

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

The regular Session of the 91st General Assembly will come to order. Will the Members please be at their desks and will our guests in the galleries please rise? Our prayer today will be given by Senator Sullivan.

SENATOR SULLIVAN:

(Prayer by Senator Sullivan)

PRESIDING OFFICER: (SENATOR DONAHUE)

Pledge of Allegiance, by Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR DONAHUE)

Reading of the Journal. Senator -- reading of the Journal.

SECRETARY HARRY:

Senate Journal of Monday, May 24th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers.

SENATOR MYERS:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers moves the -- to approve the Journals just read. There being no objection, it is so ordered. Senator Myers.

SENATOR MYERS:

...President, I move that reading and approval of the Journal of Tuesday, May 25th, in the year 1999, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objections, it is so ordered. Resolutions.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

SECRETARY HARRY:

Senate Resolution 156, offered by Senator Parker.

It's substantive, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR SULLIVAN:

Thank you, Mr. President. Above the President's rostrum, we have students and faculty and parents from the Math and Science Academy in my district, in Des Plaines.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome. IIS Video has requested permission to videotape. Leave granted? Leave is granted. Senator Burzynski, for what purpose do you seek recognition?

SENATOR BURZYNSKI:

A question of the Chair.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR BURZYNSKI:

Are we in a rain delay?

PRESIDING OFFICER: (SENATOR DONAHUE)

Actually, Senator Burzynski, we are waiting for Members to come to the Floor so we can take -- we need a roll call, and we need Members to come to the Floor. 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 refused to concur with the Senate

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

in the adoption of their amendment to a bill of the following title, to wit:

House Bill 287, with Senate Amendment No. 1.

We have a like Message on House Bill 1079, with Senate Amendment 1, and House Bill 1812, with Senate Amendments 1 and 2. All nonconcurrent in by the House, May 26th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could have the Membership's attention, I know you're anxiously awaiting what's going on. As far as I can tell you, we're waiting for a Supplemental Calendar that will have some motions on it. There will be a Rules Committee meeting very shortly. So just come to the Floor, be ready, hang tight, and we'll get some things moving here very shortly. ...believe Supplemental Calendar No. 1 has been distributed. On the top of that page, we will begin with House Bill 287. Is there leave of the Body for Senator Sieben to handle House Bill 287? Leave is granted. Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. I would move to refuse to recede from Senate Amendment No. 1 and request a conference committee on this legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 287 and that a conference committee be adopted {sic}. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Senator O'Malley, on House Bill 1079. Mr. Secretary. Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. I move to refuse to recede to -- from Senate Amendment No. 1 to House Bill 1079 and request that a conference committee be...

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1079 and that a conference committee be adopted {sic}. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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 refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 2733, with Senate Amendment No. 1.

Nonconcurrent in by the House, May 26th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Executive - Senate Resolutions 133, 134, 135, 140, 146, 147, 152, 156 and Senate Joint Resolution 9 -- or, 39, that is; referred to the Committee on Education - Conference Committee Report 1 to Senate Bill 648, Conference Committee Report 1 to Senate Bill 652, Conference Committee Report 1 to House Bill 1670; to the Committee on Executive - Conference Committee Report 1 to House Bill 452, the Motion to Concur with House Amendments 1 and 3 to Senate Bill 1015; re-referred from the Executive Committee to the Rules Committee - Senate Resolutions 133, 134, 135, 138, 140, 146, 147, 152, 156 and Senate Joint Resolution 39; referred to the Committee on Financial Institutions - the Motion

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

to Concur with House Amendment 1 to Senate Bill 890; to the Committee on Insurance and Pensions - Conference Committee Report 1 to House Bill 2166; to the Committee on Public Health and Welfare - Conference Committee Report 1 to Senate Bill 965, Conference Committee Report 1 to House Bill 427; to the Committee on Revenue - Conference Committee Report 1 to House Bill 134; and Be Approved for Consideration - Conference Committee Report 1 to Senate Bill 73, Conference Committee Report 1 to Senate Bill 171, Conference Committee Report 1 to Senate Bill 242, Conference Committee Report 1 to Senate Bill 1158, Conference Committee Report 1 to House Bill 1278, and Senate Resolutions 133, 134, 135, 138, 140, 146, 147, 152, 156, Senate Joint Resolution 39, and the Motion to Recede from Senate Amendments 1 and 2 to House Bill 1812.

