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93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

22nd Legislative Day

3/20/2003

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Rabbi Michael Datz, Temple B'rith Sholom, of Springfield, Illinois. Rabbi Datz.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the reading and approval of the Journals of Tuesday, March 11th; Wednesday, March 12th; and Thursday, March 13th; Tuesday, March 18th; and Wednesday, March 19th, in the year 2003, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Woolard moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, do we have any Messages from the House?

SECRETARY HAWKER:

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

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

House Bills 349, 430, 470, 514, 1186, 1250, 1458, 1640, 2477, 2582, 3050, 3053, 3229 and 3608.

All passed the House, March 20 {sic} (19), 2003.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR J. JONES:

Thank you, Mr. President. Point of personal privilege.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. State your point.

SENATOR J. JONES:

Right up above me here, in the President's Gallery, I have a group of students from the Edwards County Community Unit District No. 1 in Albion, Illinois. And Albion, Illinois, happens to be our Chief of Staff, Carter Hendren's, hometown. These young students, along with their superintendent and principal, are here today visiting in Springfield. They are a group of SAIL, which is a Students Active in Leadership program. And they just participated in the national program and represented the State of Illinois, and they received the Civil Star Award. So, with that, let's give these students a nice, warm welcome in Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Like to make an announcement, so the Members who are not on the Floor, that we will be going to 3rd Readings very shortly. That will be final passage. 3rd Readings. So I'd ask all Members to come to the Floor. Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 430, offered by Senator Welch.

(Secretary reads title of bill)

House Bill 463, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 1157, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 1185, offered by Senator Brady.

(Secretary reads title of bill)

House Bill 1193, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 1458, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 1462, offered by Senator Link.

(Secretary reads title of bill)

House Bill 1516, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 2582, offered by Senator David Sullivan.

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(Secretary reads title of bill)

House Bill 2805, offered by Senator Demuzio.

(Secretary reads title of bill)

And House Bill 2900, offered by Senator Crotty.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

On a parliamentary inquiry, procedural inquiry.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR CRONIN:

Mr. President, I am seeking to make a motion to table a bill, Senate Bill 1345. While it seemed like a good idea at one time, there are a lot of us that don't even want to look at it on the Calendar anymore.

PRESIDING OFFICER: (SENATOR DeLEO)

That motion, orally, is always in order.

SENATOR CRONIN:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

It will so be tabled. Once again, for Membership, all Members of the Senate, please come to the Floor. We're immediately going to 3rd Readings. We'd ask the Members to be in their seats. We're going to 3rd Readings in just a couple minutes. All Members, please come to the Floor. Senator Demuzio, for what purpose do you rise, sir?

SENATOR DEMUZIO:

Thank you, Mr. President. I'd like the record to reflect that Senator Hunter, again, is absent today due to illness.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect. Thank you, Senator. Ladies and Gentlemen, on page 31 of the Calendar, in the Order of Senate Bills 3rd Reading. This is final action. With leave of the Body, we will return to Senate Bill 387. Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There's an amendment on this, Mr. President. It was

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approved by the Judiciary Committee, deleting Class B and Class C misdemeanors. It only applies now to Class A.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine -- seeks leave of the Body to return Senate Bill 384... Excuse me. Let's get the board correct. Senate Bill 387, to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, Senate Bill 387. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

The -- the -- the amendment, I move for its adoption to delete the provisions relating to Class B and Class C misdemeanors. The Act will only apply to Class A misdemeanors.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? All those in favor -- I'm sorry. Senator Righter, what...

SENATOR RIGHTER:

Thank you, Mr. President. Point of inquiry.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR RIGHTER:

It -- are we adopting the amendment now? The board says we're on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

This is a recall to 2nd for the amendment, sir.

SENATOR RIGHTER:

Okay. So we're on -- just so everyone's clear, we're on 2nd Reading right now.

PRESIDING OFFICER: (SENATOR DeLEO)

We're on 2nd Reading. That's correct. And we're adopting the Floor amendment.

