -- how did this come to pass that suddenly Winnebago County needs a new judge? I'm just curious as to how this happens.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Yes. The request was on behalf of the Chief Judge of the Seventeenth Circuit. We have an extremely large backlog of cases in our district, and we have an overcrowded jail. It has a number of -- of lawsuits pending against it from the overcrowdedness. This is just one additional way to have the -- the judge that we need to help take care of this backlog of cases, but the request has come on behalf of the Chief Judge.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

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SENATOR WELCH:

Well, I -- I'm not saying you don't need one. It just seems to me that these things come up in a helter-skelter fashion whenever somebody decides they need a judge, and there never seems to be any real rational basis comparing each of the circuits as to when a judge is -- they're entitled to a judge. I mean, just because Supreme Court says, "Hey, we need one more judge", well then all the taxpayers in the State have to pay for it. So I think that the -- the committee -- the -- our Judiciary Committee probably should try to work out some basis for when judges are appointed, instead of just having a "favorite son" legislator introduce the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Cullerton.

SENATOR CULLERTON:

Will the -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, I understand it, the Supreme Court is authorized now to appoint judges to circuits where there is a need for additional judges. In this particular circuit, has the Supreme Court appointed an extra judge at their own discretion to help take up the slack?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Appoint an associate judge? Is that what...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes...

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Yes. They appointed an associate judge last year. One of our circuit judge was -- has been assigned -- one of our circuit judges now have been assigned to the Appellate Court, which has -- which has left us, again, with a over caseload, and that's one of the reasons why this request is being made.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

You mean the Supreme Court appointed a circuit court judge, then somebody got moved up to the Appellate Court, so then the Supreme Court didn't replace that circuit court judge with another circuit court judge, which is what they are authorized by law to do? And I would point out, of course, as you know, that the associate judges are paid less than the full circuit judges.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

The -- the judge that has been -- been assigned to the Appellate Court has not -- that seat is left open. And again, I'm not -- I'm not a lawyer, but in my understanding that stays open because he did not run for that appellate seat; he is just assigned to that seat, and so that seat is left open for him in the future, for him to go back. So that slot is not -- does not get filled by the Supreme Court.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Well, all I'm saying is that -- that I know that the Supreme Court -- I'm not -- I don't know, like Senator Welch, whether or

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not this is a good idea or not. There is no criteria. The only point I'm making is that the Supreme Court has the authority. If there's a particular problem in any circuit, they can temporarily appoint extra judges to that subcircuit -- or, that circuit to see if they -- to alleviate the overcrowding. And I just was wondering, in this particular case, if the -- if that -- if your Chief Judge, who's asked you to sponsor the bill, also asked the Supreme Court to make an appointment of -- of some circuit judges. They can ask for two or three of them if they need to. And I believe the law would allow that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, thank you, Mr. President. I'm just standing in support of this bill. Last year I sponsored a bill for an additional two judges - circuit judges - in Kane County, in -- in that district, and I believe we had another one, or a couple, put in for DuPage. We do this routinely and regularly for different circuits in the State, and it's always been done this way. I don't know why everyone's making such a big fuss about this. The chief judge of the circuit comes up and says that they have this case back load, they want another judge, they need another judge. It has to be okayed by the Supreme Court member from their -- their district, and if that is done, then -- and if we can pass legislation to do it, that's the way it's been done. Now, if somebody has ideas, Senator Welch, to do it in a different way, I don't think you have a bad idea. I think perhaps there should be criteria on how we -- on how this is assessed, and look at the caseload, and look at the number of judges, and look at the population, and et cetera, et cetera. And I think this could either be done by rule by the -- with the Supreme Court, or by legislation, but at this point in time, it isn't done that way, and it hasn't been done that way and

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I don't see why we should give Senator Syverson a big problem on this. We've all gotten judges for our circuits in the past with this process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch, for the second time.

