

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

92nd Legislative Day

March 30, 2000

PRESIDENT PHILIP:

The regular Session of the 91st 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 Dr. Patrick Pajak, Tabernacle Baptist Church, Decatur, Illinois. Dr. Pajak.

DR. PATRICK PAJAK:

(Prayer by Dr. Patrick Pajak)

PRESIDENT PHILIP:

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

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Tuesday, March 28th, and Wednesday, March 29th, in the year 2000, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports House Bills 4022 and 4124 Do Pass.

Senator Peterson, Chair of the Committee on Revenue, reports House Bills 1324 and 3240 Do Pass; and House Bills 4020 and 4431 Do Pass, as Amended.

Senator Klemm, Chair of the Committee on Executive, reports House Bills 709, 2899, 4258 and 4260 Do Pass; and House Bills 2884, 3073 and 3588 Do Pass, as Amended.

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Senator Lauzen, Chair of the Committee on Commerce and Industry, reports House Bill 3138 Do Pass.

Senator O'Malley, Chair of the Committee on Financial Institutions, reports House Bills 3286 and 3338 {sic} (3838) Do Pass.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports House Bill 3928 Do Pass, as Amended.

And Senator Hawkinson, Chair of the Committee on Judiciary, reports House Bills 1785, 2979 and 4698 (Do Pass); along with House Bill 4300 Do Pass, as Amended.

PRESIDENT PHILIP:

...SIU-TV has asked permission to film our proceedings today. Is leave granted? No objections, leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 333, offered by Senator Lauzen and all Members, as is Senate Resolution 334.

They're both death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 335, offered by Senator Syverson.

It's substantive.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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

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

Senate Bill 1284, along with House Amendment No. 1.
Passed the House, as amended, March 29th, 2000.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Senator Bowles, for what purpose do you rise?

SENATOR BOWLES:

Point of personal privilege, Madam Chairman.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BOWLES:

I have with me today a young man who is the -- he's the president of the student council at Granite City High School, and he wants to be a politician. He doesn't want to be a millionaire. He just wants to be a politician. It's Jeff {sic} (Josh) Mefford, and I'd like for your to -- the Senate to recognize him. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR PARKER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR PARKER:

Thank you, Madam President. I have with me today -- in the President's Gallery is Chris and Jim Johnson, and Chris is the County Treasurer for DeKalb County, and her son and his son, Alex Johnson, is here with me for Page for a Day. Please welcome them.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR BOMKE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BOMKE:

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Thank you, Madam President. Behind the President's Gallery, we have the Riverton eighth-grade AA State Volleyball Champions. This is actually the second year in a row that they have won as State champion. They won it as seventh graders. This young team has a record of sixty-five and one. They're coached by Carol Sims. Also along is Kelly -- Alexander, the assistant coach. If you would all join me in recognizing them, I would appreciate it.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR LAUZEN:

Thank you, Madam President. I would like to make an introduction. In the President's Gallery, Brian and Patty Duniek, along with their daughters, Bridget and Brianna, who are serving as Pages of the Day, are along with my wife, Sarah, and our sons, Elliott, Hans and Robbie. If you'd please rise.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR LINK:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Yes. Just a second, please. Could we give some attention to the speaker and some courtesy to our guests, please? Senator Link.

SENATOR LINK:

Thank you, Madam President. In the gallery behind us, I have a couple of constituents from Lake County, who actually are in Senator Geo-Karis' district, but are down here visiting for the first time today. I have Pat Lendor and Joan Stanton. If we could welcome 'em to the Senate.

PRESIDING OFFICER: (SENATOR KARPIEL)

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Welcome to Springfield. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - Senate Joint Resolution 66; to the Committee on Executive - Senate Joint Resolution 69 and Senate Resolution 292; referred to the Committee on Judiciary - Senate Amendment 2 to House Bill 730, Amendment 1 to House Bill 3082 and Amendment 1 to House Bill 3465; to the Committee on Licensed Activities - Senate Amendment 1 to House Bill 3455; and Be Approved for Consideration - Senate Amendment 2 to House Bill 2997 and Amendment 2 to House Bill 3312.