SENATOR RIGHTER:

Okay. Okay. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you for your... Seeing no -- is there any further discussion? Seeing none, all those in favor will say

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Aye. All those opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. Back on page 31 on the Calendar. Senate Bill 408, that is, leave of the Body to come back to that later. Thank you. Senate Bill 409. Senator Jacobs. Senator Jacobs, on 409. Out of the record. Senator -- Senator Hunter, on Senate Bill 414. She's -- Senator -- Senator Haine, on 416. Senate Bill 416. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 416.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. 416 is an extension of a Tax Increment Financing district in the City of Alton, Illinois. It extends it approximately twelve years. This is a Brownfields area, the site of the old Owens-Illinois Glass plant. The mayor and the city council desire to extend this TIF district so as to complete the progress which has been made in returning this land to productive commercial and light industrial use. All of the school districts are in favor of the TIF extension. We have letters from the Alton Community Unit School District No. 11, the various other taxing bodies that are located within this area, including the local community college. And I ask the indulgence of the Members in its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR D. SULLIVAN:

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Senator Haine, is this your first bill that you're presenting on the Senate Floor?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine. Senator Sullivan.

SENATOR D. SULLIVAN:

I couldn't hear his response.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, it is, Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Can you -- can you explain to us the history of tax increment finance districts?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I believe they began as a -- a Republican effort to reindustrialize inner cities, Senator Sullivan, and supported by the Democratic Party as a way to encourage the development of these Brownfields, so as to encourage industries to locate there that paid union-scale wages.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

So, are all the industries in the Alton area in favor of this legislation? Have you spoken with their corporate presidents and union leadership?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

The various union locals have -- the business manager of the IBEW has a letter in support of it. The Laborers', Hod Carriers' are in support of it. Now I have not -- and the local Regional Commerce {sic} (Chamber) and Growth Association, which represents the industries. But I haven't spoken to 'em personally, no, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Sullivan.

SENATOR D. SULLIVAN:

Are the school districts and library districts and park districts, villages all in favor of this because of the tax impact it could have on them?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, sir. The -- all the taxing bodies in the area where -
- wherein is located the TIF district are in favor of this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan

SENATOR D. SULLIVAN:

Do you know if -- I know this is, obviously, a -- a big downstate issue, with Alton not being anywhere near my district. Do you know if the -- one of the great downstate legislators, Leader of our Caucus, Senator Watson, is in favor of this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

No, I don't know why -- I do not know, as a matter of fact, that he is in favor of it. I don't know why he would be opposed to it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

But do you know if Senator Watson is in favor of this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

No, I don't.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Out of respect to the esteemed Minority Leader, I'd ask maybe you'd pull this out of the record and find out if Senator Watson is in favor of it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he -- he will.

SENATOR HENDON:

Senator Haine, I'm looking at the title there. "Muni CD." Are these, like, rock n' roll CDs or soul music? What kind of CDs are these that you're...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I don't have any idea, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Well, for your first bill, shouldn't you have chosen something a little more easier to -- to listen to, like a little maybe soft jazz or -- I mean, I'm trying to understand. Let me go another way. Exactly where did you get this brilliant legislation? Were you drinking last night, or... How did you come up with this idea? I -- I'm flustered here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I would -- I inform the Senator, the distinguished Senator from Chicago, that Miles Davis was born in my hometown, not too far from this TIF district.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Did Mr. Davis run against you in your first run for the Senate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

No, sir. I -- he's much older than I am. In fact, I believe he's deceased. God rest his soul.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Well, you know, you didn't have to go there, Senator. You know, I was almost ready to support your bill. I was almost ready, Vince. But I simply cannot see how we can let a freshman with his first bill come here, doesn't even know the difference between rock n' roll and soul music, and trying to pass a CD bill that nobody understands but himself. I'm flabbergasted.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, what purpose do you rise, sir?

SENATOR DEMUZIO:

I just wanted to agree with Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

Senator, having been to the Alton area, I read in my analysis that Alton has a municipality but also has a school. I was a little surprised at that. Can you explain why that is?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I'm not sure of the Senator's question. The -- Alton has a community unit school district, which is a separate and distinct entity. And they're in favor, of course, of the TIF -- or, the TIF extension.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Just one more question, Senator. I see, by our analysis, you're changing this from twenty-three to thirty-five. At your age, you're not going to see the end of the thirty-five, so why do you care?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I would say to the Senator that that is pure speculation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, in spite of the people who want to delineate soul music and rock music - and I know both - and all the others who want to torment this poor, young freshman, I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Geo-Karis moves the previous question. Is there any discussion? Seeing none, Senator Haine, to close, sir.