SENATOR WELCH:

Well, let me just respond. I wasn't giving Senator Syverson a problem; I just wanted to point out that in some areas, such as mine, where we have a Democratic chief circuit judge, we have asked for a judge, and Justice Heiple has not seen fit to give us one. An adjacent circuit that has a Republican chief judge just happened to get a new associate judgeship approved by Justice Heiple. So I'm saying that there is a lot of politics involved in the issue of associate judgeship and judge appointments. And I was suggesting to Senator Syverson - I was under the mistaken impression he was on Judiciary Committee - that maybe we should have some basis to select judges other than who is the favorite of your -- your Supreme Court Judge and allows you to do this, Senator. That's all; I was making a point.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR SYVERSON:

I think the point that Senator Welch makes is certainly well, and I -- that's -- that may be something that the Supreme Court may want to look at doing or we as a legislative Body could look at doing, to show those cases, to prove that there is a justification for those. The Rockford area and Boone County is the second fastest-growing county in the State. There is a large amount of growth. Unfortunately, Rockford has a very high crime rate, and there is a -- a need for this position. And for that reason, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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The question is, shall Senate Bill 473 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 56 Ayes, no Nays, none voting Present. And Senate Bill 473, having received the required constitutional majority, is declared passed. Senate Bill 484. Senator -- Severns. Senate Bill 490. Senator Madigan. Senate Bill 501. Senator Fawell. Senate Bill 506. Senator Parker. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Crime Victims Compensation Act does not address the special needs of victims who become disabled as a result of a crime of violence. 506 amends the Crime Victims Compensation to permit the payment of funds for use in retrofitting the homes or vehicles of crime victims to make them accessible to victims who are disabled after the crime. This was on the Agreed Bill List from Judiciary Committee. I would answer any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 506 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 506, having received the required

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constitutional majority, is declared passed. Senate Bill 510.
Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 510.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. This bill is a -- Senate Bill 510 is an outgrowth on the Governor's statewide Commission on Gangs. The net result here is that we are increasing the penalty of obstructing justice from a Class 4 to a Class 3 where we are dealing with -- when the crime is committed in furtherance of streetgang activity. It came out on the Agreed Bill List. I know of no opposition. I'd move for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Smith. The question is, shall Senate Bill 510 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present, and Senate Bill 510, having received the required constitutional majority, is declared passed. Senate Bill 511.
Senator Petka. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 511.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Petka.

SENATOR PETKA:

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Thank you, again, Mr. President, Members of the Senate. Senate Bill 511, again, is an initiative on the -- from the Governor's task force on -- Commission on Gangs. The net result of this bill is that the recovery that is permitted under the Parental Responsibility Law is raised from a thousand to twenty-five hundred dollars. This is consistent with the jurisdictional amount we now have in small claims actions. And I would -- once again, this bill came out on the Agreed Bill List, and I would move for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 511 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 511, having received the required constitutional majority, is declared passed. Senate Bill 516. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 516.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 516 is an initiative of the State Comptroller's Office. The -- this legislation will promote electronic funds transfer and information sharing between the Comptroller and State agencies. Bottom line is it'll bring the Comptroller's Office more into the electronic era to allow digital signatures, electronic transfer of information between Treasurer and

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Comptroller, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 516 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 516, having received the required constitutional majority, is declared passed. On the top of page 11 of your regular Calendar is Senate Bill 517. Senator Fitzgerald. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 517.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is also part of the Comptroller's administrative package. It changes references from the Department of Personnel to the Department of Human Resources within the Comptroller Merit Employment Code. The Comptroller's Records Act is amended to reduce the retention period for vouchers and warrants from five to three years, and provides for warrants, prior to their destruction, to be stored via an electronic media. This passed, I believe, unanimously out of Senate committee, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Link.

SENATOR LINK:

Yes. Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Link.

SENATOR LINK:

My question is on this, is that we asked this in committee and we got the insurance from the Comptroller's Office, and I asked the sponsor for the same insurance, that the only thing this is is a name change, and we're not trying to change something for the purpose of laying off people in the future. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Yes. That is correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 517 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 517, having received the required constitutional majority, is declared passed. Senate Bill 532. Senator Walsh. Senate Bill 536. Senator Walsh. 538. Senate Bill 548. Senator O'Malley. Senate Bill 551. Senator Parker. Senate Bill 555. Senator Bomke. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 555.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation would allow Unit School District No. 16, which is