Senator Weaver, Chair of the Committee on Rules, reports the following Measures are, pursuant to Senate Rule 3-9(b), exempt from the automatic re-referral provision of that Rule: Referred to the Committee on Commerce and Industry - Senate Bills 14, 186 and 379; to the Committee on Education - Senate Bills 390 and 553 and House Bill 2045; to the Committee on Executive - Senate Bills 106, 118, 207, 216, 649, 742, 779, 807, 1005, 1040, 1217 and 1218, and House Bills 77, 1176, 1628 and 1980; to the Committee on Financial Institutions - House Bill 487; to the Committee on Judiciary - Senate Bills 540, 571, 792, 1083, 1157, 1175 and 1238; to the Committee on Local Government - Senate Bills 279 and 352; to the Committee on Public Health and Welfare - House Bills 182, 979 and 1443; to the Committee on Revenue - Senate Bills 334, 810 and 900; and to the Committee on State Government Operations - Senate Bill 927 and House Bill 67.

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could have Members' attention. If you will come to the Floor, we have two Supplemental Calendars on their way where --

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

where roll calls will be necessary. So if you will please come to the Floor. First on the list will be Senator Weaver, Senator Bowles, Senator Sieben, Senator Klemm. Senator Weaver, on House Bill 2733.

SENATOR WEAVER:

Thank you, Madam President. I would move to not recede from Senate Amendment No. 1 on House Bill 2733 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2733 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Again, I will caution the Members: We are going to final action. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Just a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR SYVERSON:

Would -- would it be asking the Chair too much if we had Senator Bowles give us that same smile that she gave in the paper? Some of us didn't get a chance to see that. We'd like to see that again. Yeah, that's it. That's the one.

PRESIDING OFFICER: (SENATOR DONAHUE)

On page 2 of Supplemental Calendar No. 2 is House Bill 1278. Madam Secretary, do you have on file a conference committee report on House Bill 1278?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 1278.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Senator Bowles.

SENATOR BOWLES:

Thank you, Madam President, Members of the Senate. I would move to -- that the Senate approve the First Conference Committee Report on Senate -- on House Bill 1278.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Only a request that the sponsors tell us what's in the report.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

It -- I'm sorry. Could I postpone that -- a response to that question, since I don't have a copy of the Conference Report in hand?

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record, Senator. Oh. She's got -- just a second. Senator Bowles.

SENATOR BOWLES:

House Bill 1278, as amended, it replaces lines 23 through 25 with the following definitive identifications of controlled substances: methyl benzyl ketone, phenylacetone, or whatever it is, phenyl-2-propanone and -- that's about the only one I know - pseudoephedrine or any of, and it goes on. It identifies specifically for purposes of determining that there is an intent to -- to make methamphetamine.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator -- the question is, shall the Senate adopt the Conference Committee Report on House Bill 1278. And this is final action. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

wish? Take the record. On that question, there are 57 Ayes, 2 Nays, none voting Present. The Senate does accept -- does adopt the Conference Committee Report on House Bill 1278, and the bill, having received the required constitutional majority, is declared passed. Senator Sieben, on Senate Bill 73. Madam Secretary, do you have on file a conference committee report?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 73.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. Senate Bill 73 left the Senate as a shell bill, and in the House, they added an amendment dealing with the Department of Agriculture and the use of local police officers, sheriffs, mayors and other town officials to enforce provisions of the Meat and Poultry Inspection Act. That portion of their amendment was found objectionable to many parties. So what we've done with the Conference Committee Report is to remove those provisions dealing with granting of police powers. Now the only thing that's left in the bill would be the language that provides the exemption to farmers who slaughter or process poultry, raising that level from one thousand animals to five thousand animals. And I would move for the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 73. 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. The Senate does adopt the Conference Committee Report on Senate