PRESIDING OFFICER: (SENATOR KARPIEL)

We're going to go to page 10 on the Calendar, to House Bills 2nd Reading. If everyone will be paying attention and watch for your bill -- listen for your bill to be called. We'll be starting with House Bill 840, on page 10, House Bills 2nd Reading. Senator Myers. House Bill 1992. Senator Sullivan. House Bill 2067. Senator Cronin. House Bill -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2067.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate {sic} Bill 2109. Senator Watson. House Bill. I'm sorry. House Bill 2130. Senator Rauschenberger. Read

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the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2130.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2346. Senator Myers. House Bill 2379. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2379.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate {sic} Bill 2870. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2870.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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3rd Reading. Senate {sic} Bill 2888. Senator Noland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2888.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. Senate {sic} Bill 2940. Senator Cronin. Senator Cronin? House Bill 2940. Read the -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2940.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 2997. Senator O'Malley. House Bill 3032. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3032.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3082. Senator Bomke. House Bill 3093. Senator Robert Madigan. House Bill 3114. Senator Dudycz. House Bill 3180. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 3180.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3254. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3254.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3271. Senator Sullivan. Senator Sullivan, on 3271? House Bill 3312. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3312.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

Amendment No. 1, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. Amendment No. 1 allows the Secretary of State to issue World War II Veteran license plates.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, Senator Dudycz moves the adoption of Amendment No. 1 to House -- to House Bill 3312. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is

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adopted. Any further Floor amendments?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dudycz.

SENATOR DUDY CZ:

Yes, Madam President. I had misspoke. Senate Amendment No. 1 added a provision for the creation of an Organ Donor Awareness license plate. That was Amendment No. 1, the one that we just adopted. Amendment No. 2, which we are adopting now, is the one that issues World War II Veteran license plates. My apology.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Dudycz moves the adoption of Amendment No. 2 to House Bill 3312. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3435. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3435.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

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3rd Reading. House Bill 3457. Senator Sullivan. House Bill 3465. Senator Dudycz. House Bill 3476. Senator Noland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3476.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3478. Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3478.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3621. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3621.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3881. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3881.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 3929. Senator Molaro. House Bill 4030. Senator Rauschenberger. House Bill 4045. Senator O'Malley. House Bill 4047. Senator Ronen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4047.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4097. Senator Sullivan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4097.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4116. Senator Cronin. House Bill

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4176. Senator -- House Bill 4227. Senator Lauzen. House Bill
4228. Senator Klemm. Senator Klemm? House Bill 4231. Senator
Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4231.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4357. Senator Rauschenberger. Read
the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4357.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4374. Senator Maitland. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4374.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4396. Senator Dillard. House Bill
4435. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4435.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4437. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4437.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4438. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4438.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4439. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4439.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4440. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4440.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4441. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 4441.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4442. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4442.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4443. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4443.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

Have there been any Floor amendments that have been approved

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for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4444. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4444.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4447. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4447.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4564. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4564.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

House Bill -- 3rd Reading. House Bill 4572. Senator

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Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4572.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4573. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4573.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4576. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4576.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4582. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4582.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4583. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4583.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4584. Senator Weaver. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 4584.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4587. Senator Maitland. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4587.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4588. Senator Rauschenberger. Read
the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4588.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. House Bill 4593. Senator Petka. Senator Petka?
House Bill 4593. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4593.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR KARPIEL)

3rd Reading. It is the intent of the Chair to recess. There
will be a ceremony. I believe the portrait of Governor Edgar is

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going to be hung in the Hall of Governors, and we will reconvene at 1:30, at which time we will do 3rd Readings and Constitutional Amendments. So, please be back at 1:30, 'cause we will be going to 3rd Readings. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

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 concurred with the Senate in the passage of the bill of the following title, to wit:

Senate Bill 1682, together with House Amendment No. 1.

It passed the House, as amended, March 30th, 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 336, offered by Senator Noland and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Members could hear my voice, we are getting ready to vote on 3rd Reading for the Constitutional Amendment. Come to the Floor as soon as possible. For the Membership's information, we are going to go to the middle or middle-top of page 20 for Constitutional Amendment 3rd Reading, SJR 18. Senator Lauzen. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution, Constitutional Amendment, 18.

