

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

38th Legislative Day

May 10, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? Our prayer today will be given by Reverend -- Reverend Margaret Grove, First United Methodist Church, Springfield, Illinois. Reverend Grove.

THE REVEREND MARGARET GROVE:

(Prayer by the Reverend Margaret Grove)

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.

SECRETARY HARRY:

Senate Journal of Tuesday, May 8th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objection, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Wednesday, May 9th, in the year 2001, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval

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of the Journal, pending arrival of the printed transcript. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports House Bills 3375 and 3574 Do Pass; and House Bills 854, 1640, 1728 and 3307 Do Pass, as Amended.

Senator Peterson, Chair of the Committee on Revenue, reports House Bills 760, 843, 1094, 1813, 2113, 2392 and 3292 Do Pass; and House Bills 183, 1270, 3288 and 3289 Do Pass, as Amended.

Senator Klemm, Chair of the Committee on Executive, reports House Bills 1029, 1519, 1521, 1523, 1531, 1599, 2428, 2461 {sic} (2641), 2646, 3078, 3095 and 3392, all Do Pass; and House Bills 201, 263, 269, 333, 505, 604, 778, 1215, 1623, 1655, 2283, 2432, 2439, 2602 and 2807, all Do Pass, as Amended; Senate Resolution 88 Be Adopted; Senate Resolution 70 Be Adopted, as Amended; and Senate Joint Resolution 6 Be Adopted.

Senator O'Malley, Chair of the Committee on Financial Institutions, reports House Bills 1051, 1089, 2376 and 3008 Do Pass; and House Bills 1030 and 2538 Do Pass, as Amended.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports House Bills 1664 and 3203 Do Pass; and House Bill 2221 Do Pass, as Amended.

And Senator Burzynski, Chair of the Committee on Licensed Activities, reports House Bills 273, 1356, 1551, 1825, 2148, 2463, 2595 and 3194 Do Pass; and House Bills 1695 and 2391 Do Pass, as Amended.

PRESIDENT PHILIP:

Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

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SENATOR SULLIVAN:

Well, I think we all know that the big softball game is this evening and our colleague, Senator Silverstein, has brought down a very important fan, and he's joining us on the Floor today. If we could all welcome Senator Silverstein's son.

PRESIDENT PHILIP:

Well, please rise and be recognized by the Senate. Very nice to have you here, young man. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it's my pleasure to introduce to you today a lady who just became an American citizen, from Germany, who's my constituent from Winthrop Harbor, Illinois, Mrs. Verena Owen - V-E-R-E-N-A - and she's in the President's Gallery. And I would like you to welcome her here.

PRESIDENT PHILIP:

Will you please rise and be recognized by the Senate?
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 bills of the following title, to wit:

Senate Bill 39, with House Amendment 1.

And like Messages on Senate Bill 48, with House Amendment 1; Senate Bill 55, House Amendment 1; Senate Bill 93, House Amendment 1; Senate Bill 116, House Amendment 1; Senate Bill 216, House Amendment 1; Senate Bill 352 {sic} (252), House Amendment 1;

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Senate Bill 539, House Amendment 1; Senate Bill 606, House Amendment 1; Senate Bill 724, House Amendment 1; Senate Bill 900, House Amendments 1 and 2; Senate Bill 902, with House Amendment 1; Senate Bill 969, with House Amendment 1; Senate Bill 993, House Amendment 1; Senate Bill 1117, House Amendment 1; Senate Bill 1152, House Amendment 1; and Senate Bill 1514, with House Amendment 1.

All passed the House, as amended, May 9th, 2001.

PRESIDENT PHILIP:

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

As Senator Sullivan said, tonight is the game between the House and the Senate. One House Member said that the Senate Members are disgruntled, old and not able to do anything.

PRESIDENT PHILIP:

Pretty -- pretty accurate, Senator.

SENATOR GEO-KARIS:

Well -- no. No, no. I don't consider that accurate at all. I wasn't here for last year's ball game because I was in the hospital, but I'm going to be commentating that game tonight, and I expect all of you to be there and root for the Senate.

PRESIDENT PHILIP:

Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

For a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR KARPIEL:

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I'd like to introduce to the Senate -- I have a Page for today, Justin Clauer, from the St. Charles High School, the famous sick school that's closed down in St. Charles. And this young man is -- will be graduating from that school this year. And his mother up in the balcony up there, Michelle Clauer. Will you please welcome them to Springfield?

PRESIDENT PHILIP:

Will his mother please rise and be recognized by the Senate? Senator Bowles, for what purpose do you rise?

SENATOR BOWLES:

Point of -- personal privilege, Mr. President.

PRESIDENT PHILIP:

State your -- state your point.

SENATOR BOWLES:

I would like to introduce Julie Pisarek, who is a senior in Alton High School, who's here today to see how we do things in Springfield.

PRESIDENT PHILIP:

Please rise and be recognized by the Senate. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State -- state your point.

SENATOR TROTTER:

Thank you very much. Before these old men start going out playing ball tonight, I believe they should take advantage of the Men's Health Fair that's going on downstairs. Go get your blood pressure checked. Go get your prostate checked, and all those other things you need to have checked before you get out there playing that ball. So this is Men's Health Day in Springfield, and they have all those people down there looking out for you and

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for me.

PRESIDENT PHILIP:

Thank you, Senator Trotter.

PRESIDING OFFICER: (SENATOR WEAVER)

Going to page 22. House Bills 2nd Reading. Senator Mahar, on House Bill 12? Senator Parker, on House Bill 39. Senator Luechtefeld, on 185? Senator Dillard, on 222? Excuse me, no. 215, Senator Dillard. Do you wish to move the bill? Senator Parker, on 222? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 222.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Malley, on 231? Senator Madigan, on House Bill 250? Out of the record. ...Madigan, on 254? Senator Radogno, on 266? Out of the record. Senator Madigan, Robert Madigan, on 267? Out of the record. Senator Trotter, on 279? Senator Geo-Karis, on... Read the bill, Mr. Secretary. House Bill...

SECRETARY HARRY:

House Bill 279.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Geo-Karis, on House Bill 293? Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 293.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. ...Bill 335. Senator Dillard? Out of the record. Senator Sullivan, on House Bill 356? Read the bill, Mr. Secretary.

SECRETARY HARRY:

...Bill 356.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Woolard, on 417? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 417.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Lauzen, on 442? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 442.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 445. Senator Mahar. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 445.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Syverson, on 446? Read the bill, Mr.
Secretary.

SECRETARY HARRY:

House Bill 446.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for
consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Radogno, on 452? Read the bill, Mr.
Secretary.

SECRETARY HARRY:

House Bill 452.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Molaro, on 478? Out of the record. Senator Roskam, on House Bill 512? Out of the record. Senator Bomke, on House Bill 513? Out of the record. Senator Cullerton, on House Bill 549? Out of the record. Senator Burzynski, on House Bill 572? Out of the record. Senator Parker, on House Bill 579? Out of the record. Senator Woolard, on House Bill 638? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 638.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Link, on 643? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 643.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Watson, on 678? Out of the record. Senator Sieben, on House Bill 700? Out of the record. Senator O'Malley, on House Bill 789. Out of the record. Senator Sieben, on House Bill 842? Out of the record. Senator Cullerton, on House Bill 863? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 863.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for

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consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin, on House Bill 888? Out of the record. Senator Burzynski, on 889? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 889.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Burzynski, on 1096? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1096.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 1125. Senator O'Malley? Out of the record. Senator Radogno, on 1148? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1148.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

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Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Sullivan, on 1189? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1189.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Madigan, on 1465? Out of the record. 1466? Out of the record. Senator Parker, on House Bill 1493? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1493.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Syverson, on House Bill 1684. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1684.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and

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Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Dillard, on 1692? Out of the record. Senator Klemm, on 1709. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1709.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 1712. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1712.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 1812. Senator Munoz? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1812.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Petka, on 1840? Out of the record. Excuse me. Out of the record. Senator Obama, on 1887? Out of the record. Senator Molaro, on House Bill 1904? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1904.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Peterson, on 1970? Out of the record. Senator Molaro, on 2099? Out of the record. Senator O'Malley, on 2157? Out of the record. Senator Thomas Walsh, on 2207? Out of the record. Senator Sullivan, on 2220? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2220.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Hawkinson, on 2228? Out of the record. Senator Sullivan, on 2254? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2254.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Watson, on 2255? Out of the record. Senator Parker, on 2259? Senator Parker? 2259? Out of the record. Senator Roskam, on 2295? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2295.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator -- 3rd Reading. On 2301, Senator Dillard? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2301.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 2367. Senator Luechtefeld? Out of the record. Senator Madigan, on House Bill 2419? Out of the record. Senator Cronin, on 2425? Read -- read the bill -- out of the record. Senator Roskam, on 2426? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2426.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 2440. Senator Radogno? Out of the record. Senator Sullivan, on 2575? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2575.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 2662. Senator Molaro. Out of the record. Senator Robert Madigan, on 2665? Out of the record. Senator Rauschenberger, on House Bill 2844. Out of the record. Senator Hawkinson, on 2845. Senator Hawkinson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2845.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Obama, on House Bill 2847. Senator Obama? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2847.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Sullivan, on 2900? Read the bill, Mr.

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Secretary.

SECRETARY HARRY:

House Bill 2900.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Donahue, on 3015? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3015.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3050. Senator Karpiel? Senator Karpiel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3050.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Woolard, on 3055? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3055.

(Secretary reads title of bill)

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

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amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Peterson, on 3065? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3065.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Radogno, on 3126? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill -- or, 3126.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Larry Walsh, on 3137? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3137.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senate {sic} Bill 3179. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3179.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Parker, on 3192? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3192.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3262. Senator Cullerton? Out of the record. House Bill 3314. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3314.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for

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consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Rauschenberger, on 3347. Out of the record. Senator Mahar, on 3373? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3373.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Madigan, on 3462? Out of the record. Senator Rauschenberger, I should say. Senator Rauschenberger, on 3439? Out of the record. 3440? Out of the record. 3463. Out of the record. Senator Cronin, on 3566? Out of the record. Senator Robert Madigan, on House Bill 3576? Out of the record. Resolutions.

SECRETARY HARRY:

Senate Resolution 137, offered by Senators Weaver and Peterson.

It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DONAHUE)

...could have the Body's attention. On page 15 of today's Calendar is the Order of House Bills 3rd Reading, and the intent of the Chair is to take up the bills at that point where business was concluded yesterday. So, we will begin with House Bill 646. Senator Cronin? Senator Bowles, on House Bill 752? Oh! Sorry about that. Senator Myers. Senator Myers. Senator Thomas Walsh, on Senate Bill 800? Senator Parker, on House Bill 846? Senator Thomas Walsh, on House Bill 922? Senator Sieben, on House Bill 953. Senator Sieben? Senator Hawkinson, on House Bill 978? Senator Dillard, on House Bill 1000? Senator Bomke, on House Bill

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1008? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1008.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Actually, House Bill 1008 is a clean-up bill that was passed a year ago when we allowed the commission form of government counties, by referendum, to place members into district -- either three or five districts -- three- or five-member districts, what we failed to do is require the commissioners elected from a single district to live in the district from which they were elected. And be happy to answer any questions, if there are any. If not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1008 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 55 Ayes, no Nays, none voting Present. House Bill 1008, having received the required constitutional majority, is declared passed. Senator Shadid, on Senate Bill 1011 -- excuse me, on House Bill 1011. Senator Burzynski, on House Bill 1039. Senator Shadid, on House Bill 1041? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1041.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

...you -- thank you, Madam President. House Bill 1041 amends the Illinois Vehicle Code and the Unified Code of Corrections regarding suspended drivers. The requirement that a suspended driver take a driving course is conditioned on whether or not he or she had been under the age of eighteen at the time of suspension, rather than at the time of the application for reinstatement. So, there are no opponents to this. This is an initiative of the Secretary of State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1041 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 54 Ayes, no Nays, none voting Present. House Bill 1041, having received the required constitutional majority, is declared passed. If I could have your attention a minute. Just keep your conversations down. We're getting a little loud. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Senate Amendment No. 2 to House Bill 1908; refer to Executive Committee - House Joint Resolution 13, Senate Joint Resolution 26, Senate Joint Resolution 29, Senate Resolution 118 and Senate Resolution 137; refer to Insurance and Pensions Committee - Senate Joint Resolution 32; refer to Judiciary Committee - House Bill 524, Senate Amendment No. 1 to House Bill 512, Senate Amendment No. 1 to House Bill 888, and Senate Amendment No. 2 to House Bill 1970; refer to Local Government

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Committee - Senate Amendment No. 1 to House Bill 148, Senate Amendment No. 2 to House Bill 469, Senate Amendment No. 1 to House Bill 1810, Senate Amendment No. 1 to House Bill 2380, and Senate Amendment No. 1 to House Bill 3576; Be Approved for Consideration - Senate Amendment No. 2 to House Bill 176, Senate Amendment No. 1 to House Bill 2259, Senate Amendment No. 1 to House Bill 2290, Senate Amendment No. 1 to House Bill 2300, Senate Amendment No. 1 to House Bill 2315, and Senate Amendment No. 1 to House Bill 2440; Changes in Sponsorship - pursuant to Rule 5-1(c), sponsorship of House Bill 453 is changed to Senator Radogno from Senator Halvorson, sponsorship of House Bill 3073 is changed from Senator Noland -- to -- pardon me, changed to Senator Noland from Senator Munoz.