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the only school district in Sangamon County that is not part of the Sangamon Area Special Ed Co-op to withdraw from the Four Rivers Special Education Co-op, and join the Sangamon Area Special Education Co-op. By not -- by not being a part of the Sangamon Area Special Education Co-op the children are losing many services which they are legally entitled to. And just to mention a few: Mid West Five Educational Service Center; Regional 51 Regional Superintendent; Local Agency Network No. 15; Local Interagency Council Sangamon service area, which is mandated by PL 99-475; Capital Area Vocation Center; Springfield Association Retarded Citizens for early childhood staffing coordination; future alternative -- school programs; and reciprocal agreements with other special education co-ops. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 555 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. And Senate Bill 555, having received the required constitutional majority, is declared passed. Senate Bill 556. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. Senate Bill 556 supplements the legislation that became law last year concerning charter schools. It simply provides that charter

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schools shall receive one quarter of their total annual funding on or before August 1, November 1, February 1 and May 1, unless the charter agreement provides for a different schedule. I'd appreciate an affirmative roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 556 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 556, having received the required constitutional majority, is declared passed. Senate Bill 557. Senator Cronin. Senate Bill 568. Senator Watson. Senator Watson. Senate Bill 619. Senator Berman. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

Thank you. Ladies and Gentlemen of the Senate, the reason for this bill is that there was a case that got wide publicity of a woman that lived in the north end of Chicago. She had to go in the hospital. She allowed her child to be helped by a couple that befriended her and the couple then decided to try to adopt the child without the knowledge of the mother. In the process, it was -- it was disclosed that the Juvenile Court Act requires notice to be given to the natural parent. The Adoption Act did not. This was an -- an error. It should have required notice to the natural parent. That's what this bill does. I'd solicit your Aye vote.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I don't have the bill right in -- I mean, I do, but I haven't read it. Can you tell me, does this -- this doesn't affect people who have, in effect, deserted their children, and we are trying to get them adopted, does it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

SENATOR BERMAN:

No, it does not. The -- what this addresses is that the natural parent must be given notice when the adopting parents know the -- the natural parent and this is without the consent of the natural parent. And that's what gave rise. It was a situation where the -- the -- the couple that wanted to adopt this child, the mother didn't have any notice of it until it became a big publicity issue in the papers. As it turned out, the child is now back with the natural mother, but this is just to fill the gap in the Adoption Act, similar to the Juvenile Court Act.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall Senate Bill 619 pass. All those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 619, having received the required constitutional majority, is declared passed. Senate Bill 646. Senator O'Malley. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

Senate Bill 646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and -- and Members of the Senate. Congress is planning to merge the Bank Insurance Fund and the Savings Association Insurance Fund, which together make up the Federal Deposit Insurance Corporation. In conjunction with this -- with this, the federal savings and loan charter will be summarily eliminated. The federal legislation will permit current federal -- current federal S&L charters to convert automatically to either a national bank or a State financial institution. What Senate Bill 646 does, and is intended to do, is provide for this contingency so that those federal charters wishing to convert to State savings banks or S&Ls may do so on an expedited basis. I'd be happy to answer any questions there might be, but would request your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 646 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. And Senate Bill 646, having received the required constitutional majority, is declared passed. Senate Bill 697. Senator Syverson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 697.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 697 is on behalf of the personal care attendants in Illinois, who are currently the most cost-effective workers this State has. This legislation authorizes a fifteen cent pay raise for these individuals. I greatly appreciate the support we've had from Senator Smith on this, and be happy to answer any questions that you might have. Otherwise, just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 697 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And Senate Bill 697, having received the required constitutional majority, is declared passed. Senate Bill 698. Senator Syverson. Senator Syverson. On top of page 12, on the Order of Senate Bills 3rd Reading, Senate Bill 805. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 805.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. Senate Bill 805 is an initiative of the Department of Financial Institutions. It has many provisions and I'll try and summarize some of them for

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you. Adds limited liability companies to those entities entitled to establish currency exchanges. Changes the title of the Financial Planning and Management Act to the Debt Management Services Act. Adds credit unions, savings banks, and Consumer Installment Loan Act licensees to those organizations authorized to establish debt counseling services. Raises bonding requirements from seventy-five hundred to twenty-five thousand dollars. Permits the Department of Financial Institutions to approve additional temporary licenses for business -- business locations other than the principal place of business. There are other provisions to this legislation, and I'd be happy to answer any questions...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 805 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. And Senate Bill 805, having received the required constitutional majority, is declared passed. Senate Bill 844. Senator Cullerton. Senate Bill 851. Senator Geo-Karis. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 851.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 851 amends the Chapters 725 and 730 related to the transportation of defendants placed in the