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(Secretary reads SJRCA No. 18)

3rd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Ladies and Gentlemen of the Senate, Senate Joint Resolution for Constitutional Amendment 18 places the question on the November 2000 ballot, for voter approval, whether or not we should combine the two offices of Treasurer and Comptroller into one State Financial Officer. The objective and benefit to citizens, if they vote for it in November, is to streamline State government in order to save money and reduce redundancy. Many of us recall that State Treasurer Judy Baar Topinka advanced this initiative originally under the able guidance of Senate sponsor Kirk Dillard. State Comptroller Dan Hynes supports the consolidation also. This idea enjoys wide support. It was passed in Executive Committee 12 to 0, with 1 voting Present. Two years ago, it passed the Senate 47 to 10. Editorial boards across the State have endorsed the idea, and I've had countless conversations with regular citizens in many of your districts who consider this commonsense improvement to State operations. With that, I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes. Would the Senator yield for a question, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Lauzen, in the Constitution currently, under Gubernatorial Succession, in item 7, Vacancies of {sic} (in) Other Elected Officers {sic} (Elective Offices), you're not amending at

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all the vacancies in the other elected offices because it says, if the Attorney General, Secretary of State, Comptroller or Treasurer fails to qualify for -- or if his office becomes vacant, the Governor shall fill the vacancy by appointment. How does your constitutional amendment amend the Constitution to provide for the filling of this vacancy if there is one?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

The State Financial Officer would take the place, in the current order, of the Comptroller and Treasurer.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Where does that say that in the resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Page 2, at the top. If the Attorney General, Secretary of State, or State Financial Officer fails to qualify or if the office becomes vacant, then the Governor shall fill the office by appointment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

That is -- that provides for the vacancies... Page 2, Article V, Section 7, the Attorney General, Secretary of State, or the State...fails to qualify...becomes vacant. Let me ask you this question, if I might: In your view - and I'll come back to this in a minute - in your view, when you say streamlining of government, how are the citizens and the taxpayers of Illinois going to benefit from one of these oversight agencies being done

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away with and the combination of duties being absorbed by one office?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Actually, I -- that's a -- it's a very important question that you ask. I think that you're referring to: Well, what are the internal controls, also, that are in place now that we didn't have back when they were first separated? And I would say, first of all, the greater use of computers and a forty-six- or forty-eight-billion-dollar budget have helped the internal control. We also have a highly developed Audit Commission, which you've served on ably for many years with our Auditor General, along with Economic and Fiscal Commission. The savings -- a different part of your question - the savings to the taxpayers, the streamlining that you referred to - in the Treasurer's Office alone, I understand that a consolidation like this -- she feels that three million dollars would be saved, and I believe that the Comptroller's operation is even larger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

You know, I heard the same argument when they said they were going to reduce the House by one-third. They were going to talk about streamlining State government and -- and saving lots of money. We're spending more money with less Members than we ever did. How many states in the nation are there that have a combination of both treasurer and comptroller combined in one office, across the United States?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

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You know, I have the study on that, Senator Demuzio. I'd have to take a look at it. If you have those numbers available -- I -- I know I have 'em in a file. I'd have to accumulate 'em.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I have the Legislative Research Unit studies with respect to state treasurers and comptrollers; as well as the treasurer and the comptrollers, the methodology by which they are -- are either appointed or selected in their various states. And I have to tell you, in my own personal view, this is an exercise that I normally compel my class, when I teach, to enter into, and that is, studying the Constitution on whether or not an oversight agency such as this ought to be -- ought to be reduced. And I haven't had a class yet that has gone along with the reduction of the -- of either office in -- into one. It would seem to me with the amount of money that the State of Illinois takes in these days, it would seem to me even though that we do have these other methodology by which we can keep control and consensus, as -- as you mentioned - the Audit Commission, I don't know why we would want to reduce one of the oversight agencies of State government with the vast amount of money that we have today. It seems to me to be a ill-conceived idea, quite frankly. I intend to vote No today. I know that there are a number of individuals who are in support of -- of this. It probably will pass. But I think it's an idea that we ought not to be considering in Illinois, given the size of our State and, quite frankly, given the nature and the volume of corruption that we've had in Illinois, at least during the period of time that I have been here. It seems to me we need more oversight, not less.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

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SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Lauzen, as you know, I have a great deal of respect for you, but I'm -- I'm a little confused here and a bit concerned along the lines of what Senator Demuzio was talking about. Why would we eliminate a watchdog office that has some oversight and gives us reports about what's going on with the money at a time when the people of Illinois are being faced with all kinds of scandals dealing with the -- the money of this State?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Well, first of all, I think that if we take a look at the model that's used in even private industry of efficient financial management, in your experience and in my experience, you find that companies have one financial manager, as opposed to several. I don't think -- I -- I think that you have a valid point when you say about eliminating some of the oversight function. I understand Senator Demuzio's legitimate concern, but it's not eliminating any of the oversight commission. What it's doing is combining the two offices into one, where we replace some of the redundancies. That's why I believe that it's a streamlining. I think that that's why editorial boards feel that way and many of the citizens, who we work for in our different districts, feel that it's a streamlining. The functions are not being eliminated, but some that are redundant in both agency would no longer be necessary.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