Filed by Senator Stanley Weaver, May 10th, 2001.

PRESIDING OFFICER: (SENATOR DONAHUE)

Again, on page 16, top of the page. House Bill 1199. Senator Philip? Senator Philip, on House Bill 1200. Senator Klemm, on House Bill 1201. Senator Klemm, on House Bill 1202. Senator Philip, on House Bill 1203. Senator Philip, on 1204. Senator Peterson, on House Bill 1277. Senator Peterson? Senator O'Malley, on House Bill 1302. Senator O'Malley. Senator Sieben, on House Bill 1478? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1478.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. This legislation creates the Dixon Railroad Relocation Authority and expands the territory of the current 25th Avenue Railroad Relocation and

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Development Authority and renames it the West Cook Railroad Relocation and Development Authority. This is identical legislation to what we previously passed in Senate Bill 400, which has been stalled over in -- in the -- in the House. So we'd like to pass this again and send this over as a -- a second bill. I know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1478 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 52 Ayes, no Nays, none voting Present. House Bill 1478, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 1630? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1630.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President and Members of the Senate. House Bill 1630 amends the Illinois Developmental {sic} (Development) Finance Authority Act relating to the Developmental Finance Board to change the number of members required for official action to nine from eight. Last year, this was one of the boards that was increased by the Governor's Office from fifteen to seventeen. In doing that, they neglected to add the number of members necessary for a quorum, and this takes care of that. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1630 pass. Those voting Aye. Those 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 54 Ayes, no Nays, none voting Present. House Bill 1630, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 1694. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1694.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amends the Emergency Telephone System Act. Provides that 9-1-1 information may be used by public safety agencies for the purpose of outgoing emergency calls. This is, in simple terms, the reverse 9-1-1 bill, as well as a reverse 3-1-1 bill for the City of Chicago. I know of no opposition.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1694 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 55 Ayes, no Nays, none voting Present. House Bill 1694, having received the required constitutional majority, is declared passed. With leave of the Body, we'll come back to House Bill 1696. The top of page 17 is House Bill 1700. Senator Peterson. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 1700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. House Bill 1700 expands the definition of "bulk vending machines" to include any machine containing unsorted confections, nuts, toys or other items designed primarily to be used or played with by children when a coin or coins of no more than fifty cents are inserted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1700 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 52 Ayes, 3 Nays, none voting Present. House Bill 1700, having received the required constitutional majority, is declared passed. Senator Weaver, on House Bill 1776. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. This is an issue that Senator Maitland has negotiated for the past three years, and as a result of his hard work and other sponsors working with him, last spring, the General Assembly approved Senate Bill 1541, setting new

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standards for tree trimming. Since this bill has been in effect, they have found that some -- there's some loopholes to the bill that need to be corrected, and this appears to be of concern to some of the -- by -- by way of negotiations, mainly. Most of the utilities involved have a neutral stance on the bill; although, there may be a trailer bill following this. So I'll try to answer any questions there might be regarding House Bill 1776.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1776 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 40 Ayes, 10 Nays, 4 voting Present. House Bill 1776, having received the required constitutional majority, is declared passed. Senator Klemm, on House Bill 1805. Senator Klemm? Senator Klemm, on House Bill 1810. Would you prefer to go back to House Bill 1805? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1805.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. I appreciate your courtesy. I got my bill numbers mixed up since they were in consecutive order. A couple years ago, my chief presiding judge, who is retired, was putting his home up for sale, and he found out he needed a home inspection. And the home inspector came out and checked his home and said he's got asbestos behind the living room walls, and his kitchen had some problems, and there was some other asphalt things

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that were wrong. So, they got the home inspector in. He tore out half his house. They found out there was nothing wrong with any of it and that the home inspector was really not too qualified at all, in fact, had really no verifications of background, except having done it before a few times. So that got me interested in finding out that we had home inspectors that are not even licensed or have any regulatory authority to do what they're doing. So, working with the industry, working with the Board of Realtors, who were so helpful in drafting this, we came up with legislation that we believe has answered all the concerns that we have. What it does is create the Home Inspector Licensing Act. It has a sunset regulation. It defines all the terms of who can and who cannot declare and determine themselves as home inspectors. Beginning in January 1st, 2003, it'll be unlawful for anyone not licensed under this Act to engage in the business of home inspection unless they have been -- have the certification and have the regulations from the Department of Banks and Real Estate. It's a long bill. It's a bill we spent three or four years of doing it. I'll read all the terms. I think you all understand what it is. I'll be delighted to explain it, but I don't want to take time of the entire Senate to do it. There's regulatory reasons. We set up a provision for some fees to be set that they all agree to. We end up having the -- create the Home Inspectors Administration Fund, where the dollars would go into, similar to what we do in the Board of Realtors. It's the same type of provisions we've done with them. I do ask for your support and will answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Demuzio.

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SENATOR DEMUZIO:

Senator, I -- I think there is -- if I -- if I get this correct, I think there's a need for this. This is that if -- if I'm purchasing a home and I want to know all of the ramifications to that home, I can go to one of these home inspectors now, who are not licensed and there's no criteria for them other than simply to say that they are a person who will inspect your home and give you some sort of an idea as to what condition that the house is in, is that -- is that what we're attempting to do here, is to -- to now license these people?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Yes. They -- many times, the -- the people who are buying the home or even the mortgage company will require a home inspection to find out if there's any problems with the property. This would at least be assured that those people that are selected have met certain minimal requirements of being qualified to be able to come in there and make these determinations. Right now, there is no such requirement at all, and that's where we had some problems in the industry.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Several questions. So, there's no requirement that this be done if -- in other words, this is voluntary upon the individuals who are purchasing the home. And I guess the other question is, why is it -- why is this to be administered by the Office of Banks and Real Estate and how much is it going to cost?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

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Well, first of all, it does not require a home have to be inspected, as you know, because if it is asked for, then you would have to do it. Secondly, because it follows and tracks and there's a nexus between home inspections and real estate - individual homes - we felt that that agency was the best one already equipped to do that. In fact, we're transferring some dollars, I believe, voluntarily, from the Board of Realtors to help set up this, which will be repaid later on. And it's a cooperative type of thing. So we felt we already had an agency. Let's not create some more bureaucracy; let's use the agency that has agreed to handle it. So it worked out pretty well for everybody concerned.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, there obviously has to be a cost factor, and normally we put these measures within Professional Regulation. God forbid, this -- isn't this a departure from previous practices of everything we've done with respect to licensing? Would this now put the Office of Banks and Real Estate in the business of administering a law? Would they be giving the tests? Who determines the qualifications of -- of the inspectors? I think there's a need for it. I'm just asking these questions as to -- as to procedure.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

We had addressed that, but the Office of Banks and Real Estate already license all the Realtors in the State of Illinois. We felt it was the most appropriate agency to do it. I mean, it wasn't really a problem, but this agency has had experience with Realtors. Realtors industry is so closely related to home

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inspections that it seemed like that was the proper nexus.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I rise in -- in full support of -- of this bill. The home inspectors licensure bill has been around a long time. We've talked with -- with everyone. A lot of negotiations have taken place. I share some of Senator Demuzio's concern about the placement of this in Banks and Real Estate, but we have to make sure that these functions are kept independent of each other. I mean, there will be a conflict at times between a home inspector and a Realtor, but the purpose of this bill is to make sure that homeowners have access to a service that is going to protect them, protect them at a time when they're making the most important investment of their lives. And so, we've got to make sure that these individuals are qualified and that they're providing quality services to potential home buyers. That's what this bill is all about, and that's why we need to move it along. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

For purpose of a question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

If, let's say, in some small community, Senator, you were to...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld, just a second, please. Continue.

SENATOR LUECHTEFELD:

If you were to go to -- let's say you wanted to buy a home,

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and you went to, maybe, a -- a contractor and asked him to look at that house, who was not licensed as a home inspector, and later found out that maybe the information that he gave you was not right. Would that person be liable at all?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, we -- we give exceptions, too. We -- we say that those persons that are licensed under -- under another Act, while they're doing the activities within the scope of their activities, are exempt from this. So you wouldn't have to have that contractor who comes in and says I'm going to remodel your kitchen or your bathroom or something have to be a home inspector. No, that wouldn't apply. You wouldn't have to do it. You don't have -- have to have an architect do that. They're already licensed under other provisions. So, we've covered that. So it wouldn't be a problem.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But many -- maybe contractors would not be licensed as home inspectors and, would think, would not have a license of any kind. They would come in and, you know, maybe ask them as -- to look at your home. Would -- and then you find out that some of the information they gave you was wrong. Under this bill, would they be liable at that -- at that stage?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

They -- they can't purport themselves to be a home inspector. If they do, that would be wrong. If they come in and just do it, that's your risk, I guess, that you're asking somebody, like even

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your next-door neighbor who may be a -- an engineer, "Come and give me an idea." That's something different. We're talking about those who are saying that they are in the business to do that, not just some contractor who gives you some opinion. I mean, there's a different thing. Plus, you can hold anybody liable if they give you wrong information, if they propose to do it under their regular course of business, but this doesn't cover everybody who says, "Gee whiz, you're -- you need a new kitchen fan," or "You need new tile." We're not trying to get into that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld. Further discussion? Senator Peterson.

SENATOR PETERSON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Peterson.

SENATOR PETERSON:

Senator Klemm, I -- I need further clarification. Say, in the scenario that you just told us about, where the judge had this work done and found that he didn't have to have it done, what if in the case of a licensed home inspector, this happened? What's the judge's recourse? Is this gentleman liable for those damages, or do I have to -- can I take his license away? Is there any board I can appeal to? So, just having a license may not give me the added protection that I think I need as a homeowner.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, I -- I don't know specifically what the law would be on having some civil penalties for somebody who does something wrong. I don't -- I can't answer you. I'm not a lawyer. I don't know.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

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SENATOR PETERSON:

Is there any appeal process for the licensure of this individual?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, we have provisions - a Class A misdemeanor - if they violate any of the provisions of the Act, but I don't know what -- what -- that's a violation if they say that you should do something and you find out you didn't have to do it. I guess that's the qualifications of the person. Anymore than an architect or a builder does something -- puts the door of your garage one place and puts it someplace else. I guess they're liable to correct it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Well, what I'm driving at is, most people who are licensed, there's -- there's some type of regulation -- a regulatory agency -- the State. Do I go to the Banks and this commission that -- issued the license? Is that where I make my complaint? I mean, will they have some type of a review board to hear complaints from homeowners?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

They do. We do have in the Act -- we create a Home Inspection {sic} (Inspector) Advisory Board...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm, just a second. Please take your conversations off the Floor. Keep your voices down. We've got debate going on. And please continue, Senator Klemm.

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SENATOR KLEMM:

We do create that agency for that reason, if there's any violations or you find out there's a problem. I think they would be interested in finding out if people who are not really qualified are proposing to be qualified. They would certainly -- could look at that, as we do for any licensee in the State of Illinois. We're trying to follow the same format as we've done in others.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

To the bill, Madam President: I think this is the first step forward of something that, as Senator del Valle has said, is long overdue, but I think that this is a work in progress. I think we're going to have to come back in future years and do some more work on it to make sure that all the avenues are clear for the homeowner, that they know how to appeal a complaint or how to lodge a complaint against one of these home inspectors and, also, what type of liability - do these people have to be bonded or what kind of financial responsibility will they have when they come out and give opinions to homeowners as to what they have to do to fix up their home in order to sell it. I will support the bill, but I hope we continue to work on it. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Walsh.