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Bill 73, and the bill, having received the required constitutional majority, is declared passed. Senator Klemm. Madam Secretary, do you have on file a conference committee report on Senate Bill 171?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 171.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. Conference Committee Report on Senate Bill 171 does several things. Actually we -- the House recedes from House Amendment No. 1 and the Senate changes and replaces the lines 14 to 30. And what it really does is it allows non-home rule municipalities of a hundred and thirty thousand or fewer inhabitants to be able to allow the chief of police to appoint a deputy chief. And if the police department has fewer than twenty-five full-time police officers, they can appoint one deputy position, and if they have more than twenty-five, they can appoint up to two. The position has to be -- would be exempt, and it would have to be from those that were working for that department for five years. If, in fact, their rank does change, they would go back to the rank they had before. This is an agreement that was worked out with the FOP and the Police Chiefs Association. It's agreed. There's no opposition. I do ask for your concurrence and support on Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Lauzen.

SENATOR LAUZEN:

Just a could of questions for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Lauzen.

SENATOR LAUZEN:

Senator, does this cover fire departments?

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

No, they've been removed, at their request.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

And then, will this generally drive up the cost of local government or keep it the same?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, let's see, probably it would cost a little bit more if you pay the sergeant or whoever it is the salary of a deputy chief. I think it would add a little bit to that salary, but it gives them that rank and that authority to represent the municipality in the police department. It is being done now, but they call it administrative assistants or something like that, and they give them salary increases for that position. So I don't know if it really actually increases it or not.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?
Senator Klemm, to close.

SENATOR KLEMM:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 171. 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, 1 voting Present. The Senate does adopt the Conference Committee Report on

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Senate Bill 171, and the bill, having received the required constitutional majority, is declared passed. Senator Cullerton. Is Senator Cullerton on the Floor? Senator Rauschenberger. Senator Rauschenberger, on Senate Bill 1158. Madam Secretary, do you have on file a conference committee report on Senate Bill 1158?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 1158.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Okay. I think I...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- out of the record. Senator Cullerton. On Supplemental Calendar No. 2 is Senate Bill 242. Madam Secretary, do you have on file a conference committee report on Senate Bill 242?

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 242.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. When this bill passed the Senate 58 to nothing, we had put an amendment on, Senate Amendment No. 1, to modify the bill, and it -- it was improperly drafted. So one of the things that this conference committee does is to correct the amendment. The -- the bill created the remedy of suing to enforce compliance when a condominium developer fails to deliver statutorily required assets and information to the board of managers. As I said, we put an amendment on at the request of the -- I believe it was the Home Builders, but it was improperly drafted. Then over in the House,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

the House added Amendment No. 1, which protects condominium associations, boards of managers and individual unit owners, apart from those that are developer-related, from any liability to third parties arising from the developer's delays in providing delivery -- providing statutorily required assets and information to the board of managers. So with that, I would ask for your support. The bar associations are in support of the -- the bill. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 242. 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 55 Ayes, 2 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 242, and having received the required constitutional majority, is declared passed. Senator Walsh, for what purpose do you -- Larry Walsh, for what purpose do you rise?

SENATOR L. WALSH:

Thank you, Madam President. I inadvertently pushed No. I would like to be shown as a Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will show your intent. ...could have the Membership's attention. As you know, in these last waning moments of the Session, we have -- kind of hop-skip around. But for their information and Senators Noland, Senator Karpel, Senator Geo-Karis, we are going to go to Supplemental Calendar No. 3, which is Secretary's Desk, Resolutions. On page 2 of Supplemental Calendar No. 2, Secretary's Desk, Resolutions is Senate Resolution 133. Senator Noland, do you wish your resolution considered? Madam Secretary, read the resolution.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

ACTING SECRETARY HAWKER:

Senate Resolution 133, offered by Senators Noland, O'Daniel and Larry Walsh.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Noland.