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SENATOR HENDON:

But in -- in your streamlining, won't, in fact, you be asking someone to report negative information on themselves? Which -- whichever one you eliminate will be put in a position where, yes, the -- the function will still be there but the people will be under that particular boss, and they have to report to that boss any negative information. Now, I think we're better off having someone from the outside report negative information about the other group, whichever one you want to eliminate, when it comes to the people of Illinois' money. I mean, this is not the private sector. This is government, where we have bribery, where we have corruption, where we have scandal. Do we want to -- do you really want to do this? And -- and where are -- where will the protections be for the people of Illinois if this, in fact, passes and becomes law?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Senator Hendon, it -- it is very important that the folks in the Body don't have the impression that the functions of the Treasurer Office and the Comptroller's Office are competing functions, that one is like a safeguard and would bring forward information on the other. Basically, the State Treasurer, as you know, is responsible for the money that comes into the State Treasury and investing it. The Comptroller -- once it's, you know, in the bank, the Comptroller is in charge of the money going out and then the reporting. So those two are complimentary, not competing, where there would be oversight on the two. So the concern that we'll be giving up some kind of oversight, right now the functions are complimentary, not competing. To -- in order to get information as an oversight, that's the reason why the Audit Commission has been put in place, and there's -- extensive effort

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is put in, from the Members of this Body, on the Audit Commission.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

And I -- I will conclude with this, Madam President. Can you explain to this Body if it was your -- if you had -- if it was your call to make, which office would you eliminate? Are you dissatisfied with the work of our esteemed Treasurer Judy Baar Topinka, or are you dissatisfied with our current Comptroller Hynes? Which -- who are you dissatisfied with? Which office would you eliminate if it was up to you?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Senator, that's exactly what -- there is no elimination of one office in favor of the other office. It is a combination of the two offices. I think both of the -- both of those financial officers are doing their job, and what we're trying to do is streamline and eliminate redundancies that are unnecessary in both.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

You are -- we came in at the same time. You are my dear friend, but I -- I have to say this. I know you ran for Comptroller and you were not successful. If you had been successful, would you still be pushing this legislation to eliminate this office? And if so, why even run for it, in the first place, if it should not exist?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

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Thank you. I -- you know, I appreciate that question. In our campaigns, both in the primaries and in the general election, all candidates for the office were in favor of the combination of the offices - not the elimination, but the combination of the offices. Comptroller Hynes, Treasurer Judy Baar Topinka, even in the Republican primary, Harry Siegel, and myself. Actually, it's a privilege to have the opportunity to fulfill a campaign commitment, even though I lost that election.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

I -- I will conclude with this: You keep saying combination versus elimination, but the fact of the matter is, there's only going to be one constitutional officeholder if you are successful. So it is an elimination. And just for my other Members of the Body - and I hope this fails - but I haven't received any correspondence from my dear friend, Treasurer Topinka, who I supported, even against -- or, the Democratic nominee, because I -- I knew she would be an excellent Treasurer - and she is - and I have -- also haven't received anything from Dan Hynes, saying please do this. I think this is -- is -- is a bad precedent. I think you're eliminating a watchdog at a time when public cynicism over politics and over how we handle the money is at an all-time high. Voter participation is at an all-time low 'cause they simply do not trust us. So to eliminate a comptroller - because we know which way it's really going to go and -- and who you really are after - to eliminate someone who can give a report about the financial status of this State, without having -- and having the responsibility to do so because they are elected to that position and not appointed, will send a terrible message to the voters of Illinois and turnout will continue to decline. We need more accountability, not less, and that is, in fact, what your bill

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would do.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Lauzen, you said that this would eliminate redundancies between the two offices. What redundancies are you speaking of?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Some of the examples that have been used and now in both -- in both offices -- I would like to make it clear that both the Comptroller and the Treasurer do have letters on file supporting the consolidation. Some of the examples that they use are press secretaries, legislative liaisons, some of the coordination functions between two separate offices. Some of those would be eliminated. I was just informed by staff -- I -- I -- I've heard Judy Topinka refer to a three-million-dollar savings. The estimates are as high as twenty million dollars saved between both of those operations. I don't know that it's that high, but anything -- anything helps, in streamlining it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, that doesn't -- I can tell you one redundancy. When Judy Topinka was elected, she now -- she immediately appointed two press secretaries instead of one. I'm not sure if that's what you're referring to, but I -- these don't sound like very much in