SENATOR HAINE:

I would just like to remind everyone that -- in this distinguished Body that this is my hometown. My father was an alderman, my deceased father. Many friends serve on the city council, and I would be very deeply embarrassed if this Body did not vote for this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 416 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 53 Yeas, 1 voting Nay, 0 Present. Senate Bill 416, having received the constitutional majority, is declared passed. Senator Haine, on -- Senate Bill 417. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 417.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on Senate Bill 417.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This is a similar bill which extends the TIF

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district which now exists and has existed in Collinsville, Illinois, in which they're developing the area that's around the Illinois Department of Transportation Headquarters and the Illinois State Police Headquarters. It's at the junction of Highways 55 and -- 270. Again, all the school districts and the various other taxing entities in this area support the extension of the TIF to complete the -- the efforts to -- to commercialize, to tear down blighted buildings and to make this a productive area for the city and the area.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing none, Senator -- Senator Haine, to close. Senator Haine.

SENATOR HAINE:

Yes, sir, Mr. President. I, again, ask the...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, hold on one... I'm sorry. Senator Radogno, what point -- what reason do you rise, ma'am?

SENATOR RADOGNO:

I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

I'm sorry. I didn't see your light. I apologize. Sponsor indicates he'll yield. Senator Radogno.

SENATOR RADOGNO:

Senator, could you just explain to us why an extension is needed, why they can't complete these projects in twenty-three years?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. Senator, the nature of this area -- the extension of the development has been delayed primarily by the -- the -- the economy and they just haven't been able to put together the developments. They -- they've done much, but they have an area they wish to extend the TIF into that has old, derelict buildings, an abandoned motel and a few other things. And to be able to annex that area, which is being done by the local county board and the city, they need the -- the extra time. It's just the nature of encouraging the --

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commercialization and development of the newer area with the older area.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

So this is both an -- a boundary expansion and a time extension?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

It's just a timing factor. Yes, Senator, the -- the -- the Collinsville's ability to attract development has been severely impacted by the St. Louis metropolitan growth in -- in St. Louis city and county, which is right across the river. Collinsville is near the -- the -- the two bridges that go to St. Louis. So it's in a little more difficult spot in -- in the competition with Missouri, which, of course, has more incentives than -- than the area has up to date. So they just needed the extra time.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

Again, I respectfully ask the Ladies and Gentlemen of the Senate to support this extension. It's necessary for the commercialization of this area, which would, of course, benefit the community, the schools and the other taxing bodies. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 417 pass. All those in favor will vote Aye. All opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 1 Nay, 0 voting Present. Senate Bill 417, having received the constitutional majority, is declared passed. Senator Haine, on Senate Bill 425. Senator Haine. Take it out of the record. Senate Bill 427. Senator Haine. Out of the record. Senate Bill 428. Senator Walsh. Madam Secretary, read the bill.

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SECRETARY HAWKER:

Senate Bill 428.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 428 amends Section 5 of the Illinois Election Code. It allows the State Board of Elections to review and approve optical scan voting systems that use a computer, such as a touch-screen computer or other device approved by the State Board of Elections, to mark a paper ballot that is then used -- then read using an optical scan technology. It permits the introduction of new voting systems that more accurately capture each voter's intent, helps Illinois and many local election jurisdictions comply with new requirements of the Help America Vote Act, increases voter confidence in the electoral process. It is consistent with the requirements for new federal funding for the replacement of punch card voting systems and allows the blind and the visually impaired to vote in private, unassisted, and assures that there's a permanent voter-verifiable paper audit trail for each vote cast.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Wendell Jones, what reason do you rise, sir?

SENATOR W. JONES:

I rise to support this bill. It passed the Local Government Committee unanimously. It says in our agenda today it's touch-screen voting. It's -- actually, as the Senator said, it's -- optical scanning is more -- more like what it is. But we think it's a good bill. It passed Local Government unanimously. We're happy to be on board.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Seeing none, Senator Walsh, to close, sir.

SENATOR WALSH:

Thank you, Mr. President. Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator. The question is, shall Senate Bill 428 pass. All those in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 53 Ayes, 0 Nays, 0 voting Present. This bill received the required constitutional majority, is here declared passed. Senator Trotter, on Senate Bill 461. Senator DeLeo, on 474. With leave of the Body, we'll come back to that. Going to page -- top of page 32. Senate Bill 490. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 490.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senate Bill 490 amends the School Code and the School Breakfast and Lunch Program Act. It requires the State Board of Ed, the regional superintendents of schools and the school boards and nonpublic schools that receive funds for free or reduced-price lunches under the School Breakfast and Lunch Program Act to agree in writing with the Department of Public Aid to share with the Department information on applicants for free or reduced-price lunches. And what this sharing of information would do, the sole purpose is to assist helping children enroll on our State Medical Assistance Program or the State Children's Health Insurance Program. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield. Senator Roskam.