SENATOR NOLAND:

Thank you, Madam President. This Resolution 133 essentially is supporting the Governor's decision to discuss with the -- the Federal EPA involving challenges of using ethanol in the Phase II Reformulated Gasoline issue in the City of Chicago, and we're trying to include -- make sure that ethanol is included in that plan, as well as in the three-county Metro-east area. I'd appreciate your support of this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it and the resolution is adopted. Senator Karpiel, do you wish to have your resolution, Senate Resolution 134, considered? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 134, offered by Senator Karpiel.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Resolution No. 134 directs the Office of Banks and Real Estate to conduct a study of safety and security issues surrounding the use of automated teller machines. Calls for a report by December 31st of this year, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Is there discussion? Is there discussion? Seeing none, all those -- the question -- the -- Senator Karpziel moves the adoption of Senate Resolution 134. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. 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. The Senate does adopt Senate Resolution 134. Senator Karpziel, on Senate Resolution 135. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 135, offered by Senator Karpziel.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Resolution 135 calls for the Department of Aging to appoint a task force to study the feasibility of remapping the Department on Aging's planning and service areas. These service areas were established in 1982 and there has been quite a population shift since then, and so we would like to see where the population shift is and the needs of those areas.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall the Senate adopt Senate Resolution 135. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the resolution is adopted. Senator Geo-Karis, do you wish to have Senate Resolution 138 considered? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 138, offered by Senators Geo-Karis and

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

DeLeo.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam -- Madam President and Ladies and Gentlemen of the Senate, this resolution endorses support of the United Nations Security Council Resolution 1218 and calls for steps leading to the demilitarization of the Republic of Cyprus. Cyprus was invaded by Turkey twenty-five years ago and the President of the United States has indicated, take all steps necessary to end the -- the -- to end the foreign troops on the Island of Cyprus. I ask for a favorable consideration, because it's a step in the right direction.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator O'Malley, on Senate Resolution 140. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 140, offered by Senators O'Malley, Petka, Viverito, Sieben and Karpel.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Resolution 140 denounces a study recently published in the American Psychological Association Digest which concludes and indicates that sexual relationships between adults and willing children are less harmful than believed and might even -- and might even be positive for willing children. Senate

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Resolution 140 finds that no State resources should be used by Illinois colleges and universities for this type of research and -- and, frankly, rejects the moral relativism contained in the report. Provided it's adopted, Senate Resolution 140, copies of it are to be sent to the Speaker of the House, the President of the U.S. Senate, the President of the United States, the Illinois Congressional Delegation and the governing boards of Temple's University, the University of Pennsylvania and the University of Michigan, which is where the authors come from, and the Board of Higher Education is requested to share a copy with each governing board of -- of our Illinois colleges and universities. Lastly, I want everyone to know that Senator Klemm had a similar resolution to deal with the same subject matter, joins with me in supporting this and requests -- and we both request here on the Floor and let you know that it is our intent to make sure that Governor Ryan receives a copy of this resolution as well. Would appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it and the resolution is adopted. Senator -- with leave of the Body, we will come back to Senate Resolution 146. Senator Rauschenberger, on Senate Resolution 147. Senator Radogno, on Senate Resolution 152. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 152, offered by Senator Radogno.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This resolution would create the Solid Waste Tipping Fee Surcharge Task Force, consisting of

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

fifteen members, including two {sic} (8) legislative Members. This is an issue that's come before the General Assembly a few times and has been difficult to resolve, and that is how the tipping fee is distributed in order to support local solid waste initiatives. Hopefully, by getting a lot of input from affected folks, we can come up with a plan that's acceptable to everyone.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Lauzen.

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

She indicates she'll yield, Senator.

SENATOR LAUZEN:

In this resolution, are there -- are there going to be members from counties that have open landfills?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

...is fifteen members: two legislative Members, one public member appointed by each Leader, as well as three public members appointed by the Governor. So I expect that if you speak with some of the folks appointing members, you could get that type of an individual on the task force.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Lauzen. Turn your light on.

SENATOR LAUZEN:

I would just make an observation that for this to be a fair representative task force, that we should have the folks who are receiving the garbage into their counties and communities. They must be represented or else the study just shouldn't be accepted as valid. Thanks.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Further discussion? Further discussion? Seeing none, the question is, shall the Senate adopt Senate Resolution 152. All in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, 1 voting Present. And the Senate does adopt Senate Resolution 152. Senator Parker, on Senate Resolution 156. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 156, offered by Senator Parker.
There are no committee or Floor amendments reports.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Resolution 156 declares May "Lyme Disease Awareness Month" and honors organizations and support groups that help educate the public regarding prevention, early detection and management of Lyme Disease, as well as Willy Burgdorfer, the doctor who was the Montana researcher and Scientist Emeritus of the National Institute(s) for Health for discovering the causative agent of Lyme Disease. I would ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall the Senate adopt Senate Resolution 156. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Radogno, on Senate Joint Resolution 39. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 39, offered by Senator Radogno.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This resolution simply encourages Congress to reauthorize the Older Americans Act this year. Currently it's extended on a year-to-year basis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted.