SENATOR T. WALSH:

Thank you. Senator, I -- my question, I guess, is similar to Senator Luechtefeld's question, and that is, my brother-in-law is

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a -- is a contractor and I buy a new house. And I don't want to have to pay three hundred and fifty dollars to have a licensed home inspector come in and check out the house for me. I say to my brother-in-law, why don't you come over? I just bought this place. Why don't you come in and -- and take a look at it and let me know that I'm not buying a place that's going to need a new furnace and a new roof and -- and all these things just after I buy it. He comes in with recommendations. We make the recommendations based on the five days that we have in the real estate contract. Are we breaking the law or is he breaking the law because he's not licensed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

No -- it's a different situation. Remember: Realtors have a nexus. They asked about why this was in the Board of Realtors -- in -- in Banks and -- there's a nexus because a homeowner is supposed to disclose any imperfections or problems they have in a home in a real estate transaction, and the real estate agent is mandatory -- mandated to provide that to a prospective buyer. That is the law. That's why there's a close relationship and why we have it in the Board -- or, the Department of Banks and Real Estate, because there is that coordination. Now, if you just want a contractor because you want to find out what somebody's home is, fine. You can do that. But a mortgage company may say, "Wait -- I just don't want your neighbor; I want somebody who's a home inspector who's qualified because I'm going to loan that money." Therefore, you're probably -- they wouldn't use your contractor because he's not, supposedly, in that business. Or if he is and wants to, fine, you go ahead and qualify and gets licensed to do that. It's not that difficult. We have a grandfathering clause in here also to take care of those who have done some of that

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before and wishes to become licensed. So in a case of I just want somebody to give me an idea of a home I'm going to buy but I'm not required to do it - because there's no requirement that you have to have a home inspector unless it's requested by either the Realtors, the -- the buyer someplace, or a mortgage company - yeah, you can have anybody you want give you any opinion you want. That's not what we're looking at. So you can do what you want. We still want to take care of the judge who was asked by the Realtors and the mortgage company to have a official home inspection, which wasn't done.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Yeah. You're right about the -- you know, it was just -- I think probably about three years ago that we passed legislation saying that the sellers would have to disclose -- you know, full disclosure and I -- and there is recourse with that. Well, what's the need of a home inspector then? We've got the disclosure. You know, if there is a problem with the house, and -- and -- and it has been identified -- say two weeks after I buy the house, the owner of the house that I bought it from said the air conditioner is in perfect condition, and then when I go to turn on the air conditioner after the closing, it doesn't work. You know, why -- why would I have needed the home inspector in the first place?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well -- the home seller is required to disclose only the things they know are faulty. A home inspector will determine that maybe the roof needs to be repaired in a year but there's no leaks right now. Maybe the furnace and the heat exchanger is rusty and ready to go but the homeowner never knew it, so he never told you

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about it. He may say, you know, "I see cracks in the foundation there." That may be of concern to you as a buyer, but the homeowner said, "I never had any leaks in it," but it could burst next week unless we do something. Those are what home inspectors will do that a property owner has no knowledge of. And this happens many times and that's just -- the -- the case that if you want the home inspector, you want somebody to be qualified to at least give you that honest opinion. We're not trying to create that everybody has the home inspector. That's not the purpose of this. But at least have those that are advertising, selling their services as qualified people to give you that information, that they are really, truly qualified to do it. Otherwise, you can continue to do what you want, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Yes. A question, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shadid.

SENATOR SHADID:

Yeah. Senator Klemm, if I were to buy a house and I hire a licensed home inspector, and after I buy the house, I find out this guy told me the house was perfect but there was all kinds of problems, what recourse do I have?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, I guess you could do a couple things. One, you can file a complaint with the Banks and Real Estate because they are required by this bill to follow with an investigation, first of all. Secondly, I guess you can hire a lawyer and go after him, because -- you better talk to your lawyer friends there, because I

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don't know any more than anything else. Now, Senator Shadid, it's the same thing that would apply if an architect or if a contractor or a real estate person or anybody else gives you false information, it's the same format that you would follow under those conditions. I mean, so we're not trying to create any more, but we're not making any less.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Well, the message I'm trying to put out is, I think it's important for people to realize that if you hire a licensed person or a non-licensed person and there is -- you're getting the wrong information, you still are going to have a problem. So, there's no recourse. So I think people need to understand that they should hire people that they know, if they can, that they truly know and they're licensed. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Klemm, to close.

SENATOR KLEMM:

Well, I -- I -- I think we've debated it quite well, and I appreciate all the pointed questions 'cause I think they needed to be answered. This is an area that everybody agrees we needed some protection for the consumer and protection for those that are even in the business. This allows them to meet the requirements that they're supposed to have to be qualified to give you that proper inspection. It's to help the Realtors who are trying to sell property at the same time. I think it's certainly long overdue. It passed the House unanimously. It's a long time coming. We'll try to make changes as we find deficiencies, if we do as we go along, but in the meantime, I do ask for your support. I think we should do it unanimously. Thank you.

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PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 1805 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 47 Ayes, 7 Nays, 1 voting Present. House Bill 1805, having received the required constitutional majority, is declared passed. Senator -- Senator Link, for what purpose do you rise?

SENATOR LINK:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR LINK:

Talking to the President of the Senate right now is a constituent, actually, of Senator Geo-Karis, and a pastor of a church in my district, Reverend C. L. Fairchild, who offered the invocation in the House today and is a guest. And I'd like us to welcome him to the Senate today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Reverend Fairchild, welcome to Springfield. Welcome to the Illinois Senate. Senator Larry Walsh, for what purpose do you rise?

SENATOR L. WALSH:

Madam -- thank you, Madam President. On -- on House Bill 1776, I inadvertently voted Aye. I'd like to be recorded as a No.

PRESIDING OFFICER: (SENATOR DONAHUE)

The "electronic marvel" will reflect your request. Senator Klemm, on Senate {sic} Bill 1810. Senator Dillard, on Senate {sic} Bill 1814. Senator Smith, on Senate {sic} Bill 1819. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1819.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith.

SENATOR SMITH:

Senator and President of the Senate and Ladies and Gentlemen, I'm very happy to be here with you today. And I come at this time with House Bill 1819, which attempts to address and requires the Department of Public Health to convene a task force to determine the feasibility and curriculum for a Certified Nurse Assistant Career Ladders Program. Describes the composition of the task force and requires the task force to report its findings and recommendations to the General Assembly on or prior to 1/1/02. House Bill 1819 attempts to address the problems of nursing home staffing deficiencies. The proponents of this legislation are the Health Care Association, Department of Health, the Illinois Nurses Association. I'd ask for a favorable vote from my colleagues.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? The question is, shall House Bill 1819 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 54 Ayes, no Nays, none voting Present. House Bill 1819, having received the required constitutional majority, is declared passed. Senator Larry Walsh, on House Bill 1883. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

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SENATOR L. WALSH:

Thank you, Madam President, Members of the Senate. House Bill 1883 is an initiative of the State Comptroller's. As many of you know, that local governments and special districts must file financial reports to the Comptroller's Local Government Division. This bill only deals with the reporting of special districts to make three basic changes. One, it clarifies that public housing authorities do not have to file with the Comptroller's Office if they already file with HUD. This is the current practice. Just -- this just clarifies it in the Act. It also exempts inactive drainage districts from reporting requirements. I don't think it's worth the State's time to have to go in and perform an audit when we know there is nothing there to audit. And thirdly, it permits the Comptroller to call off an audit if it's not worth the taxpayers' expense to conduct the audit. I know of no 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 1883 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 54 Ayes, no Nays, none voting Present. House Bill 1883, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 1900. Senator Syverson, on House Bill 1907. Senator Dillard, on House Bill 1908. Senator Hendon, on House Bill 1911. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Hendon.

SENATOR HENDON:

Thank you -- thank you, Madam President. House Bill 1911 would expand the list of -- of parents who can adopt these children who are going into DCFS placement to include stepparents, stepmothers, stepfathers. We know sometimes they are raising the children anyway, and this would just give them the opportunity to get the children and lessen the burden on the State. And I'd ask for a favorable roll call and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1911 pass. Those in favor, vote Aye. Opposed, Nay. 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, no Nays, none voting Present. House Bill 1911, having received the required constitutional majority, is declared passed. Senator Sieben, on House Bill 1915. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1915.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This legislation is an initiative of the Department of Natural Resources and would give DNR the power to enter into interstate compacts regarding conservation violators, and with Amendment No. 1, provide -- it would provide for additional license revocation and denial provisions under the Ginseng Harvesting Act. I know of no opposition. It is strongly supported by the Conservation police. Ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1915 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 55 Ayes, no Nays, none voting Present. House Bill 1915, having received the required constitutional majority, is declared passed. Senator Parker, on House Bill 1942? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1942.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What this does is provide that any person who forges or who has knowledge of that a FOID Card is materially altered or if they alter it or counterfeit it, that they commit a Class 2 felony. I would be glad to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1942 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 55 Ayes, no Nays, none voting Present. House Bill 1942, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 1954. Read the bill, Madam Secretary.

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House Bill 1954.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill does exactly as the synopsis says. Amends the Health Care Professional Credentials Data Collection Act by extending the date -- implementation date of the Act. Plain and simple.

PRESIDING OFFICER: (SENATOR DONAHUE)

There -- is there discussion? Seeing none, the question is, shall House Bill 1954 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 54 Ayes, no Nays, none voting Present. House Bill 1954, having received the required constitutional majority, is declared passed. Senator Sieben, on House Bill 1972. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1972.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This legislation amends the Public Library District Act of 1991 and would change the requirements for petitions on signatures for candidates for trustees of library districts to state that they would need two percent of the votes cast at the last election for library trustee

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or fifty, whichever is less. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1972 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 54 Ayes, no Nays, none voting Present. House Bill 1972, having received the required constitutional majority, is declared passed. Senator Luechtefeld, on House Bill 1973. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1973.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. House Bill -- or, 1973 amends the Township Code, allowing townships to increase property tax levies for township fire departments. Basically, all this bill does is -- the original bill simply made the township fire districts comparable to other fire districts in the State, and there are only two township fire districts in the State of Illinois. Both of them are in my district - Makanda and -- and Carbondale. We've amended that bill to take out the backdoor referendum, and it simply would be with a front-door referendum at the present time. I know of no opposition and would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1973 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. House Bill 1973, having received the required constitutional majority, is declared passed. Senator Bomke, on House Bill 1988. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1988.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1988 amends the Township Code. It would allow township electors to fill a vacancy in a township office at a special meeting if such vacancy is not filled within sixty days. Currently, this can be done with a township board. This just brings parity with the other elected officials. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is -- Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Walsh.

SENATOR T. WALSH:

You said that -- now, what does this change as to the way that we're doing it right now?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

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Currently, Senator Walsh, if a vacancy is not appointed or filled within a sixty-day period, after that period, with the exception of the trustees, that office would remain vacant until the next election. This will allow -- after the sixty-day period, it will allow a special meeting to actually elect a person for that position, if it is not filled in that sixty-day period.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

And who would be allowed to attend and vote at the meeting, and how would it be determined who would fill the vacancy?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

It's a good question. As I understand, at a special meeting, it's your electors -- any of your registered voters. Not unlike a caucus, except it's persons of both parties could attend.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Okay. So, whoever gets the most -- I mean, I have a township that is a hundred and ten thousand people. If in sixty days we don't elect a -- or, they don't -- the board doesn't decide amongst themselves who is going to fill a vacancy, there could be, in effect, a meeting of a hundred and ten thousand people and we'd have a vote of -- of who was going to fill the spot.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

You're -- you're correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Seeing

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none, the question is, shall House Bill 1988 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 50 Ayes, 5 Nays, none voting Present. House Bill 1988, having received the required constitutional majority, is declared passed. Senator Robert Madigan, on House Bill 1889 {sic}? Senator Lightford, on House Bill 2011. Oh! Sorry about that, Senator Hendon. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2011.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Thank you -- thank you, Madam President. Senator Obama and I are carrying this bill for Senator Lightford. I just spoke with her. She's still on bed rest at home. And Senator Obama, I'd like to yield to him to give a explanation about the legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill provides a identification card to persons who are leaving the Department of Corrections on release, parole or pardon. The problem that we're confronting right now is that oftentimes when inmates are finally released, they do not have an identification card. If they're stopped after they leave, they have no means of proving who they are. This will simply provide an identification card for them that they can then turn into the Secretary of State's Office to get an official identification

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card. I know of no opposition. It's supported by the Department of Corrections. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 2011 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 55 Ayes, no Nays, none voting Present. House Bill 2011, having received the required constitutional majority, is declared passed. Senator Roskam, on House Bill 2058. Senator Roskam, on House Bill 2088? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2088.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is an initiative of Attorney General Jim Ryan. What it's seeking to do is create a narrow exception for the juvenile records Act in the context of sexually violent persons committal hearings. Right now, those records are off limits under all circumstances. What we're trying to do is create a narrow exception for prosecutors to have access to those records in the limited circumstance that it's available and -- for information that's relevant as it relates to the committal of folks under the Sexually Violent Persons (Commitment) Act. There's some other elements of it that are, in my view, noncontroversial. That was kind of the mainstay of the committee discussion. I'll be happy to answer any questions, Madam President.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Obama.

SENATOR OBAMA:

You know, this is a difficult issue and so I'm not going to belabor this, but I do want to point out, this is a law that basically allows us to commit persons who've committed a sexually violent offense after they've served their time. So, let's say they -- they've been charged with some sexual assault - serious behavior, they've served their time. Afterwards, they're -- we now have a provision in the law that says, well, if we've determined that they are, in fact, dangerous, we can continue to commit them without due process and without the possibility of any mechanism to get them eventually released. Now, up until this point, there have been some safeguards in place that say that all the rules that apply to a criminal trial and the -- the rules of criminal evidence would apply to this commitment procedure because, although it's technically a civil procedure, the consequences are obviously very similar to incarceration. This eliminates that, in addition to the -- the changes in the -- in the juvenile records. I say that not because I think it's going to change any votes, but I think it's important to put on the record that, in fact, we are making it easier to commit these individuals and we're now also going to be able to access records, conceivably from twenty years previously, their juvenile records, to supplement or buttress our decision to commit these persons. So, I just wanted to get that read into the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further -- further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Roskam, is this going to violate, or are we finding a way to violate, doctor-patient privilege information?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Roskam.