SENATOR ROSKAM:

Senator, can you tell us how many children are in the lunch program today?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Roskam, I do not have that information in front of me. But this bill is not to enroll children in the lunch program; it's just to share the information of the children that are enrolled in the program with the Department of Public Aid so that we would know that that is a child that is eligible for our KidCare program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

I understand that. Do you have an estimate as to how many children -- how -- how big the universe is and what the ultimate cost ultimately would be for children that would be enrolled if -- if the bill is enacted and it comes to fruition? In other words, how big is the eligibility that you're -- that you're going after here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Roskam, this isn't a issue of fiscal demands here. The issue is that we're trying to advance our KidCare program to FamilyCare. We're trying to ensure that all children across the State of Illinois are receiving quality health care. So there isn't a price tag in terms of their being an increase financially. We're just wanting the sharing of information so that it's almost like a one-stop shop. Why should a parent go here, here, here, there. But if that child is already receiving the low, reduced-income lunch and they're eligible for that, then that child would also be eligible to receive quality health care. So we're just trying to advance. Another way of almost marketing our KidCare health insurance program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

You know, Senator, I'm impressed. Yesterday there were some folks that asked you some questions and -- and I was kind of amazed. And you're better than I thought, 'cause in two

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minutes you told me nothing. Let's go back. And I understand that you don't know the underlying -- the underlying amount of children, and I respect that. But if the program is fully implemented, and I -- I understand your goal - your goal, as -- as I understand it, is a decent goal - and that is to communicate to families that may be eligible to get involved in the medical program. If your goal is successful, how many families are you hoping to enroll? What is the estimate of people that you think? 'Cause when the bill first came up, there had to be some discussion of people that approached you, or in your own mind, there's X number of people that are uninsured by this -- or that -- that are eligible and that are not insured. My -- my question is fairly simple, and that is, can you share with us that number or if you have an estimate or if you've had a discussion with an agency or if you've heard from the Governor's Office or if you've heard from advocates. Could you reveal that number? Or are you just shooting in the blind and -- and you have no idea? In which case, if you say, "I have no idea," I can handle that as an answer. But can you focus in on the number question for me?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Actually, I'd like to provide for you what it is I think you should understand, and maybe you should hire me to be in your law firm, because you should get the understanding that we're enrolling kids in the KidCare health insurance program. I could care less if it's one child we pick up or a hundred million children we pick up. Our goal across the State of Illinois is to make sure that every child eligible to receive quality care can. So I'm going to give you a estimate of "it varies". It could be one or one hundred million.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama, what reason do you rise, sir?

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I'm going to be very brief. Listening -- listening to this conversation, I think it's -- this is an important point

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to make. KidCare is something for which our children are already eligible. The program that's being proposed by Senator Lightford is designed to reach out to people and make sure that they're aware of this program for which they're already eligible. Now, if the implications of the previous questioner is that we should, in some fashion, discourage this information from being disseminated, in order that children who might be eligible for care should somehow not obtain it, then the previous questioner should make that explicit. If, on the other hand, the previous speaker, like most of us, believes that once we've made and established certain eligibility criteria, that children who are currently uninsured should be able to participate in the program, then I would strongly urge that we support this bill that does not carry a price tag with it, except for the possible price tag of the State having to fulfill obligations and pay for a program for which children are already eligible. I think it's really important as we go through these bills -- I recognize that the other side needs to make some points politically about whether we're being fiscally prudent, and I don't mind that. But I -- but I think it's important when we're talking about reaching out to children who are already eligible for a program, that we make certain that we're not trying to score political points and suggest that somehow we should not be making them aware of these programs. With that, I would strongly urge an Aye vote for Senator Lightford's bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator, for your remarks. Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a couple of clarifications to the bill. You need to keep in mind that -- that KidCare, like our Medicaid program, does not require preenrollment. It's an encounter program. There is no earthly reason why families ought to go and enroll in advance in Medicaid or in KidCare. There has been concern for a long time that the school free lunch program, which is an attestation program, where you simply attest that you're eligible, does not have the same eligibility criterion that the KidCare program does. Requiring the State Board of Education to