PRESIDING OFFICER: (SENATOR WATSON)

We are on Supplemental Calendar No. 3. Secretary's Desk, Resolutions. In the middle of the Calendar on page 2 is Senate Resolution 146. Senator Donahue, do you wish the resolution to be considered? Madam Secretary, please read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 146, offered by Senator Donahue. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. Senate Resolution 146 creates -- or, requests from the Department of Public Health to create a Special Committee on (the) Access and Availability of Emergency Medical Services in Rural Illinois, and the committee shall identify all ambulance providers located in a rural area by service regions and review and analyze the impact of funding, training, regulations and licensing on the access and availability of emergency medical services. We've been having some access problems and some sort of serious situation in some of our areas, and I would simply ask for your support of this resolution.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Senator

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Donahue moves the adoption of Senate Resolution 146. Those in favor, say Aye. Actually, we need a roll call. Those in favor, vote Aye. Opposed, vote No. 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 58 voting Yes, no voting No, no voting Present. Senate Resolution 146, having received the required constitutional majority, is adopted. We are now going to move to Senate Calendar -- Supplemental Calendar No. 4. Supplemental Calendar No. 4. There is only one item on that Calendar and that is House Bill 1812. This is final action. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to recede from Senate Amendments 1 and 2 to House Bill 1812.

Motion filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Let's see. I just -- these Senate amendments were the -- the -- let's see, the -- see, the issue was that we should have protection on the Internet for our children, the filtering devices. That was not accepted over in the House, and we'll bring that back in its own -- on its own bill at a future date. And I do appreciate the support that it received in the Senate, but I don't want to hurt the underlying bill that came from the House.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I think everybody ought to take a look at this. This deals with explicit sexual materials. Senate Amendments 1 and 2 that we are attempting to recede from, No. 1 says that -- it defines explicit sexual materials and the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

provision in this bill that said that the Board shall require a school that provides public access computer to equip the computer with software that seeks to prevent minors from gaining access to explicit sexual materials or obtain Internet connectivity from an Internet service provider, et cetera, et cetera. We put this amendment on in the Senate, and I wouldn't want anybody to feel that because of the fact that we took affirmative action with respect to this amendment, that by receding from this amendment and by doing so with a record vote, that somehow or other the Members are not in favor of what they did in the beginning with respect to -- to minors and explicit sexual materials. So I would rise, myself, in opposition to the motion to recede.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

I would just like to respond that I'll look forward to Senator Demuzio's, perhaps, cosponsorship as we bring that back at an appropriate time on its own vehicle or mechanism. I certainly feel as strongly, even more strongly, in the...

PRESIDING OFFICER: (SENATOR WATSON)

Actually, Senator, he didn't ask a question. Let -- let's proceed. Senator Welch. Senator Demuzio.

SENATOR DEMUZIO:

Well, why don't you just leave this bill where it is, find another vehicle, instead of putting all these Members through the action of receding from this type of a -- of a topic? All this is is an -- is an election issue, and nobody wants to be caught receding from an amendment that is doing something about trying to prohibit youngsters from getting explicit materials -- sexual materials on computers at school. I think you ought to leave this amendment alone. You ought to leave this bill alone and find something else. I'm not prepared to support this.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell. On...