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the way of redundancies. The press secretaries - I think one's paid sixty and the other seventy. Legislative liaisons are paid about fifty, sixty thousand. I -- I don't see how that adds up to twenty million dollars, Senator. What -- what other redundancies are there that -- that are going to save all of this money? It doesn't seem to add up, to me. Do you have any other redundancies that you can point to?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

There are several: fiscal officers, duplicative bookkeeping, computer systems, executive office staff. And again, I have to rely on the expertise of the people who are serving in those two bodies, and, again, their support, being as close as they are to these -- both of these functions, both the support of Comptroller Hynes and Treasurer Topinka are on file for any Member of this Body to inspect.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, Senator, I think you're right. They are both supporting it. I'm not so sure that support isn't driven, in many instances, by the heat of campaigns, rather than -- than the lengthy view that was taken by the 1970 Constitutional Convention, which had this specific issue before it and debated it for months. And this is really the first major change to that Constitution of 1970 that we've had. First major change, as far as officeholders. And I think that we should think twice before we go ahead and -- and without much investigation, just in a few letters as a result of a political campaign, go ahead and change this over. One of the things you're saying is that one of the examples of us having oversight over the Executive Branch is the Economic and Fiscal

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Commission. Well, you're right. That's the -- that's oversight over the Bureau of the Budget because the Legislature, in the House and Senate, didn't really agree with their figures. So we do have that oversight. But it doesn't mean that we have oversight in those commissions -- in the Economic and Fiscal Commission, over the Comptroller or Treasurer. The Economic and Fiscal Commission is more of a body to estimate costs, more than anything else. So I don't think that -- that is oversight. And to say that, well, we also have a greater use of computers - well, the individuals putting the information into the computer itself are going to be the people who are responsible for reporting to us what the Treasurer -- what the Treasurer -- former Treasurer would be earning in income or what the Comptroller would be reporting and what is going out. It's the same office putting in the same figures that would check on themselves. So that's not oversight. It's just a machine. Machine only is as good as what's put into it. So it seems to me that we're getting ahead of ourselves. This is eliminating a -- a check and balance, in some sense, that we built into the Constitution from the start of this country. It's a premise of the U.S. Constitution. It was utilized at the 1970 Illinois Constitution, and it shouldn't be tossed away because of a -- a few campaign promises tossed out by two incumbents. So I think we should be voting No on this. It's not going to save any money. The little it'll save will be eaten up just like the cutback amendment was in 1980.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs. Further discussion?
Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you...

PRESIDING OFFICER: (SENATOR DONAHUE)

For a second time.

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SENATOR DEMUZIO:

I'll be brief. I don't quarrel with what the Senator's attempting to do, but I do want to say, in terms of the oversight, the State Treasurer is responsible for safekeeping the investment of monies and securities deposited by that person and for their disbursement upon the order of the Comptroller, under the 1970 Constitution. Therefore, the Treasurer acts much like a banker, receiving all the revenue due to the State and putting it in the interest-bearing accounts until it's spent. The Comptroller as was created also by the 1970 Constitution, as referred to in the last speaker, with duties to maintain the State's central fiscal accounts and order payments into and out of the funds held by the Treasurer. The Comptroller is the State's chief fiscal control officer charged with screening State spending requests and paying State's bills. Again, I think that this is a matter of -- of oversight. I don't quarrel with the gentleman's notion that perhaps we ought to have one. It just seems to me that this is Illinois - we need two.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, to close.

SENATOR LAUZEN:

Thank you very much, Madam President. First of all, I'd like to assure the -- the people who will vote on this today that this is not a final action for changing it, as I think that one of the opponents spoke to. This is just to place it on the ballot so that we have a full airing of the debate out before there's a November election. So it's the people of the State of Illinois who will make the decision whether they want it to be in their Constitution. So it would be placed on the ballot by the people. It's interesting, even as I go back to the debate that -- the constitutional debate that Senator Welch was referring to, to point out that Dawn Clark Netsch, who did serve as one of the