SENATOR ROSKAM:

Senator, we are creating an exception to that and we're giving prosecutors, like I said in my opening remarks, limited ability to go into those records. So, yeah, absolutely. Under these circumstances, what I'm contemplating is a choice that I think the Senate should make, and the choice is this, Senator: That when it comes to a narrow exception to give the State the opportunity to look at the -- the past behaviors of the most violent sexual predators, I think that we should create this exception. But you're absolutely right, this is an exception.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Is -- I just want to be clear on -- on what we're doing here and why. The -- the people whose records we're going to -- if we pass this, go into, have they been convicted or -- are these after they've been convicted or charged? What -- what's the situation there?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, this -- we're amending the Sexually Violent Persons

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Act, and what the Illinois Supreme Court has said is that this is a civil proceeding. Now, the previous speaker pointed out, I think accurately, that there are elements of this that look like a criminal consequence, but the Supreme Court has said this is a civil proceeding. And the underlying nature of -- of the Sexually Violent Persons Act, that the General Assembly enacted a few years ago, is it says, look, there are people who are so sick and are so messed up and are so likely to be predators in our communities, we're unwilling to let those people out. And we have this Sexually Violent Persons Act that says once you've, quote, "done your time", the State has another shot at keeping you at a safe place. So this doesn't have to do -- we're not arguing about the -- the merits of the Sexually Violent Persons Act today. What we are arguing about is whether the State, under narrow circumstances, should have the ability to access those records in the past that could reveal a -- an incredible propensity for somebody to be a predator in our community.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Well, my final question is, doesn't a judge have the right, the opportunity and the ability to do this at sentencing or during trial? So why are we now backdooring -- and I'm not protecting any sexual predator or violent criminal at all, but I -- we have to be very careful. Isn't there a possibility that some prosecutors or some people who may just be -- out to get someone could -- could use this, since it does not have to be someone who's been convicted or charged already?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, you raise a good question. These are people who have

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been charged, convicted and have been incarcerated. Okay? Then they come out and the -- the question is, are they going to be held further as sexually violent persons. And even though your staff is jumping up and down, that's the right answer.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. -- Mr. -- Mr. President and Ladies and Gentlemen of the Senate -- excuse me, this bill is a good bill because I'm not going to be supporting anyone who's sexually violent, and I think it behooves us to do everything we can to protect the people from sexually violent people. And what this bill does is structure it so that it can keep them back further if they have been sexually violent. I mean, it's restricted to that -- to a limited extent in only the case of the violent sexual predator. And are we going to let these people go loose and do some more damage to people? Of course not. Let's vote for the bill, and let's stop this hogwash about protection. I'll protect the rights of any citizen, but when they're sexually violent and they hurt other people, I certainly will not protect those people who are sexually violent.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Shaw.

SENATOR SHAW:

We -- let me get this clear. Are we talking about people that are incarcerated?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

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Senator, we're talking about people that have been convicted, have been doing their time, and now the question is -- I'll -- I'll wait. I mean... Senator, I -- I was waiting for you to be done talking, 'cause I -- I assume you're asking questions at face value. We're talking about people that have been convicted, that have done their time, and now the Sexually Violent Persons Act, which is already the law, says, all right, the State gets one more chance to look at these folks, and if they're so dangerous, if they're such predators, then we're going to -- currently, the law is that the State has an opportunity to argue that these people are too dangerous and they need to be -- they need to be kept in a civil proceeding and they need to still be incarcerated. That is what this narrow exception is drafted towards.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Is -- is there a psychiatrist or what type of information is the State looking at when they make this decision? Is there a provision in this legislation for this person to be examined by a psychiatrist? Or how -- how does this come about?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, currently, both sides, both the State and this -- this defendant individual, would have an opportunity to present their case, and they would use, you know -- they would use psychological information, psychiatric information and so forth. So, what this does, is it says if there's some record in the past as it relates to somebody's juvenile conduct and a juvenile mental health record that's going to open up the eyes of the person that's going to be making the decision, this bill, Senator, says, let's give the person who's going to make that decision the access

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to that information. It's -- in my opinion, it's pretty narrowly crafted.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

The -- my -- now, this does not only apply to the person that have served their time and have been let out on the street. Some of these people would be out, I assume, from what you're saying. Is this -- is this decision made while they are incarcerated or after they have been released?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, this bill is silent as to that. The bill doesn't speak to any revision other than what I've described to the Sexually Violent Persons Act. So I don't know if there's a circumstance actually, if the -- if the State has ever gone back after someone saying, "You're sexually violent and we're going to try and incarcerate you for a crime that you've already done time on", if -- if that person's on the street. I don't know the answer to that question. But this bill is silent as to that question. This bill only -- well, among other things, but what we're really talking about today, is this bill says that that person -- their juvenile records as it relates to sexual violence and the propensity to be a predator, is going to be available to the State.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

I'm informed that it deletes their right to their constitutional guarantees and the -- if the bill -- if the bill is silent as it relate to a person that's now on the street, that

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means that the State could just grab up the person off the street and -- and incarcerate 'em. Is -- is that what -- is that what the bill does?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

No, Senator, that's the good news. The bill doesn't do that. But thanks for asking.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shaw.

SENATOR SHAW:

I don't want to prolong this, but it's my understanding that the bill does that and -- because it's absent on the subject. And you just admitted that yourself. And in the absence of this, and you are giving the State the power to exercise it -- its authority, both in and out of any penal institution, as long as the person has been convicted. You just admitted that. And don't you feel as though that that's sort of trampling on the rights of a individual?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, let's rewind the tape. That's not what I said. What I said was that this bill is silent as to the other aspects of the Sexually Violent Persons Act, other than what I've described. What I am advocating today, and what the previous speakers have all focused in on, is the narrow question of whether a -- juvenile mental health records should be available to the State if it would lead to this narrow concept of commitment under the Sexually Violent Persons Act. So, the -- the constructs, the hypotheticals that you've come up with, I haven't agreed to. I -- I think they're -- I mean, God bless you, but they're not a part of this

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bill nor are they a part of this underlying debate. So, you and I can agree to disagree on what the plain language of the bill says, but I think I've accurately and fairly portrayed it today.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shaw.

SENATOR SHAW:

I don't want to prolong this, but is -- is there anything in the current Act? As long as you say this bill is neutral on that subject, is it -- anything in the current Act to keep the State from going out, grabbing you up, to -- recommitting you into some penal institution?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, I guess the proof is in the pudding. Have you heard of, have you gotten any letters, E-mails, cards, notes, from anybody who has been plucked off the street inappropriately and locked up in a commitment action? I haven't. I don't think it's happening, and I don't think, you know, under the Sexually Violent Persons Act, which is not part of what we're debating today -- I mean, it's a nice conversation to have, but it's not what I'm advocating today.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Shaw.

SENATOR SHAW:

Well, to the bill: Certainly, you asked me a question, do I know anybody that's been grabbed up. I know we had about thirteen people on death row that was finally freed, that they was grabbed up and put in the penitentiary. Now, I'm not -- I'm basically for what you are doing, but certainly I don't want to trample on people's rights in the process of doing this. And I think you need to look at this and you need to make sure that the State will

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not trample on people's rights, in terms of grabbing people up off the street after they have -- have been released. In some cases, this bill goes a little farther than that. You don't have to have been committed and the State can still grab you up and put you back in -- or put you in. I think this is wrong. I think you need to look at this and reexamine the constitutionality of this bill, because when you take -- remove people's right -- and I think we have a problem with that, without due process. And I don't think this -- this bill speak to due process. I think you need to look at it. I think you need to probably work out an amendment somewhere down the line to straighten this bill out, because the courts over there -- the problem we have had in this State as it relate to many crimes in this State, and the death penalty being one of 'em. And people have been released -- just think of what would have happened if all those people had been put to death? And we don't want to be a part of that in this Body. And we didn't deal with the other issues, like you're dealing with here today. All of us are against sex offenders. I am. And I don't feel as though that those mentally ill people should be running out there. I think they should be examined, but I just don't think that we should have a broad brush and give the State a broad brush just to grab up people. And I would ask you to revisit this issue and look at it and maybe put an amendment on it.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We've had some interesting conversations. Some of it had to do with this bill. A lot of it didn't have to do with this bill. Just in summary: This bill is very narrow, and it says juvenile records in the very narrow circumstance of those that would be

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committed under our current constitutional action of a Sexually Violent Persons Act should be accessible, under a narrow circumstance. I think you-all understand it, and I'd appreciate an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 2088 pass. All 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 47 voting Yes, 1 voting No, 6 voting Present. House Bill 2088, having received the required constitutional majority, is declared passed. House Bill 2161. Senator Demuzio? Out of the record. House Bill 2247. Senator Dudycz. Out of the record. House Bill 2265. Senator Halvorson? Out of the record. House Bill 2266. Senator Halvorson. Out of the record. House Bill 2276. Senator Silverstein. Please read the bill, Mr. Secretary -- Madam Secretary, excuse me.

ACTING SECRETARY HAWKER:

House -- House Bill 2276.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. House Bill 2276 amends a number of laws to require the Illinois Department of Public Health to establish a uniform do-not-resuscitate order that may be used in all settings. There was two amendments: one to require the -- a representative from the Nursing Home Association to consult with this form; and it adds a provision to the Hospital Licensing Act clarifying which professionals may order restraints or seclusion under Illinois law. I'd ask -- take any questions.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 2276 pass. All 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's 55 voting Yes, no voting No, no voting Present. House Bill 2276, having received the required constitutional majority, is declared passed. House Bill 2277. Senator Dillard? Out of the record. House Bill 2282. Senator Tom Walsh. Out of the record. House Bill 2290. ...Dillard, do you wish to return this bill to the Order of 2nd Reading for the purpose of an amendment? This is House Bill 2290. Senator Dillard seeks leave of the Body to return House Bill 2290 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2290. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard. Senator Dillard, on the amendment.

SENATOR DILLARD:

...you, Mr. President, Ladies and Gentlemen of the Senate. This is merely a technical amendment that clarifies the bill. And it's a technical amendment. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

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

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No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 2296. Senator Dillard. Out of the record. House Bill 2300. Senator Roskam? ...Roskam seeks leave of the Body to return House Bill 2300 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order is -- 2nd Reading is House Bill 2300. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Roskam.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 amends the bill by specifying that out-of-state or federal convictions may be used on the basis for a Class X charge. Must contain the same elements of an offense classified in Illinois as a Class 2 or greater felony. I'll be happy to answer any questions. Why don't we just put the amendment on...

PRESIDING OFFICER: (SENATOR WATSON)

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

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Munoz asks leave of the Body to return House Bill 2315 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order

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of 2nd Reading is House Bill 2315. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. The amendment just requires the Illinois State Police to post on a website that it'll be illegal for the projectiles and they have to be sent out to federally licensed dealers in the State.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 2380. Senator O'Malley? Out of the record. House Bill 2436. Senator Burzynski? Out of the record. House Bill 2492. Senator Burzynski? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2492.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, what this bill does is add a provision to the Hospital

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Licensing Act to clarify who can -- what kind of health care professionals may order restraints or seclusion under the law. This is in response to recently adopted federal guidelines. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 2492 pass. All 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's 55 voting Yes, no voting Present -- no voting No, no voting Present. And House Bill 2492, having received the required constitutional majority, is declared passed. House Bill 2598 {sic}. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill -- pardon me, 2528.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. House Bill 2528 amends the Fish and Aquatic Life Code. Makes it unlawful to take or attempt to take aquatic life from the aquatic life farm without the consent of the owner of the farm. And it provides that a first offense is a Class A misdemeanor. A second or subsequent offense is a Class 4 felony. It also provides for trespass being a -- on the first offense, a Class B misdemeanor, and a second -- offense, a Class A misdemeanor. I know of no opposition. Would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Welch.

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SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield.

SENATOR WELCH:

Senator Luechtefeld, I haven't read a lot about this, but is there a lot of fish theft in southern Illinois?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Last year or year before, we started the fish co-op, which basically is an attempt to make this happen, especially in southern Illinois. From what I understand, a lot of other states have -- have -- this -- this particular piece of legislation is modeled after some of the southern states who have an awful lot of aquatic farming, and this legislation is modeled after that because they do have some problems. I mean, this is their livelihood, and this has become a major problem for a lot of them. And this is simply modeled after that.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

I -- I just hadn't heard about it. I've got one other question. How do they -- if you steal a fish, how do they preserve that evidence for the trial? What -- what do they do?

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

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Senator, I don't have any questions about the theft part or the trespass part. But is there an amendment on this bill that creates a two-hundred-foot zone in common lakes?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, there is. It -- it basic says there -- there is a two-hundred-foot buffer zone surrounding cages or netpens that are clearly delineated by buoys of posted aquatic life farm.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Are -- are some of these farms on lakes where you have other people who own property and have access to the lake?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

In -- in southern Illinois, some of these will be on some of the strip pits in the coal mines, which, you know, a strip pit may be a mile long. And these -- you can, for instance, with permission, boat or whatever, but must stay two hundred foot away some of the cages. The -- these are -- when they're kept in a strip pit, they're usually kept in cages, rather than simply swimming free in the -- in the lake.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Are -- are any of these farms on non-strip pit lakes where there would be private property ownership of parcels on the lake which would give those people who own those homes or cabins access, normally, to the entire lake?