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do cross-match on lists may expose us to the fact that exuberant and aggressive principals do a good job of getting kids on the school lunch and school breakfast program and may cause problems. We have talked about this issue for a long time. But it's not crystal clear. It's not about putting more kids on KidCare or putting more kids on Medicaid. They go on Medicaid and KidCare when they go to the provider. It's an automatic eligibility determination. So, pretending that matching the school lunch to the -- to the list of kids already preenrolled in the KidCare program or the Medicaid program doesn't make any sense. You know, I -- I understand the Senator's intention that we want to get as many kids covered as possible, but there -- there's a fundamental difference between an attestation program and a program where we're required to do eligibility. So, I just think we ought to be cautious in this area. You know, I -- it's not a question of funds to me, because those kids, when they're sick, will encounter the system anyway. But why we expose the school lunch program, which is not audited by the federal government, to the -- to the scrutiny, when you find out suddenly that there's a mismatch by two hundred thousand kids or something, I mean, just be careful where we're -- we're heading into. So, I'd -- I'd urge people to be very cautious about this bill. And I'm -- I personally can't support it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator, for your remarks. Senator Pat Welch, what reason do you rise, sir?

SENATOR WELCH:

To speak on the bill, Mr. President. You know, back in my county, we've been looking for a program exactly like this. We're trying to get as many kids insured as we can. And the schools have told me, "Pat, we can't help you. The -- the government won't let us release that information." And we've been trying like heck to get this exact information this bill will give us. Senator Rauschenberger's right. All people have to do is show up and enroll. The problem is, most people don't know about this program. That's why, in our district offices, we need to reach out to these kids to get them on the rolls. The kids can't go and sign up. They're kids. The parents may not do it for them. So if we can get some adult, a teacher,

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principal, us, as legislators, our staff, go out and talk to these kids, talk to their parents and convince them to enroll their kids in this program, what does it hurt? There's no cost to this. This doesn't cost us a dime. It doesn't unbalance the budget. It's a good program. I don't know how anybody can vote against this bill. This helps kids get insured. That's what we're here for. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Senator Righter, what purpose do you rise, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield.

SENATOR RIGHTER:

Senator, can you walk me through first? Do schools already have the information that you are asking them to sign an agreement that they'll transmit it to the Department of Public Aid?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

What -- what information is that -- I mean, exactly? I mean, other than the obvious, you know, the child's name and age and whatever. What -- what other things are we -- are they going to be transmitting to the Department?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. If the child is enrolled in a free lunch program, there was a criteria that allowed that child to be in that free lunch program. That same criteria is consistent to our KidCare program in terms of eligibility. All I'm wanting to do is have the school system forward that

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information to the Department of Public Aid so that child can be enrolled in the KidCare program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, thank you for your answers. Just very briefly, to one of the previous speakers' comments. The questions that have been asked here so far have been about the numbers of enrollment and about money. I don't think it's quite accurate to characterize those as quote, unquote, "trying to score political points". And if that's what it is, then I think we can expect this side of the aisle to be trying to score a lot of political points during the Session because there will be a lot of questions about how much money this costs, and I would think that is something that all fifty-nine Senators in here would be concerned with. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for your remarks, Senator. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DeLEO)

What reason do you rise, sir?

SENATOR DEL VALLE:

To comment on the bill, if I may.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR DEL VALLE:

Thank you, Mr. President. You know, yesterday we debated my bill regarding outreach efforts on -- on food and nutrition programs. We said -- some of you said that we shouldn't be spending money to do that. Here, today, we have a bill that says we're going to reach out, but we're going to do it by sharing information. And some of you are saying we can't do that either. So what do we do? We've talked in the past about presumptive eligibility for this -- for this -- for these kids. Here what we're talking about is sharing information. The Department then processes applications and determines

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eligibility. But we're sharing information. We have one agency sharing information with others in order to help identify children who are eligible, who may be eligible for health insurance. You recall that one of Governor Ryan's top goals - main goals - was to get enrollment increased -- to increase enrollment in KidCare. We expanded KidCare to FamilyCare. This State recognized the importance of making sure that children have access to health care, and that in the process, we capture the sixty-five percent or so federal dollars that become available for health services in the State of Illinois. So, here we have an effort that does not cost dollars that you're objecting to. And I say to you, you cannot have it both ways. You cannot have it both ways.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks. Senator Garrett, what reason do you rise?

SENATOR GARRETT:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield. Senator Garrett.