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Comptrollers, in 1970 even brought up the question. It was defeated at that Convention at that time because of the recent history of the Orville Hodge scandal. But Dawn Clark Netsch brought it -- brought it forward. Finally, I would like to emphasize that this is a streamlining, that the internal controls are in place with the computer systems -- sophisticated computer systems that we have, the Auditor General, along with the Audit Commission and then the Economic and Fiscal Commission. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen moves the adoption of Senate Joint Resolution, Constitutional Amendment, 18. The question is, shall Senate Joint Resolution, Constitutional Amendment, 18 be adopted and approved. Pursuant to Section 2, Article XIV, of the Illinois Constitution, amendments must be approved by three-fifths of the Members elected. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, with 1 voting Present. Senate Joint Resolution, Constitutional Amendment, No. 18 failed to receive the three-fifths constitutional majority and is declared lost. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

I would like to request Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Postponed Consideration. If I could have the Body's attention, we are going to go to Senate -- or, House Bills 3rd Reading, on page 6 of your Calendar. Okay. Senator Radogno, on House Bill 182? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 182.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill is the culmination of the Speaker's Task Force on Mental Health and Patient Abuse, which was chaired by Representative Lang. This task force came into existence after a series of articles regarding some fairly awful situations of abuse in nursing homes. The measures in the bill are designed to ensure that nursing home patients who are mentally ill receive the appropriate kinds of services. Specifically, it requires the Department of Public Aid and the Department of Public Health to develop rules relating to the delivery of appropriate services by January 1st, 2001. It also requires that the ombudsman, as well as surveyors in the Department of Public Health, are trained in order to be able to evaluate the delivery of those services. I would be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 182 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's 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. House Bill 182, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 390. Out of the record. Senator Radogno, on House Bill 477. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 477.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill amends the Revised Uniform Limited Partnership Act. It was requested by the relevant section of the Illinois Bar Association. The -- it amends the provisions with respect to withdrawal from a partnership. It's intended -- it's intended to optimize the rules in Illinois for families to set up estates in the form of a limited partnership, thereby encouraging these partnerships to register in Illinois. I would be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 477 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 477, having received the required constitutional majority, is declared passed. Senator Radogno, on House Bill 478. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 478.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Like the previous bill, this one also amends the Revised Uniform Limited Partnership Act, again initiated by the relevant section of the Bar Association. This one amends the provisions regarding assignment of partnership

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interests, again, to try to optimize the rules in Illinois. I would be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 478 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 478, having received the required constitutional majority, is declared passed. Senator Robert Madigan, on House Bill 589. Out of the record. Senator Geo-Karis. Out of the record. Senator Philip, on House Bill 739. Senator Philip, on House Bill 861? Out of the record. Senator Robert Madigan -- out of the record. Senator Philip, on House Bill 1407. Out of the record. Senator Robert Madigan, on House Bill 1582? Out of the record. Senator Robert Madigan, on House Bill 1583? Out of the record. Senator Radogno, on House Bill 1597. Out of the record. Senator Philip, on House Bill 1853. Senator Philip? Out of the record. Senator Dillard, on House Bill 2110. Out of the record. Senator Klemm, on House Bill 2261. Out of the record. Skip. House Bill 2904. Senator Madigan? House Bill 2909. Senator Noland. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland. Senator Noland.

SENATOR NOLAND:

Okay. Thank you. House Bill 2909 would require labeling for any gas pump or -- or dispensing device that contains more than two percent by volume of MTBE. This bill is -- is an issue with a

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concern -- a lot of environmental concerns now about the -- the petroleum product MTBE. The issue is to give the consumer awareness it's in the pump, to have it labeled so there's a consumer choice and awareness and to safeguard our environment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Madam President, Members of the Senate. I rise in support of House Bill 2909. As its sponsor has indicated, there are concerns, environmentally, with MTBE, which is currently a gasoline additive for -- for reformulated gasoline. The largest concern about this is that it has contaminated public...

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you take your conferences off the Floor? Continue, Senator Madigan.

SENATOR L. MADIGAN:

Thank you. The largest concern about MTBE is that it has contaminated public water supply systems in forty-nine states. Twenty-one states, at this point, have had to actually shut down a portion of their public water supply because of MTBE contamination. The USEPA has recently come out and announced that it would like to see the elimination of MTBE in gasoline, and it is -- we are looking at a situation across the country where it's potentially going to cost us billions of dollars to clean up public water supply systems because of this contamination. In addition, this has been called possibly the largest environmental crisis of this decade. I believe that labeling, while it is a good idea, is not strong enough. I think here in the State of Illinois we should actually be seeking to ban the use of MTBE in gasoline. And while this is not as strong as a bill that I would like to see, I would encourage an Aye vote on this bill until we

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see a banning bill put into effect. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Seeing none, Senator Noland, to close.