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Senator Luechtefeld.

SENATOR LUECHTEFELD:

Not that I know of.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not -- Senator Luechtefeld? The question is, shall House Bill 2528 pass. All 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's 54 voting Yes, no voting No, no voting Present. House Bill 2528, having received the required constitutional majority, is declared passed. House Bill 2534. Senator Burzynski. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2534.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Vehicle Code. Provides that vehicles of the Illinois Emergency Management Agency and the Department of Nuclear Safety are authorized emergency vehicles and allows those vehicles to use red and white or blue oscillating, rotating, or flashing lights. This is a safety issue so that we can get those emergency -- vehicles in and out of areas that they need to be into.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2534 pass. All 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

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record. On that question, there's 55 voting Yes, no voting No, no voting Present. House Bill 2534, having received the required constitutional majority, is declared passed. House Bill 2539. Senator Sullivan. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2539.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2539 amends the Pawnbroker Regulation Act. It requires that -- all pawnbrokers to record serial numbers on all items that they receive that bear serial numbers and keep those records for three years. And it allows the Office of Banks and Real Estate to examine records of pawnbrokers. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 2539 pass. All 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's 55 voting Yes, no voting No, no voting Present. House Bill 2539, having received the required constitutional majority, is declared passed. House Bill 2552. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2552.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

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SENATOR SIEBEN:

Thank you, Mr. President. This is an initiative of the Illinois Department of Public Health and their responsibilities to ensure a self -- a safe milk supply in the State of Illinois. Defines "milk tank truck" to include bulk milk pickup tanks and milk transport tanks, and this now would comply with the USFDA's Pasteurized Milk Ordinance. There's no objection, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 2552 pass. All 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, 55 voting Yes, no voting No, no voting Present. House Bill 2552, having received the required constitutional majority, is declared passed. House Bill 2563. Senator Philip. Senator Pate -- Pate, would you -- yes. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2563.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2563 amends the Criminal Justice Information Act, increasing the membership two. One shall be the Appellate Court Public Defender and the other one will be public member. It increases the board from eighteen to twenty. Be happy to answer all questions.

PRESIDING OFFICER: (SENATOR WATSON)

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Any discussion? Any discussion? If not, the question is, shall House Bill 2563 pass. All 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's 55 voting Yes, no voting No, no voting Present. House Bill 2563, having received the required constitutional majority, is declared passed. Moving on to page 20. Top of page 20, we have House Bill 2564. Out of the record. House Bill 2566. Senator Noland? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 2566.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 2566 is an initiative of the Office of Banks and Real Estate. It essentially creates a framework for investigating and disciplining alleged escrow violations or -- irregularities.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 2566 pass. All 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's 55 voting Yes, no voting No, no voting Present. House Bill 2566, having received the required constitutional majority, is declared passed. House Bill 2905. Senator Philip? Out of the record. House Bill 2911. Senator Philip. Out of the record. House Bill 2914. Out of the record. House Bill 2917. Out of the record. House Bill 2920. Out

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of the record. House Bill 3002. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3002.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill amends the Mental Health and Developmental Disabilities (Administrative) Act and deletes provisions requiring the Department of Human Services to prepare an annual plan regarding service and programs of the Department. Makes other various changes. A lot of these items are already taken care of in reports that the Department has to make to the Comptroller and also to the Auditor General. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Shadid.

SENATOR SHADID:

I don't have a question, Mr. President. I have a comment.

PRESIDING OFFICER: (SENATOR WATSON)

Proceed.

SENATOR SHADID:

I think this is a great bill. I totally support it, and I hope everybody else does, too.

PRESIDING OFFICER: (SENATOR WATSON)

Well, thank you very much. Any further discussion? Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

Just ask for a favorable vote after that.

PRESIDING OFFICER: (SENATOR WATSON)

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The question is, shall House Bill 3002 pass. All 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? ...the record. On that question, there are 54 voting No -- 54 voting Yes, no voting No, no voting Present. House Bill 3002, having received the required constitutional majority, is declared passed. House Bill 3003. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3003.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. Chairman. This legislation extends the Department of Human Services' Office of Inspector General for another two years till January of 2004. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, the question is, shall House Bill 3003 pass. All 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's 55 voting Yes, no voting No, no voting Present. House Bill 3003, having received the required constitutional majority, is declared passed. House Bill 3004. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3004.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Robert Madigan.

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SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 3004 is an initiative of the Comprehensive Health Insurance Plan and makes a couple changes in the Plan Act. First of all, insofar as determining what constitutes a break in coverage when determining eligibility, it changes that period of time from 63 days to 90 days. Then, it also provides that a federally eligible individual is not deemed to be ineligible due to the fact that he is eligible for coverage under Part A or Part B of Medicare, as long as that eligibility for Medicare is for disability and not for age. There is no opposition to House Bill 3004. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3004 pass. All those in favor, vote Aye. Opposed, vote No. 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's 54 voting Yes, no voting No, no voting Present. House Bill 3004, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 3014? Senator Rauschenberger on the Floor? Out of the record. House Bill 3024. Senator Rauschenberger. Out of the record. House Bill 3068. Senator Lightford. ...the record. House Bill 3071. Senator Donahue? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 3071.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

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Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3071 does something that I think is very much needed. A number of years ago, you'll remember that there was difficulty in our hospitals getting their engineering designs and all these projects approved through the Department of Public Health and they had a major backlog. So what we did was increase the fees to hospitals in order to pay to reduce this backlog. That has happened and taken place, and things are happening at good speed now and we have excess in this fund. So what we would like to do is reduce the fees for our hospitals, and that's what this legislation does. And I would ask -- reducing the fees, and ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3071 pass. All those in favor, vote Aye. Opposed, vote No. 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's 55 voting Yes, no voting No, no voting Present. House Bill 3071, having received the required constitutional majority, is declared passed. House Bill 3125. Senator Sullivan? Out of the record. Top of page 21. House Bill 3128. Out of the record. House Bill 3145. Mr. Secretary, please read the bill. ...Donahue wishes to return to the Order of 2nd Reading House Bill 3145 for the purpose of an amendment. Is there any objection? And I'm hearing none. Leave is granted. On the Order of 2nd Reading is House Bill 3145. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

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SENATOR DONAHUE:

Thank you very much, Mr. President. Amendment No. 1 simply makes reimbursement for electors the same as we do for legislators in regard to per diem. And that's all Amendment No. 1 does. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

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

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3188. Senator Klemm? Senator Klemm? Out of the record. House Bill 3204. Senator Sieben? Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3204.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation amends the Illinois Architecture Practice Act. Adds a definition of "responsible control" and changes references from "construction documents" to "technical submissions". The architecture industry feels that these changes better reflect the work product and scope of practice of architects. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3204 pass. All those in favor,

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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's 55 voting Yes, no voting No, no voting Present. House Bill 3204, having received the required constitutional majority, is declared passed. House Bill 3209. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3209.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Tom Walsh. Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 3290 {sic} amends the Freedom of Information Act to exempt computer graphic systems from disclosure when disclosure could reasonably be expected to produce private gain or public loss. And I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

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

SENATOR SULLIVAN:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Sullivan.

SENATOR SULLIVAN:

Senator, as you know, our legislative district maps are put together using computer mapping systems. And when they are done, the shapes of those districts are stored in files which describe them in computer-readable form. Is it your legislative intent that these computer-readable files describing the shapes of legislative districts be available for the election officials --

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exempt -- would they be exempted from the Freedom of Information Act under your amendment in House Bill 3209?

PRESIDING OFFICER: (SENATOR WATSON)

Very thoughtful question. Senator Walsh, you would like to respond?

SENATOR T. WALSH:

Not only did he have a question, but it was a good question. The answer is no, Senator. That is not my intent.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Run that by me one more time, will you, Senator, please? I wasn't paying attention.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh, to run it by one more time.

SENATOR T. WALSH:

No, Senator, that is not my intent.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, Senator Walsh, to close. Question is, shall House Bill -- Senator Demuzio, do you wish to proceed, I guess, with another question?

SENATOR DEMUZIO:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

When we -- when we preserve these records, these disks, who -- who has access to them when -- when it's over?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

When the -- yeah, the -- the -- the staff of whatever the

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agency would be and -- and so forth. And what we're trying to do here is we're trying to not allow, for instance, if a governmental agency has put together, at great expense to the taxpayers, a -- information, that somebody couldn't come in -- a developer or somebody couldn't come in and -- and -- and purchase this information and be able to gain, privately, from information that has been put together at the expense of the taxpayers.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Do they -- do -- who has access now? I mean...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Yeah -- it could be -- it could -- anybody. I mean, it could be FOI.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Tom Walsh wishes that House Bill 3209 pass. All those in favor, vote Aye. Opposed, vote No. 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's 55 voting Yes, no voting Present, no voting No. House Bill 3209, having received the required constitutional majority, is declared passed. House Bill 3214. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

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Thank you, Mr. President. House Bill 3214 amends the Criminal Code by creating the new offense of theft of advertising services. The new offense prohibits the knowingly attachment of insert -- or insertion of an unauthorized advertisement in a newspaper or periodical with the intent to redistribute the advertisement to the public. A violation of the offense is a Class A misdemeanor. This emanated out of a situation, I believe, in Pekin, where Mr. Hale inserted -- went around, opened boxes, where he put in whatever the cost of the paper was, took the fifty papers, inserted some materials in there, and also, I guess, he had some other paper carriers that also inserted in there. And we're asking that this be a Class A misdemeanor. It's supported by the Attorney General and the Anti-Defamation League.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Welch.

SENATOR WELCH:

I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, in my area, during a political campaign, often when we go to the door of a constituent, they'll have a newspaper there. And a lot of times the people will insert somebody's card into that newspaper. Now, under this, is this going to be an offense?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR PETERSON:

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Unless you have the authorization of the newspaper or the distributor.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, sometimes that's the only place to put your -- your information, your card, or your -- your leaflet. I don't -- I don't see why -- I don't see how that steals anything from the newspaper. That is a -- the homeowner -- when that paper is delivered, it's not the property of the newspaper anymore; it's the property of the homeowner. I don't see how that can be an offense if your giving it to the homeowner and he is accepting leaflets. The same leaflet if you put it in the door, has the same effect. I -- I don't see why that should be an offense, and it seems to me that should be an -- an exception.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Peterson, do you wish to close?

SENATOR PETERSON:

Well, first, in -- in the -- response to Senator Welch's comments. An individual can put the pamphlet underneath the paper; they can put it on top of the paper. They can't put it in the paper. What you are -- you're doing is depriving that newspaper of the funds that they would receive if you went and gave them those pamphlets to insert to distribute. There are other ways to get around it. I don't think that your -- your problem with this is something that's not -- that can't be dealt with by a precinct captain or somebody else to make sure that they don't have an offense against the -- the newspaper. I ask for your support of the bill, as amended.

PRESIDING OFFICER: (SENATOR WATSON)

He was closing, Senator Welch. The question is, shall House

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Bill 3214 pass. All 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 53 voting Yes, 2 voting No, no voting Present. House Bill 3214, having received the required constitutional majority, is declared passed. House Bill 3217. Senator Donahue? Out of the record. House Bill 3246. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

House Bill 3246 provides that a second or subsequent offense for speeding in a school speed zone or construction zone is a fine of three hundred dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Any discussion? If not, the question is, shall House Bill 3246 pass. All those in -- all those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yes, 1 voting No, no voting Present. House Bill 3246, having received the required constitutional majority, is declared passed. House Bill 3247. Senator Donahue? Out of the record. House Bill 3264. Senator Rauschenberger? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3264.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an administration bill repealing a no longer used and not active nuclear safety education program. Appreciate getting it out of the statutes.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Clayborne. Any discussion? If not, the question is, shall House Bill 3264 pass. All those in favor, vote Aye. Opposed, vote No. 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's 55 voting Yes, no voting No, no voting Present. House Bill 3264, having received the required constitutional majority, is declared passed. Senator Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR CLAYBORNE:

To my right is Rose -- Rosemarie Brown, I'm sorry, who is a constituent of mine, who is the -- over the Chamber of Commerce in Granite City. I'd like for the Senate to -- to recognize her.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Well, we're glad to have you here. Welcome to the Senate. House Bill 3377. Senator Bowles? Madam -- Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3377.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3377 is the industrial hemp bill. This Act will provide the authority necessary for the University of Illinois to embark on a study - a study - of industrial hemp as a viable crop in the State of Illinois. House Bill 3377 addresses all of the concerns of the Governor's Office, as well as concerns that were raised by the State Police. Western Illinois University is included in this legislation to study the impact on law enforcement and the crime lab in the State of Illinois. I would appreciate a favorable roll call, and I will be happy to address any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. Speaker, Ladies and Gentlemen of the Senate. When this bill first came up -- oh, there you go -- thank you, Mr. President. Sorry, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Apology is accepted.

SENATOR ROSKAM:

Thank you, sir. When this bill first came up in the -- the last Session, I -- I voted Aye, and I am a reluctant opponent of this now. And I'm not going to ask the sponsor to yield. I know that her heart is pure as the driven snow, and she's standing here as an advocate for agriculture in her community. And I respect her, and we all admire her for that. But as I started to take another look at this bill, having just voted Yes, kind of on inertia, and thinking that it was sort of a generally good -- good thing for agriculture, I became more and more reluctant about it.