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custody of the Department of Mental Health and Developmental Disabilities to court appearances, and it also amends definitions to allow the appropriate DMHDD personnel to appear -- testify in court, as opposed to the facility director who may not be involved with the resident treatment plan. It applies to criminal offenders, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 851 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 851, having received the required constitutional majority, is declared passed. Senate Bill 856. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 856.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 856 is an administration bill for the Department of Revenue. It has eight provisions. The most prominent has to do with child support collection payments. Current law allows the Department to collect delinquent child support payments in any manner authorized for the collection of a delinquent personal income tax liability. Senate Bill 856 expands that authority to allow the Department to collect child support delinquencies in any manner authorized by any State administrated by -- any tax administrated by the Department; for example, revocation of a liquor license or a lottery license or

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any other avenue that would come before the Department in order to collect delinquent child support payments. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 856 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And Senate Bill 856, having received the required constitutional majority, is declared passed. Senate Bill 894. Senator Jacobs. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 894.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 894 allows the Department of Natural Resources to lease or permit the use of surplus waters at all Department-owned dams, and lease or permit the use of land or property interests for hydropower development or the power developed from it for a period not to exceed fifty years. Supported by the Department of Natural Resources. I know of no -- no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 894 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 53 Ayes, 1 Nay, none voting Present. And Senate Bill 894, having received the required constitutional majority, is declared passed. Senate Bill 942. Senator Dillard. Senate Bill 956. Senator Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 956.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 956 makes several changes to the Department of Mental Health and Developmental Disabilities. It requires DMHDD to require certain job applicants in State-operated facilities to undergo a criminal background check, makes licensure changes, eliminates the Community Funding Advisory Committee, eliminates the requirement that DMHDD assist families in the funding of private residential services for minors with mental health services, and it makes several other changes. And it's supported by the -- by the Department, and I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Smith.

SENATOR SMITH:

I'd like to make a -- I would like to ask if you'd be kind enough to register me for Senate Bill 894. I didn't get a chance to vote on that, but I wanted to be recorded as having voted Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record -- the record will reflect your intent, Senator.

SENATOR SMITH:

Thank you kindly, sir.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 956 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 956, having received the required constitutional majority, is declared passed. Senator DeLeo, what purpose do you rise?

SENATOR DeLEO:

Thank you, Mr. President. Just a couple moments ago Senate Bill 805, by Senator O'Malley, was presented. I was off the Floor. Somebody inadvertently pushed me Yes. I'd like the record to reflect, because of a potential conflict of interest, I would have been voting Present. Senate Bill 805.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The -- the record shall so reflect, Senator. On the -- on the Order of Senate Bills 3rd Reading, Senate Bill 1100. Senator Cronin. Senator -- Senator Dillard, what purpose do you rise?

SENATOR DILLARD:

Just a -- if we're finished with the Calendar, Mr. President, just an announcement that the Special Committee on Elections Contests will meet momentarily after adjournment in Room 212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson, what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Just an -- also an announcement. The Senate Public Health Committee, the Subcommittee on Welfare, will meet Monday at 1 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

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REGULAR SESSION
SENATE TRANSCRIPT

18th Legislative Day

March 6, 1997

Thank you, Mr. President. For the purpose of an announcement. The Senate Licensed Activities Committee is scheduled to meet at 1 o'clock next Tuesday. Due to some scheduling conflicts, we probably will not be convening until 2 p.m. I just want to make that announcement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno, what purpose do you rise?

SENATOR RADOGNO:

I just wish to announce that the Subcommittee on Tax Increment Financing will be meeting on Monday in Room 400 from 1 until 5, and this will be for testimony only.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

House Bill 229.

Passed the House, March 5th, 1997.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in

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favor, say Aye. Opposed, Nay. The motion carries and the resolutions are adopted. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 204, offered by Senator Syverson.

(Secretary reads title of bill)

And House Bill 229, by Senator Philip.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 16.

(Secretary reads HJR No. 16)

Adopted by the House, March 6th, 1997.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 16. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Donahue has moved for the adoption of House Joint Resolution 16. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Geo-Karis moves the Senate stand adjourned.

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