SENATOR NOLAND:

Thank you. We'd appreciate your support. Senator Madigan was very eloquent and made some excellent comments. We'd appreciate the support for this bill, to -- to put labels on gas pumps with MTBE. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 2909 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2909, having received the required constitutional amendment {sic}, is declared passed. Senator Burzynski, on House Bill 2917. Out of the record. Senator Syverson, on House Bill 2965. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2965.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. House Bill 2965 is some agreed language regarding the generic drug legislation that was passed last year and further negotiations that took place. I'll be happy to answer any questions; otherwise, I do have some legislative intent to read.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. To establish some legislative intent, would Senator Syverson answer a couple of questions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Yes, thank you. During last year's debate on this issue, I raised the question as to how this legislation affects the Technical Advisory Committee {sic} (Council), commonly called the -- the TAC committee, how -- their authority to review products known as what is the pre-1938 drugs. Senator Syverson, does this legislation prevent the TAC committee from reviewing pre-1938 drugs?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

This legislation does not alter the Department of Public Health's Technical Advisory Council's past or their future authority when it comes to reviewing pre-1938 drugs and non-Orange Book products. The TAC committee does have the ability, as they have in the past, to review those drugs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Senator Syverson. It's -- I think it's important for our constituents to be able to receive safe and less costly generic drugs, and it's important that the TAC committee maintain this authority. If a pre-1938 drug is determined to be bioequivalent, it should be available for substitution, allowing our constituents to save money when they purchase pharmaceuticals. Thank you.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Syverson. The question is, shall House Bill 2965 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2965, having received the required constitutional majority, is declared passed. Senator Karpel, on House Bill 2977. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2977.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Madam President. House Bill 2977 allows noncertified registered professional nurses to administer medication to students. When we passed House Bill 452, we allowed school districts to employ noncertified registered professional nurses to perform school nursing services. We omitted -- we didn't -- we didn't amend this particular section that deals with giving medication, and that's what this bill does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 2977 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's 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. House Bill 2977, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 2980. Senator Walsh, Thomas Walsh, on House Bill 3037.

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Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3037.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill 3037 clarifies language regarding the relocation of existing automobile franchises. It changes the criteria to determine the applicability of sections concerning the relocation of an existing automobile dealership. There was confusion in the original Act. This clears it up. There's no opposition, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3037 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3037, having received the required constitutional majority, is declared passed. Senator Robert Madigan, on House Bill 3046. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3046.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Robert Madigan.

SENATOR R. MADIGAN:

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

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3046 amends the Collection Agency Act to provide that if a contingency or hourly fee arrangement is established between a collection agency and a creditor and is consequently paid by a debtor pursuant to a contract between the debtor and the creditor, then that fee is reasonable, unless the Illinois Department of Professional Regulation expresses otherwise. This is language that we've all seen before. We had Senate Bill 801 last spring. The Governor amendatorily vetoed that. This Body accepted that amendatory veto, but the House didn't take the matter up. This is the same language as the bill with the amendatory veto from last fall. I would be glad to answer any questions on House Bill 3046. But, otherwise, would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3046 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3046, having received the required constitutional majority, is declared passed. Senator Bomke, on House Bill 3132. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate {sic} Bill 3132 adds a new section to the Counties Code authorizing the voters in commission counties to petition for a referendum to elect members from a single-member district. And

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be happy to address any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President. This bill's a little bit of a surprise. I -- I have a couple of counties in my legislative district that are commission -- commission county boards, and this would allow those counties, as I understand it, to elect another two. Rather than three, they have the option, I guess at some point, of going to five? And then -- I'll ask another question. And then, it's my understanding that they could divide the county up and run in districts, in single districts?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Senator Demuzio, you're -- you're correct, except that we amended the legislation. When it came over from the House, it would allow a three-member commission county to go to five, in single-member districts; however, we changed that to leave it at three or five, depending on how the people petition or -- the referendum reads.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I have two commission forms of government. Madam Speaker, you -- President, you and I share one. I -- I haven't heard from anybody about this. I mean, why -- why -- why would we want to do this? I mean, if I have a county that's fifty-three, fifty-four hundred population who has three county commissioners that run countywide, why would I want to afford them the opportunity to create two additional ones, and then if they want to, five? Why don't they just take the three and let the -- let