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And I became reluctant for a few reasons. Number one was, I started to get letters from folks who are in favor of marijuana legalization that said, "Wow, would you please vote in favor of this bill?" And I know that -- that the proponents of this are trying to decouple this from marijuana legalization, but in my opinion, you can't decouple this. This is not strictly an agriculture initiative. This is an initiative that, in my view, is going to have a ripple effect all across our culture, arguably. I think it's most instructive -- there's a letter that Speaker Denny Hastert wrote to the Governor about this same basic issue. And he said a couple of things. I don't often want to read at length, and I'm not going to read at length, 'cause that generally means that somebody's not prepared. But let me just read a couple of comments from Denny Hastert when he wrote to the Governor asking him to oppose this bill. He said, "I served on the Health and Environment Subcommittee on the House Commerce Committee and I had the opportunity to hear testimony on both sides of this issue." Then he goes on, he says, "It's impossible to distinguish between low and high THC plants, making it easy to mix high THC plants into a fiber crop." He says "The office of National Drug Policy concluded, in 1997, that {sic} every proposed use of industrial hemp..." -- "for every proposed use of industrial hemp, there is an existing market of raw material available that's cheaper to manufacture and with better market incentives. The ready availability of other low-production-cost raw materials has been a major reason for a twenty-five-percent drop in worldwide hemp production in the past three decades." He says that -- "This bill would require a new government bureaucracy for enforcement and surveillance." And then this, for me, is sort of the most instructive part of this, because when I -- and -- and we've all seen this. You can sort of -- from a legislative point of view, you get a sense of kind of the company that the legislation itself

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is keeping, not the well-intentioned sponsor. "Proponents for legalizing marijuana, confronted with overwhelming public disapproval of legalization of illegal drugs, have devised two new strategies - the first being the medical use of marijuana question, and the second, industrial hemp." He said, "These twin strategies are designed to circumvent long-standing federal law..." and so forth. You get the nature of his comments. There were similar comments that came from the drug czar under the Clinton administration. So what am I saying? I'm saying that, in my opinion, the stakes are too high on this and that this is not worth putting at risk, arguably, kids in a culture that we are all desperately trying to keep from drug use. I think, for me, most instructive was when I got a copy of High Times magazine, which is not a regular part of my reading, but -- it's pretty rough stuff. I -- I -- you know, I hadn't really been exposed to this before. It's -- it's rough, it's pretty nasty, and so forth. But, wow, are they interested in this bill. They are focused in on this bill. They -- their -- their members are learning about this bill and they're tracking this bill. And why are the editors of High Times magazine talking about this bill? Because they know that this bill, notwithstanding the well intentions of a good sponsor, this bill is inextricably linked to the legalization of marijuana. So, in my opinion, and as a -- or, as a Yes vote in the past on this, I'm asking you to reconsider this. I think that there are numerous ways for us to help agriculture. I think there are numerous ways for us to study things. But the ripple effect and the cost benefit of this, in my view, is not worth it. And I would ask that you vote No or Present. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. In all due respect to the previous

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speaker, I think we're getting a little overwrought here. All this bill does is ask the the University of Illinois to do a study of the use and possible industrial use of industrial hemp. There's no, no, no implication that any of this is going to be talking about the use of it and that it's going to increase the use of -- of marijuana, or anything of that nature. And I think if we're interested in -- in stopping drugs, one of the things we'll be able to do with this study is to -- it could help us to eliminate the psychotropic elements of THC and learn how it's used and maybe eliminate it, not make it more profuse in our society. And I think it's a -- a sad day and age if any of us here are afraid to vote for something that's going to give us more information and -- and data. So, I salute the sponsor for the hard work that she's done on this, and I would say that we would really be back in the Stone Ages to close our eyes here and not be open to ways that we can use this product to strengthen the economy of Illinois. And I would ask all my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Well, first of all, I agree with Senator Roskam in his admiration of the sponsor's capabilities and motives, so I'd like to join in the compliment of your -- your work. I also do, though, disagree on this bill. Let me also respond to the speaker who just told us that we may be afraid to vote for more information. That is not what this is about. Just this morning, in Commerce and Industry Committee, we were told by the Department of Commerce and Community Affairs, with a budget of 1.8 billion dollars - that's eighteen hundred millions of dollars - that they didn't have two-hundred-thousand-dollar chunk -- actually, in General Revenue funds, it was a hundred thousand

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dollars to study the impact of legislation on small business in Illinois. This is a matter of how we allocate our money, as opposed to are we afraid to get more information. I also went through - and I have the same experience that I'm not as familiar with the magazine High Times - but the synonymous use of the words "marijuana" and "hemp", whether its hemp tours or -- the granddaddy of modern hemp movement, unfortunately I think it -- that we would be sending a -- a mixed and conflicting signal, especially to our young people. As far as the concerns in agriculture, let me ask the -- the sponsor if she would yield for a question.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Lauzen.

SENATOR LAUZEN:

The -- according to crop projections that come from Niels Hansen-Trip, Canadian Manager, Industrial Hemp Regulations, who's responsible for issuing the licenses to grow hemp, the concern there is farmers being diverted -- diverting possible monies and time to studying a problematic crop that has no established market. Let me ask you if you're familiar with the same numbers that this person is quoting. In 1999, the first year that Canadian farmers could legally plant hemp, thirty-five thousand acres were planted. In the year 2000, thirteen thousand five hundred acres were planted, and it's projected that even fewer acres will be planted in 2001. These are people who've gone through the whole cycle. What is your impression of the statistics from this reputable source?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

I'm sorry. Would you repeat the question, please?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator -- Senator Lauzen.

SENATOR LAUZEN:

The concern is diverting possible monies -- and the context of the question is diverting possible monies and time to study a problematic crop that has no established market, as opposed to putting our money where we can do some more productive uses. The question is, what is your impression of the study that was conducted by Niels Hansen-Trip, the Canadian Manager of Industrial Hemp Regulations, who's responsible for issuing license, who say that in 1999, the first year that Canadian farmers could legally plant hemp, thirty-five thousand acres were planted. In 2000, thirteen thousand five hundred acres were planted, and it's projected that even fewer this year? What's your impression of the -- of that study?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Thank you, Senator Lauzen. My impression of that question is the same as the one that was asked when soybeans were introduced in the State of Illinois. There was the opinion that they were absolutely valueless. They would not be a productive economic crop for the farmers of the State of Illinois. We all know what has happened with the soybean crops. And -- and we know that by studying, by -- by experimenting, by working with these -- these plants, they -- we have developed a soybean crop that is feeding the world, so to speak. However, we have reached the point in agriculture where the rotation crops are not sufficient anymore. The rotation crops are not supplying the farmer with a sufficient income, and that's why many of them, most particularly up in the northern part of the State of Illinois, are selling off some of the richest farmland: Because they can't make a living on the farm with the crops that are available in a rotation manner now. This

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bill - this bill - asks for a study. Where would we be if every time something new was presented, that we shut our ears and our eyes and turned off our brain, and said, no, no, it's not going to work, it's not going to be viable? At this point, they're even making parts of automobiles. And -- and I'm sorry that I don't have Mr. Behrensman {sic} (Behrensmeyer) here today to show you the lining that is being made from industrial hemp that is being put in the automobiles.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles, there are other questions. I think...

SENATOR BOWLES:

Oh.

PRESIDING OFFICER: (SENATOR WATSON)

You're not closing, we're -- we've got...

SENATOR BOWLES:

I'm not -- I'm not closing. I was just preaching.

PRESIDING OFFICER: (SENATOR WATSON)

Well, we enjoyed your sermon. Senator Cullerton. Oh, I'm sorry, Senator Lauzen, you have -- okay.

SENATOR LAUZEN:

Just -- just a follow-up question. What is the amount of dollars to be expended on this study?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

There are no public dollars going to be expended on this -- this study at all. That has been taken out of the bill at the request of the Governor.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

And -- and how much will be spent by whatever group is going

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to be doing this study? Is that in one of our universities, if I heard you correctly? How much will be spent to do this study by someone?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

We don't -- we had a -- a figure that was projected when we had the original bill. However, at this point, I can't tell you exactly, because in talking with the University of Illinois people, Dr. Briskin and -- and his associates, we -- we did not come up with a figure. But it's not going to be public money.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Do -- do I understand correctly, though, that any money that is spent on this cannot be spent on something else? Therefore, if you could give me a projection, your best estimate. You're asking for the Legislature to okay that a study -- that we go out and do a study -- or that someone does a study. What is your best estimate? It doesn't have to be precisely accurate, but generally accurate, of how much will be spent.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Well, Senator Lauzen, I don't know what impact that would have on the success of this bill and on the success of the study, because it's not going to be public money. It's going to be private funds, corporate funds. Not State money.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Well, then -- then it would be more helpful if you could

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answer that question, but I understand. After asking it twice, I'll -- I'll do you the courtesy of not asking it a third time. But the point that I made, as I was asking the question, was that money that is spent for this study cannot be spent for other type of studies. I would rise in opposition to the -- to the bill based on the dollars being better spent on studying things that we need more; the conflicting message that it sends, especially young people; and then people who have already gone through the hemp studies and the hemp plantings are cutting down on growing this crop. Thank you very much.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. I rise in support of the bill. I would suggest, this is one of the rare times when it would be helpful, on your computer, if you just click on -- go from analysis to actual legislation, 'cause this bill is, like, on one screen, and you can actually read the language of the bill. And I think it would be very helpful, for those people who have spoken in opposition, to just look at the language of the bill. So, for example, to the last speaker, asked about the money, says here on line one of the -- page two, University of Illinois and Western Illinois University "...under this Section is subject to the availability of funding, which will be sought by both institutions from federal, private, corporate, and other sources other than the State of Illinois." So there is no -- they can ask for private money. If someone decides to give them the money, yes, that's money that wouldn't go to the study that you wanted to have funded with State money, because someone decided they wanted this money to go to this study. If you look at the beginning of the bill, she defines "industrial hemp". She makes it clear in her bill that it's the definition that was used

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in Canada, where it doesn't exceed .3 percent, on a dry weight basis, of THC. It gives the University of Illinois authorization to do a study. Now, the arguments that were made against this bill was that you already had the results of the study. You already know the results of the study. It doesn't work, it's not -- it's not really going to sell, and it's really a secret plot, by the people who want to legalize marijuana, to -- to get this study in. There is no way the most liberal Members of the Illinois General Assembly want to legalize marijuana. No one's ever put that bill in. No one is advocating that. If you hear about it on a national basis, the only people that talk about that are -- are some very interesting people who want to legalize drugs, which -- many of whom are libertarians, who are really from the -- arguably from the right wing. This has nothing to do with that. She passed a bill last year which we supported. The Governor vetoed it for specific reasons concerning the money. She addressed that with her amendment. And all we're asking for is for the study, not using any State dollars. Now, come on, please. This is an easy one to vote for. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Madam President. I, too, rise in support, as a cosponsor of this legislation. Want to commend Senator Bowles and Representative Lawfer, who have worked for the last two years with the Governor's Office to address his concerns that he outlined in his Veto Message on this legislation. They have specifically addressed those concerns, the issues of the zero percent of THC in the testing product. They have addressed the law enforcement concerns, so that now that the State Police are neutral. And they've done a very good job, as Senator Cullerton just outlined, in the actual language of this bill, making it

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very, very narrow and dealing only with a study. We have one of the premier land grant colleges in the United States in the University of Illinois. They do all kinds of research. And I think you could look a lot -- at a lot of their research projects today and try to make some kind of linkage to something relative to drugs. That's been done with this -- with this issue. Now to the question of no viable market for the products that can be made from industrial hemp. Pretty hard to develop a market for a product that's been illegal to produce in this country since World War II. So, how do you know? So why not study it? So why not study it? Why not allow the University of Illinois? The things they're doing at the University of Illinois, in terms of biotechnology, genetic engineering, I have no question in my mind that, very quickly, they can alter the genetic makeup of industrial hemp so that it will be very easy to identify it, by leaf texture, by leaf color, by stem quality, all kinds of things that they can do through genetic engineering and genetic enhancement, to make a very differentiable product from commercial marijuana, smokable marijuana, whatever you want to call the -- hallucinogenic drug. I also believe they can conduct this research in a very controlled manner, and that's basically why we're doing this, is because you have to, to comply with federal law in order to have the opportunity even to conduct a study. So all this is, is about study, and I think it's unfortunate that we're trying to couple this with a movement by the drug culture to expand and legalize marijuana. I don't think that's at all what this is all about. And my final point is that Illinois agriculture critically needs another rotational crop. You know, our farmers, if you have 'em in your district and talk to 'em, they're struggling. They cannot make a decent living just raising corn, soybeans, hogs and cattle. This crop has been proven to be viable and -- and easily -- easily grown in World War II. The potential

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for some products are significant, in terms of the fiber, the oil, and things that can be used from it. Last night I was at a meeting at the Illinois Rural Affairs Council and we talked about a variety of the problems that rural Illinois is having today, struggling. We need a product, some type of a product, some type of a crop, in -- in Illinois to help provide a greater profitability for farmers and keep people on the farm, keep our rural communities viable. If this should ever develop into an industry in this State, because of the nature of the fiber products you're dealing with, you would have to build, as we did in World War II, many small regional processing plants, because you can't afford to ship big truck loads of the bundles of -- of the fiber of the tall stalks of this around the State. You have to have processing plants very close to where the product is grown. That has the potential to create significant number of jobs in processing this product. So, for all these reasons, I think it's at least reasonable to provide for the study at the University of Illinois and at Western Illinois University and support this legislation at this time. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. I rise in opposition to this legislation. Just look who the opponents are: the Illinois Drug Education Alliance, the Illinois Church Action on Alcohol Problems, the Illinois Alcoholism and Drug Dependence Association, Concerned Women of America, and Educating Voices. I didn't bring a copy of my High Times with me, but I wish I had because there's some things in there we all need to read. I certainly agree with Senator Roskam on this, and I urge a No vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

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SENATOR BOWLES:

I would -- I would just ask for a favorable vote, and I would appreciate that. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

The question is, shall House Bill 3377 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 38 voting Aye, 16 voting Nay, 1 voting Present. And House Bill 3377, having received the required constitutional majority, is declared passed. House Bill 3491. Senator Weaver. House Bill 3492. Senator Weaver. House Bill 3493. Senator Weaver. House Bill 3494. Senator Rauschenberger. House Bill 3495. Senator Rauschenberger. With that, we will go back to page 13 and start on the -- at the beginning of House Bills 3rd Reading. And we'll finish -- then go down to where we started today. So, we're on -- bottom of page 13 on the Calendar. House Bill 2. Senator Mahar. All right. Page 14, at the top is House Bill 27. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 27.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Myers.