SENATOR FAWELL:

Thank you -- thank you very much. You know, we had this discussion in the Appropriations Committee, and the problem is that -- and I -- I've got a lot of these Family-PAC people, believe me, in my district, and I have explained to them, it's got to be done at a local level for the simple reason that there's all kinds of computers out there. There is no way that the State can be responsible for coming up with programs for every single computer in the State and it has to be a local issue and a local expense. It would be -- as fast as the computers are being replaced in the school, there's no way that this can be done at a -- at a State level. And if people don't understand that, then that's their stupidity.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I agree with Senator Demuzio. We shouldn't be receding from this. Let -- you know, I don't think we should rely upon the House to pass something later on. That has never been a good policy and that's not a policy the Senate really has ever followed. But the bill requires that the school board -- the school board is required to provide a program that prevents minors from gaining access -- access to explicit sexual materials. They've got ninety days. If they don't comply, we'll revisit in the fall, but in the meantime, it seems to me to be the wrong message to send to recede from these amendments which were...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch, I think you got your wish, sir. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

I'd like to -- first of all, I'd just like to express my appreciation for the sentiments and the advice raised in the nonpartisan fashion. I'd like to take this out of the record.

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record. We apologize to the Members, but we are now going to go back to Senate Calendar Supplemental No. 2. On page 2 is Senate Bill 1158, under Conference Committee Reports, sponsored by Senator Rauschenberger. Out of the record. Do you -- please read -- do you have on file a conference committee report on Senate Bill 1158?

ACTING SECRETARY HAWKER:

Yes...

PRESIDING OFFICER: (SENATOR WATSON)

Madam Secretary.

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 1158.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For the first time ever I have a conference committee report that I'm not very happy with, and so I appreciate the Chair's patience with me, as I try to decide what I'm doing. We need to roll call vote this, but I would appreciate a Present or a No vote. We think we've got some other corrections that could go into Conference Committee Report No. 2. This deals -- the subject matter here deals with JCAR procedures only. The Member -- the Senate Members of the JCAR Committee are trying to change some procedures. We think we've reached agreement with the Governor's Office, so we'd like -- appreciate voting down this Conference Committee Report so we can file a better one that the Executive Branch feels they can sign. I appreciate a No or a Present vote.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1158. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 6 voting Yes, 34 voting No, 11 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senator Karpziel, for what purpose do you rise, ma'am?

SENATOR KARPIEL:

Thank you, Mr. President. I hope everybody is listening to me. There will be a Republican Caucus -- Republican Caucus in Room 212 at 4 o'clock, substantive matter on -- on the budget.

PRESIDING OFFICER: (SENATOR WATSON)

There will be a Republican Caucus in Room 212. Room 212, at 4 o'clock. Senator Demuzio.

SENATOR DEMUZIO:

We'll want a Democratic Caucus also at -- at 4 o'clock in Senator Jones' Office. And what -- are we postponing Rules from 4:15? Are we going to do that or...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio, the Rules Committee will still meet at 4:15. We'll stand at ease to the call of the Chair while the caucuses convene.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

the Committee on Environment and Energy, Conference Committee Report 1 to Senate Bill 24; to the Committee on Judiciary - Conference Committee Report 1 to Senate Bill 27 and Conference Committee Report 1 to Senate Bill 392; to the Committee on Local Government - Conference Committee Report 1 to Senate Bill 1202; to the Committee on Revenue - Conference Committee Report 1 to Senate Bill 53 and Conference Committee Report 1 to House Bill 542; and Be Approved for Consideration - Conference Committee Report 1 to House Bill 1845 and the Motion to Concur with House Amendment No. 4 to Senate Bill 876.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House. 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 refused to recede from their Amendment No. 2 to a bill of the following title, to wit:

Senate Bill 457.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, May 26th, 1999.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Is there any objection? Hearing none, leave is granted.

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 311, together with House Amendment 3.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Passed the House, as amended, May 26th, 1999.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages.

SECRETARY HARRY:

Message from the President, dated May 26th, 1999.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadline for final action on the following category of bills, with specific bills enumerated under this category to May 31, 1999:

State Government Operations - specifically, House Bill 279.

Signed by President Philip.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...intention of the Chair is to stand in recess -- the intention of the Chair is to stand in recess for the purpose of receiving paperwork from the House. No further action will be taken this evening. For the information of the Membership, the Senate will convene tomorrow at the hour of 10 a.m. Committees will be meeting, with the first block anticipated to meet at 11 a.m. Please check the Senate bulletin board for postings. Senator Philip, for what purpose do you rise, sir?