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the three run in -- in single-member districts? Is that possible under your bill then?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Senator Demuzio, it -- it still would have to be done by a referendum to change it from a at-large to a member district, but, yes, they could divide it up to three-member single districts if they so desire. This came to me by way of Menard County. Apparently, some people who live in the county felt they were disenfranchised or not being represented because the commissioners live close to one another, thereby not providing the representation that some of the folks feel they need.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

So we're going to change the statute because you have one county that has a commission form of government, and all the rest of us that have commission forms of government, we -- they never even talked to us about this, and you want to pass that for your county and your district and subject all the rest of us to having to do the same. Is that -- is that what we're doing here?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Keep in mind, Senator Demuzio, it is permissive. If those folks are happy with the way their form of government is running, then it's not a problem.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none -- Senator Bomke closes. The question is, shall House Bill 3132 pass. Those in favor will vote Aye. Opposed, Nay. The voting's

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 55 Ayes, 1 Nay, 2 voting Present. House Bill 3132, having received the required constitutional majority, is declared passed. Senator Walsh, on -- Larry -- Larry Walsh, on House Bill 3176. Out of the record. Senator Dudycz, on House Bill 3225. Out of the record. Senator Larry Walsh, on House Bill 3256. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3256.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR L. WALSH:

Thank you, Madam President, Members of the Senate. House Bill 3256 provides the Department of Natural Resources the authorization to acquire the existing Momence Dam and all existing structures, easements, and other privileges pertaining to it, by donation from the City of Momence. Also provides the Department has full rights of ownership of the dam and anything pertaining to the dam, including the right to demolish, reconstruct or dispose of the property. I don't know of any opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3256 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3256, having received the required constitutional majority, is declared passed. Senator Radogno, on House Bill 3260. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 3260.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill amends the Unemployment Insurance Act. It allows employee leasing companies to file the unemployment insurance reports with the Illinois Department of (Employment) Security on behalf of all their employees -- all the employees of the client. Right now they are not allowed to do that on the owners and officers, and that's the change. It also closes a loophole that had allowed the employee leasing company to use their experience in setting the insurance rates, as opposed to the client's experience. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3260 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3260, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 3428? Out of the record. Senator Thomas Walsh. House Bill 3431. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill -- or, 3431 authorizes public treasurers to accept Federal Home Loan Bank letters of credit as collateral to secure deposits of public funds in excess of the Federal Deposit Insurance limitations. There is no opposition to this bill, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 3431 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's 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. House Bill 3431, having received the required constitutional majority, is declared passed. Senator Sullivan, on House Bill 3455. Out of the record. Senator Syverson. House Bill 3460? Out of the record. If I could have your attention for a minute. We have effectively completed our business for today, so... And just for your information, we're going to do some paperwork here, but it's 10 o'clock tomorrow morning we will adjourn to. All right? Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR SYVERSON:

Today happens to be the birthday - and we have a guest on the Floor - of Hank Rauschenberger, who turns fifteen and will be the heir to the Rauschenberger throne. There's been some discussion in administration that there's a desire to expedite that change, but we'd like to wish Hank Rauschenberger a happy fifteenth

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birthday. Hank, stand up.

PRESIDING OFFICER: (SENATOR DONAHUE)

Happy birthday, Hank, and welcome to Springfield. Senator Watson, for what purpose do you seek recognition?

SENATOR WATSON:

Yes, thank you very much. Rickey Hendon was over here reminding me to be sure to get up and talk about the softball game. So, Rickey, thank you very much. I appreciate it. We had fifteen House Members show up for practice last night. Fifteen. Fifteen, 15. Obviously, they are taking this very serious. This is -- they've not done this in the past. They've always just relied on their raw talent, their youth, and we have prevailed. But this particular year, obviously, they're taking a different approach. So we're having a practice tonight, and I know that I've talked to all of you and I know you're going to be there. It's at 5 o'clock. If you don't have directions on where to go and where it is, I've got some here and John Cullerton has some. And we'd like to have all of you there. Five o'clock. And the ball game, of course, is next Wednesday, just to remind you of that, on April 5th. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Introduction of Bills.

ACTING SECRETARY HAWKER:

House Bill 1955, offered by Senator O'Malley.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further business to come before the Senate? If not, Senator Weaver moves that the Senate stand adjourned until the hour of 10 a.m., Friday, March 31st. That's 10 a.m., on Friday, March 31st. Senate is adjourned.

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