SENATOR MYERS:

Thank you, Madam President, Members of the Assembly. This amends the Counties Code and Township Code to authorize township boards to formally request the county board to demolish, repair, or enclose dangerous and unsafe buildings in unincorporated areas. If the county board refuses to do so, this legislation gives townships new authority to demolish, repair, or enclose dangerous

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and unsafe buildings or uncompleted and abandoned buildings. Townships may also remove garbage, debris and other hazardous, noxious, or unhealthy substances or materials. There's a court procedure that has to be followed, and this is just so that the townships and the counties can both clean up our areas and make sure that after procedures that often are two-, or three-, or four-year procedures, these unsafe buildings can be demolished.

PRESIDING OFFICER: (SENATOR KARPIEL)

...discussion? If not, the question is, shall House Bill 27 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 54 voting Aye, 1 voting Nay, none voting Present. And House Bill 27, having received the required constitutional majority, is declared passed. House Bill 60. Senator Watson. House Bill 126. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 126.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill amends the Criminal Code by providing stronger sentences for the delivery of designer drugs like ecstasy. And it brings the laws governing these drugs in line with the sentencing structure of LSD and cocaine distribution. Additionally, it changes drug-induced homicide and drug-induced great bodily harm by including any delivery of any controlled substance that results in the death or great bodily harm of another. From the City of

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Chicago to the suburbs to downstate Illinois, the use of ecstasy is sadly sweeping Illinois. And these drugs are literally killing children who are being told it's a harmful experience, but it is a very deadly thing. Ecstasy has started to overtake cocaine and heroin as the drug of choice among young people with sometimes deadly consequences, particularly when it's mixed with the sedating drug of GHB, according to the University of Illinois at Chicago Medical Center physicians. In 1988, to show you the spread of this drug, the Chicago police seized just eleven ecstasy tablets, but one year later, they seized nearly seventy-three thousand. Ecstasy has now overtaken heroin as the number one drug in Europe, and if it happens in Europe, it's going to start happening here in the United States. Ecstasy is easier to make, it's cheaper to buy, and we're going to continue to see more and more of it. And it's time to get tough on this killer drug now. I think a lot of children don't understand what they're taking. There's a lot of peer group pressure, and that's why they're doing it. They think ecstasy is a fun thing. We had a gentleman who testified from here in Springfield, how he lost his daughter. And just to close, Madam President, ecstasy is very, very potent. And when these children take these drugs, especially at parties called "raves", their body temperatures go up to nearly a hundred and eight and a hundred and nine degrees. They have seizures, they dehydrate, and they die. And, again, it is time to put this drug, which is a killer of young people, in line with heroin and other hard drugs like LSD. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

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Indicates he will.

SENATOR OBAMA:

I voted for this bill to get it out of committee, and I -- I want to say why. I agree, actually, with the basic statements that were just made that ecstasy is similar, in its potentially harmful effects to our children, from any of the other drugs that we already make illegal. And so, I think that one of the things that this bill does is to level the playing field, so to speak, on a drug that is an increasingly significant problem. And so, I -- I want to acknowledge that. I also want to acknowledge that I don't have strong objections to that portion and provision of this legislation that makes the drug-induced homicide using rave {sic} similar to drug-induced homicide using other drugs. I think that's appropriate as well. I -- I stand very briefly just to make a point, and we had a long discussion just previously about industrial hemp. I know that the issue of drug use and the criminalization of drugs is a -- is an emotional issue and an important issue, but I did want to raise this one point. And I don't suspect that this will alter any votes today, but I think it's worth us taking pause for a moment and thinking about this. One of the things that this bill does, which will make it comparable to cocaine and ecstasy -- or -- or, cocaine and some of the other methamphetamines and some other drugs that already exist, is it will make possession and potentially -- and -- and distribution of these substances Class X felonies. I want us to be clear on what that means, because sometimes I think, you know, without too much reflection, we vote on these drug bills and not -- and we don't think as carefully as we need to about the consequences. A Class X felony means that for possession, just to take one example, for fifteen grams of cocaine, a person can be sentenced to not less -- must be sentenced to not less than six years and not more than thirty years in prison. Not less than six

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years and not more than thirty years in prison for fifteen grams of cocaine. This bill essentially adds an additional drug to this list. But I think that just for sake of comparison, our statute -- another Class X felony is aggravated sexual assault. If a woman is raped at knifepoint, violently, that perpetrator of that violent crime stands to get six years to thirty years. So, we essentially treat the possession of fifteen grams of cocaine in the same way as we treat a violent rape. Now, some of us may think that that's good policy. But I would suggest that at some point - and I suspect this is not the point; it -- it's not going to happen this Session, and it's not going to happen during the course of this debate - we are going to have to step back and think about what we're doing here, because we are currently spending over a billion dollars a year to incarcerate folks, many of whom are nonviolent drug offenders and we're keeping them for extraordinarily lengthy periods of time. I will make one more point and then I will stop talking. It turns out that a disproportionate number of the youths that are sentenced under these drugs -- under these laws are African-American and Latino youth. There was a study that was just recently done that showed that while half of all drug cases involving white youth and youth of other races result in former -- formal processing, three quarters of drug cases involving African-American youth result in formal processing. It turns out that every study has shown that white youth and African-American youth and Hispanic youth utilize drugs at approximately the same rate, possess drugs at approximately the same rate - if anything, the utilization among whites is slightly higher - but the extraordinary proportion of persons who are incarcerated as a consequence of these laws are African-American youth. Let me put it another way, and I don't think it's necessarily just a race issue; I think it's also a class issue. I think that there -- if there's anybody in this

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Chamber who has a child who, at some point, makes a stupid mistake and ends up having fifteen grams of cocaine or ecstasy or what have you in their possession, there's not a person in this Chamber who would not hire the best lawyer and fight tooth and nail and argue that it made no sense for that child to have their life thrown away for sixty {sic} to thirty years. There's not one of us here who would not do that. And there's not one of us who wouldn't think that we were morally justified in saying that our child should not receive six to thirty years for a single mistake. There are a whole bunch of people in this State whose children make that mistake and are put away, essentially, for life. And I think that, at some point, we need to think about that.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Well, thank you, Madam President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

SENATOR MOLARO:

What's the amount that's needed to trigger this -- what amount of ecstasy are we talking about that would trigger this particular statute?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

A delivery of fifteen pills or fifteen grams.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

How many pills are -- are in a gram, would you know? Or is a gram about the size of a pill? At least that's what I think, but

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I wanted to hear it from the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

I think a gram is about one pill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR DILLARD:

Watson's...

SENATOR MOLARO:

Yeah, couple quick questions. With -- with delivery, it's also, from what I read in the statute when it had the cocaine, it's delivery or intent to deliver is the statutory language. Is that the language here?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Yes, Senator Molaro, that's a very good point. In Senator Barack Obama's example, mere possession's not a Class X felony. You got to have possession with intent to deliver, and I think that's an important thing to distinguish.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Molaro.

SENATOR MOLARO:

Well, I'm glad you said that, because that's -- that's the bone of contention. I think you just hurt your case. Like we're going to stop this bill. But let -- let -- let me make this point for those of you who've never practiced. It -- it is -- obviously the drugs are the scourge of this nation. We've done a lot of education about cocaine, crack cocaine, heroin, and all these other drugs for many, many years. The problem with ecstasy as -- I'll use your own words, Senators. Sometimes at some of these

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parties they pass 'em out like candy. I mean, not to quote some popular TV program and if you watch the Sopranos, you'll -- and that's how you pronounce it, by the way, Soprano. If you watch the Sopranos, they're giving away this -- this ecstasy like it's candy. Kids are fifteen, sixteen years old. They haven't realized that this drug has reached the same type of scourge that cocaine has. They haven't been educated enough. It -- the thinking isn't there yet. And let me tell you about the law too. Intent to deliver. Do you know why they use the word "deliver or intent to deliver"? Does anybody have any idea? 'Cause delivery's simple. You catch the guy selling it or giving it. You would never lead intent to deliver. Intent to deliver would be that anybody who has a certain amount on 'em is presumed to be intending to deliver it, because no one would carry fifteen pills on 'em. If you're going to carry fifteen pills, and you're going to take one a day, why would you have it? You're -- it's your intent to deliver. That's how they get intent to delivery. So, the point I'm trying to make, to bring it in to Senator Obama, is we have a lot of sixteen-, seventeen-, eighteen-year-olds that our high schools have not spent enough time, nor has there been enough education, to let them know what we, their State fathers -- whatever -- and mothers, whatever you call us, are going to do to them and what kind of penalties. We haven't let 'em know yet that if one of our children or grandchildren goes out with three friends and says, "Hey, we're going to a party, give me eighteen pills, we're going to have friends there," okay, that's a hundred and fifty dollars and they're going there with three of their high school friends and they get caught with these pills, that's intent to deliver. And if they pass 'em out and someone dies, and it's their best friend, never intending that, they must go to jail from six to thirty years. Not "may" go to jail, "must" go to jail. And I'm just saying that we haven't given it -- enough education

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to our children to enhance this one. We've enhanced penalties across the board, and in my opinion, sometimes too soon. Certainly not the opinion of this Body. And all I'm saying, when we take a look at this one, we -- before we put this kind of penalty, we have to send clearer messages. This is -- from the sponsor's own mouth, this is a very difficult problem across the board. Kids are doing this all over the place. And they're passing it out to friends, and they're carrying fifteen, eighteen pills with 'em. And that's intent to deliver. If there's any other lawyers on that side, or prosecutors, they'll tell you that's intent to deliver, when you catch 'em with possession of that amount. It's -- that's -- that's what you get. And if someone were to die from that, these kids would be doing six to thirty years. And I think we have to give a little more education before we -- we -- we put the hammer of that kind of penalty on the youth of our society. They need to be educated first, then we hammer 'em. But to hammer 'em without education, without letting 'em know how bad this is, and until they catch on to that, I think is wrong.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam -- Madam President and Ladies and Gentlemen of the Senate, I agree about education, but I think we have been educating and educating and educating about the danger of drugs -- of unauthorized drugs for -- ever since I've been in this house. And I think it's time that we realize that some of this is very dangerous that is going on. I attended a lecture on ecstasy drugs, and they tell me that ecstasy drugs actually fries the brains of these young people who insist on taking them. Now, how else are we going to warn the young people that they can't be doing these things? By sitting back and giving them more

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education? For what? So they can figure out how to avoid getting caught using ecstasy drugs? I think we're trying to save their lives, for heaven sakes. We're not trying to hurt them, but it's time that they assume the responsibility of realizing that if they're going to use unauthorized drugs, they're going to be in trouble. And I support the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator DeLeo.