SENATOR PHILIP:

Madam President, Ladies and Gentlemen of the Senate, purpose of an announcement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Go ahead, sir.

SENATOR PHILIP:

We're going to stand at ease. I guess the House is going to run till about 8 o'clock tonight. So they'll be sending some -- we're going to stand at ease to collect all their paperwork that they send over. And we'll be in 10 o'clock in the morning. We'll have Rules, then go to committee and come back. Hopefully, the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

budget and everything will be ready to go somewhere around noon, 1 o'clock. Hopefully, do that and get out sometime late tomorrow afternoon, hopefully. And the Governor's having a party at one-half hour after we adjourn. Okay? Today. I'm sorry. I'm not sure about the House. After we adjourn. So in other words, a half hour after we -- no, we're not adjourning. We're standing at ease to collect the paperwork from the House. But nobody has to be here. We're not going to vote on anything at all. Yeah, so the Governor's party will start at 6:30. That is correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Governor's party will start at 6:30. We will be at ease because there's a lot of paperwork to be done. But there will be no further business to come before the Senate. Is that correct, Mr. Secretary? The Senate will stand in recess until the call of the Chair, and I will repeat Senator Philip's announcement: At about 6:30 p.m. tonight, the Governor's Mansion will be open to all of you. We reconvene tomorrow at 10 a.m.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR RAUSCHENBERGER)

The Senate will come to order. Messages from the House.

ACTING SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments numbered 1, 2, 3 and 4 to a bill of the following title, to wit:

Senate Bill 286.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

May 26, 1999

Action taken by the House, May 26th, 1999.

I have like Messages on Senate Bill 487, Senate Bill 629, Senate Bill 630, Senate Bill 878, Senate Bill 1079 and Senate Bill 1080.

PRESIDING OFFICER: (SENATOR RAUSCHENBERGER)

Without objection, the Senate accedes to the request for the conference committees of the bills just read. If there's no further business to come before the Senate, we stand adjourned until 10 o'clock tomorrow morning.

MAY 26, 1999

HB-0279 OTHER	PAGE	26
HB-0287 REFUSE TO RECEDE	PAGE	3
HB-1079 REFUSE TO RECEDE	PAGE	3
HB-1278 CONFERENCE	PAGE	6
HB-1812 RECEDE	PAGE	20
HB-1812 OUT OF RECORD	PAGE	23
HB-2733 REFUSE TO RECEDE	PAGE	6
SB-0073 CONFERENCE	PAGE	8
SB-0171 CONFERENCE	PAGE	9
SB-0242 CONFERENCE	PAGE	11
SB-1158 CONFERENCE	PAGE	11
SB-1158 CONFERENCE	PAGE	23
SB-1158 OUT OF RECORD	PAGE	11
SR-0133 ADOPTED	PAGE	12
SR-0134 ADOPTED	PAGE	13
SR-0135 ADOPTED	PAGE	14
SR-0138 ADOPTED	PAGE	14
SR-0140 ADOPTED	PAGE	15
SR-0146 ADOPTED	PAGE	19
SR-0152 ADOPTED	PAGE	16
SR-0156 ADOPTED	PAGE	18
SR-0156 RESOLUTION OFFERED	PAGE	2
SJR-0039 ADOPTED	PAGE	18

SUBJECT MATTER

SENATE TO ORDER-SENATOR DONAHUE	PAGE	1
PRAYER-SENATOR SULLIVAN	PAGE	1
PLEDGE OF ALLEGIANCE-SENATOR SIEBEN	PAGE	1
JOURNAL-APPROVED	PAGE	1
JOURNAL-POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	2
MESSAGE FROM THE HOUSE	PAGE	4
COMMITTEE REPORTS	PAGE	4
SENATE STANDS AT EASE/SENATE RECONVENES	PAGE	24
COMMITTEE REPORTS	PAGE	24
MESSAGES FROM THE HOUSE	PAGE	25
MESSAGE FROM THE PRESIDENT	PAGE	26
SENATE STANDS AT EASE/SENATE RECONVENES	PAGE	27
MESSAGES FROM THE HOUSE	PAGE	27
ADJOURNMENT	PAGE	28