SENATOR DeLEO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I'd like to respond to my dear friends and colleagues on my side, Senator Obama and Senator Molaro. In 1989, we passed the Automatic Transfer Act which said that if you're selling drugs -- dealing drugs in a high school -- around a high school, park, or school, or public building in Illinois, you could be transferred as an adult and be tried as an adult. Senator Molaro touched on a point. He said with the "intent to deliver". When we passed that bill, the intent to deliver was -- we -- we came up - the State's attorneys and the -- and the Bar Associations - of a certain amount of drugs. Person carrying a certain amount of marijuana, certain amount of cocaine, a certain amount of pills was an intent to deliver, because no individual would have that amount of drugs with them. So it wasn't for personal consumption. This wasn't to go get high one night. It wasn't to go to a club and drop a pill and do some ecstasy. This person is trying to deliver drugs. Drug dealing is wrong. We do not want drug dealers around schools, parks, playgrounds, CHA buildings, public buildings. And if you deal drugs, the General Assembly has come, in their wisdom, that you should go to the penitentiary. If there's a death, God forbid -- yesterday's headlines screamed out, LaTanya Haggerty's family gets eighteen million. There's people saying that eighteen million dollars is too much. What is a price on a life? Eighteen

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million? A hundred million? Two hundred million? I don't think -- if a person dies -- if a person dies from a drug dealer, that person should do thirty years in the -- in the State correctional facility. When we redid the Safe Neighborhoods Act, where over we spent our Christmas holidays here in Springfield, we changed the law from automatic transfer for drug dealers; that it's now State's attorney discretion. And the same thing -- the State's attorneys have a lot of discretion when they want prosecute these cases as juveniles or adults. So that provision is now in the law. We changed it to discretionary. This is the right thing to do. We're sending a very -- it's a popular drug. Senator Molaro mentioned it's -- it's even used in TV series, HBO specials. Let's send a message to the children. This is all about the children and we're there to protect the children from drug dealers, not say, "Okay, go out and do pills, go out and sell drugs, go to the clubs and get high, and nothing's going to happen to you." You're going to get punished, and the message is, very simply, here in the General Assembly: You're going to jail. And I think that's the message that we want to send out to the community and to the community leaders and -- there's a parent or principal or community leader will agree with us. They do not want drug dealers in their community. And this is what it's about: It's about making money, it's about selling drugs. And I don't think that's the message of this Assembly. I'd ask for an affirmative vote on this bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you -- thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

Indicates he will.

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SENATOR HENDON:

Senator Dillard, is there a age requirement on this, or can a fourteen- or a fifteen-year-old, who is caught with these fifteen pills, will they get six to thirty years in jail?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Dillard.

SENATOR DILLARD:

Senator Hendon, if they're a juvenile, they're treated under our juvenile laws.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

SENATOR HENDON:

Well, there -- there was a recent study that under this automatic transfer to adult system, that eighty-six percent of youth who are automatically waived to adult court over drugs are black. Eighty-six percent. So you have a lot of fifteen- and sixteen-year-olds from my neighborhood who are caught with one or two five-dollar amounts of crack doing adult time. I'm going to vote with you on this bill, but I want to say one thing and I want it to be clear to the Members of the General Assembly: Ecstasy and the drug that you are going after right now is primarily in the white community. The only thing this bill does that brings me any kind of peace in my mind, is it levels the playing field where white youth will now go to jail just like black kids. When we come back and solve this, which we shall, because when the white community realizes that it's wrong to send fourteen- and fifteen-year-olds to the penitentiary with hardened adult criminals and it's white children going to the penitentiary under this, like the black children have for five-dollar bags of crack, we'll come back and fix it. And I hope we fix it for the black children, as well as the white children. And that is the only reason I'm going to vote Aye on this, so that you can finally see

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that this is wrong to do it to my kids, and it's going to be wrong to do it to your kids.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Again, ecstasy has overtaken cocaine and heroin as the drug of choice among young people. Ecstasy has overtaken heroin as the number one drug in Europe. And what happens in Europe is going to happen here. House Bill 126, unlike many bills that increase criminal penalties, is important to bring designer drugs like ecstasy into the appropriate penalty categories. Over the last several years, the use and distribution of these designer drugs has gone up exponentially, importantly, in large part, because the criminal liability was nowhere near that of LSD, cocaine and heroin, which are similar killing drugs. So House Bill 126 targets those criminals who seek to profit - they sell these pills for up to fifty dollars apiece - from the illegal drugs that ravage and kill our children. I'd appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Okay. The question is, shall House Bill 126 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 51 voting Aye, 1 voting Nay, 3 voting Present. And House Bill 126, having received the required constitutional majority, is declared passed. Senator O'Malley, for what purpose do you rise?

SENATOR O'MALLEY:

As a matter of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

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SENATOR O'MALLEY:

Thank you, Madam Chairman. I would appreciate if all of us here in the Chamber could take a moment to recognize the eighth graders from Stone Church Christian Academy in Palos Heights, Illinois, who are here. They're in the gallery up behind me here, and they're fine young people. And I know that, because I've met many of them, and I would appreciate if you could give them a rousing, warm welcome.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. All right. House Bill 148. Senator Myers. House Bill 155. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 155.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Very simply, this bill increases the number of successive years a member may serve on the Structural Engineering Board from ten to fourteen. This would allow someone who's been appointed to fill an unexpired term to also serve two complete terms.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 155 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 52 voting Aye, none voting Nay, none voting Present. And House Bill 155, having received the required constitutional majority, is declared passed. House Bill 161.

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Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 161.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you -- thank you, Madam President. A simple bill. It just simply indicates that voluntary fire department volunteers can use a -- can equip their car with flashing white headlights or blue grill lights, which can be used only in responding to an emergency call. Similar to other bills that we've had around here today. I would ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 161 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill 161, having received the required constitutional majority, is declared passed. House Bill 169. Senator Burzynski. House Bill 176. Senator Sieben. Senator Sieben, do you wish this bill returned to 2nd Reading for purposes of amendment? Senator Sieben seeks leave of the Body to return House Bill 176 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 176. Senator Sieben -- I mean, Mr. Secretary, read the bill. Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Sieben.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. Are we ready?

PRESIDING OFFICER: (SENATOR KARPIEL)

We're ready.

SENATOR SIEBEN:

Floor Amendment No. 2 embodies two comments that came up during the Judiciary hearing on this -- on the No Call Registry Bill. And it changes -- first point that it does, it changes the -- the title of the bill to the Restricted Call Registry List {sic} (Act) to lower the expectation of people that may expect to receive no calls. And the second point that it does is, in order to qualify for the "safe harbor" provision, it clears up that a company must purchase a copy of the Registry from the Illinois Commerce Commission. That's all the Floor amendment does, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, all in favor say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments adopted {sic} for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR PARKER:

...point -- for a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR PARKER:

I would like to introduce to the Assembly, and many of you may have seen her around; she's been with me since February. She's a

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part of the Illinois Intergovernment Program for Internship. And she's here with me today on the Floor. Jessica Raver, and she will be leaving after today. We've really enjoyed having her. She's done a wonderful, wonderful job. So please welcome her.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. All right. House Bill 180. Senator Dudycz. House Bill 181. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 181.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator O'Malley. I'm sorry. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. House Bill No. 181 amends the State Employees Group Insurance Act of 1971. It allows small school districts to combine into cooperatives to purchase insurance. Quite often, it's very difficult for them, being a small district, to purchase and get good rates on insurance. This would allow them to come together and -- and do this. Would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 181 pass. Those in favor, 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, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill 181, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

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On a point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR DEMUZIO:

I -- I, too, have a -- an intern that is a person who is in the Illinois Governmental Intern -- Internships Program. She -- it's -- her last day is today, too. Carly Schmitt, of Charleston, Illinois. She's one of the best interns I've had. I'm going to be sorry to -- miss her. I'd like for her to stand and be recognized also by the Senate today. Carly?

PRESIDING OFFICER: (SENATOR KARPIEL)

House Bill 205. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 205.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I'd like to -- before I address the bill, I would like to indicate that Senator Dave Syverson's been interning in my office, as well. But anyway, this amends the Nursing and Advanced Practice Nursing Act. Provides that nurses who have been licensed and practiced in another jurisdiction may take the Illinois licensure exam without taking a remedial course. I know of no opposition to this bill. It is being -- it's been worked on. Has several people as proponents. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 205 pass. Those in favor will vote Aye. Opposed, vote Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill 205, having received the required constitutional majority, is declared passed. House Bill 280. Senator Emil Jones. House Bill 382. Senator Walsh. Senator Thomas Walsh? House Bill 418. Senator Rauschenberger. House Bill 447. Senator Ronen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 447.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. This bill has to do with trainers of guide dogs. And it just allows that those...

PRESIDING OFFICER: (SENATOR KARPIEL)

Go ahead, ma'am.

SENATOR RONEN:

It allows that those persons who train guide dogs are now allowed access to public buildings along with them. Currently, while access is allowed for the -- the dog and person that the dog is with, whether they're blind, hearing impaired, or physically handicapped, as a technicality, the person who's training the guide dog isn't allowed public access, and this -- this bill would make -- make that change. And I would ask all of you to vote in the affirmative for this bill that Senator Parker and I are endorsing. Thank you.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Bomke. If not, the question is, shall House Bill 447 pass. Those in favor will vote Aye.

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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, Mr. Secretary. On this question, there are 55 voting Aye, none voting Nay, none voting Present. And House Bill 447, having received the required constitutional majority, is declared passed. House Bill 469. Senator Thomas Walsh. House Bill 476. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 476.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. This legislation amends the Emergency Telephone Systems Act. And as you all know, we have what we call the enhanced 9-1-1 requirements that are now in effect. This would exempt the Department of Corrections and the correctional facilities in this State from the provisions of this Act for obvious reasons -- security reasons. And know of no objection and ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 476 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill 476, having received the required constitutional majority, is declared passed. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

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PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR BOMKE:

I have with me today another intern from the IGIP program, Brian Moulton, from Chatham. I've had a number of these interns and I've got to say that Brian ranks right at the top. Will you please help me welcome him, as he leaves today?

PRESIDING OFFICER: (SENATOR KARPIEL)

Earlier -- earlier we gave leave to -- to return to House Bill 1696. So, on page 16 of the Calendar is House Bill 1696. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1696.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Madam President. House Bill 1696 establishes the Conservation Law of the Civil Administrative Code in the Department of Natural Resources, beginning on July 1st, 2001, certain minimum standards and credentials, qualifications that a conservation police officer must have before being hired. And I would simply ask for your support.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall House Bill 1696 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 54 voting Aye, none voting Nay, none voting Present. And House Bill 1696, having received the required constitutional majority, is declared passed. Resolutions.

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SECRETARY HARRY:

Senate Resolution 138, offered by Senator Demuzio and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 139, offered by Senators Lisa Madigan and Cronin.

And Senate Resolution 140, by Senator Parker.

They're both substantive.

PRESIDING OFFICER: (SENATOR KARPIEL)

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 15, along with House Amendment No. 1.

We have like Messages on Senate Bill 64, with House Amendment 1; Senate Bill 213, with House Amendments 1, 2 and 3; Senate Bill 265, with House Amendments 1 and 2; Senate Bills 333, 401 and 643, with House Amendments 1; Senate Bill 750, House Amendment 1; Senate Bill 797, House Amendments 1 and 2; and Senate Bills 950 965 and 1135, all three with House Amendment No. 1.

All passed the House, as amended, May 10th, 2001.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Watson, for what purpose do you rise?

SENATOR WATSON:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

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SENATOR WATSON:

Yes. I just want to remind everybody: Of course, tonight's the softball game and -- starts at 5 o'clock out at Lincoln Park. Same place we've played each year. I don't know if you -- there's a little "fax" thing that flies around every now and then. I'm not going to give any -- over the air here, give a guy any publicity. But, anyway, in the -- in this statement here, it talks about the game tonight and one obscure House Member, who the -- even the writer of the -- of the -- doesn't know who it is. You know, if you go over there -- when you go over there, have you ever noticed how you looked around, and can you name 'em? I mean -- I mean, these people -- it's incredible when you go over there to the House and you look around and you feel like, "Did the election happen yesterday?" I mean, really. But, anyway, somebody over there had the audacity to say - had the audacity to say -- and by the way, it was a suburban House Democrat. Yes. Yes. He said that the Senate team was old, ugly and uncoordinated. Well, he probably -- he must have been at our practice the other night, because we are overweight, and we are slower, but we're going to make it up with desire. So it's 5 o'clock. We have a good time. We raise some money, and I've got to thank John Cullerton. John's already collected most of the money from the Democrats. I haven't asked the Republicans yet. Everybody kicks in ten dollars, and we give it to a local charity. It's just something we do good for Springfield, help people out here in the community and -- and it's a charity, and -- and we -- we raise a little money for it. So, hope -- hope you can come out. We got everybody hopefully ready, and we're going to take 'em on. And we're going to -- it's a revenge game. It's a revenge game, from last year. We got to take 'em out.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Hendon.

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SENATOR HENDON:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR HENDON:

I just wanted to say to my Republican colleagues, I gave my word the other day in committee I would say how pleased I was that Democratic bills were finally being passed and that bipartisan cooperation was great, and we're going to see the same thing on the softball field today. We have "Geo" this year. The only way they beat us, we didn't have our mascot, but she's back. And I promise those House chickens, we're going to whop them today. So come to the park -- to Lincoln Park on 6th Street. I'm not old. I'm not ugly. I'm not uncoordinated. And I'm going to beat the heck out of the House. So let's get out there and give 'em hell.

PRESIDING OFFICER: (SENATOR KARPIEL)

Is there any further business to come before the Senate? If not, Senator DeLeo moves that the Senate stand adjourned until the hour of 8:30 a.m. - 8:30 a.m. - Friday, May 11th, 2001.