SENATOR GARRETT:

Senator Lightford, what happens when the information is shared with the Department of Public Aid? Do they have a requirement to then share that? Do they automatically enroll these families in KidCare, or do they send them a letter asking them to enroll or giving them the idea that they are qualified to enroll in KidCare?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, Senator Garrett. If they're eligible, then that information goes to the parent and the parent gives consent, and then they're enrolled in the program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Do they send an application form to the family that may qualify for KidCare?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

To the bill: In my legislative office, prior to becoming a Senator, I personally enrolled families, children in the KidCare program and even hired a bilingual assistant to follow through on the same thing. And I will say that I can't think of any other program that we, as State legislators, can do more for by helping these uninsured families get the necessary health care that they need and they deserve. This particular program will ultimately save the State money, because we get matching funds. And if, in fact, the Department of Public Aid is willing to send the application and the notification to the families, to let them know that they are qualified, I would hope that every, single legislator in this room would support that effort.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Syverson, what purpose do you rise, sir?

SENATOR SYVERSON:

Thank you, Mr. President. Just a couple questions, just for clarification.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, Senator Syverson.

SENATOR SYVERSON:

First are -- are -- are all the children that are on the school lunch program eligible for KidCare?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

So the income guideline for the two programs are the -- they're the same?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

And really to follow up on what Senator Garrett had asked, we're going to take this list and we're going to send it to Springfield. They're going to cross-check that list, and then everyone that's not enrolled in KidCare, the State is going to mail them an application?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Yes, then the family will be notified that their child is eligible for this program. It's just another mechanism of a marketing tool that is almost at low or no cost at all to the State.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Well, certainly there's going to be -- there'll be a cost, obviously, 'cause -- cause of the mailing. But have these families already been contacted? I mean, currently we have set up outreach programs, and so that the day cares, schools, clinics, churches, Operation PUSH, many others are all contracted as enrollers and all work with these families. Are they missing families now, or are these kids that aren't in school or aren't in day care or not going to churches? It's my understanding that they're all already being contacted.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator Syverson. Actually, many of those programs are inadequately working and they're not bringing in the number of children that are eligible for this program. When we look at the number of children that are not receiving quality health care, then we know that we're not as effective getting

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that information out as we thought we should be. So this is just an effort to do that. Now, when you talk about the mailing that you mentioned, that's not an extra cost. That's already a part of the initiative to reach out. This is just to give a greater mailing list. This is just to bring about the children that are out there that are not, for some odd reason or another, enrolling in this program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

I'm afraid -- I think what we're going to find is -- is there's going to be an exercise here that, as Senator Rauschenberger mentioned, these kids have health care; they're just not currently using it. And my guess is, while we've been very successful with KidCare - in fact, KidCare is the most -- most successful program in the country, and we're pretty proud of that 'cause we were part of developing this program - that there were -- there were a number of children that have been offered the plan but the parents have chosen not to sign up for the plan at this point. Once they get -- once the child needs health care, they will access that at that point and enroll in the plan. I guess my question is -- 'cause you made the comment that without this plan, the children won't have access to health care. Isn't it true, though, that if a child is not enrolled in this plan and they are -- are sick or present themselves to a doctor or hospital, that they -- they can enroll at that point?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Syverson, not all parents or children want to always go to the Cook County Public Aid Office or to the Cook County facility to wait hours and hours and hours to -- receive service. This is an effort to allow a parent to take their child to any health clinic to get services. We're not going to assume here that all children needs to go to the new Stroger County Hospital in the Chicago area to -- receive services or to any other public county facility. This is an effort to allow children -- parents of -- a more -- a better -- even a -- a

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wider range of health care quality service so that they can take their child to any clinic to receive services that they need.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Well, Senator, I agree with you. Unfortunately, that's not what KidCare -- that's not what KidCare is. Under -- under KidCare, you can present yourself to any one of those clinics that you just mentioned. If you're not enrolled in KidCare, that does not mean that you have to go to Stroger. You can present to any clinic that accepts -- currently accepts KidCare and you would enroll and count her at that point. So, it would be any -- any acceptable current clinic. So I guess that's my -- that's my concern. I think, at some point, we're trying to say that these individuals aren't having access. I think we're going to find that we've been very successful enrolling a couple hundred thousand children. The others that we haven't enrolled, frankly, are ones that are healthy, that haven't needed it or haven't used it. At the time that they need to use it, it's going to be there, and when they present themselves, they'll be enrolled and they'll be covered. We can certainly go through this exercise, but I think what's going to -- what we're going to find out six months from now, that there's still going to be the same number of -- of parents that didn't want to go through the exercise of filling out the forms at that point, that they're just going to wait until a time comes when their child is sick or when they need to go to that -- that particular clinic. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to underscore some remarks that were made earlier to hopefully address some of the questions that have been raised relevant to this outstanding bill. The -- our intention for KidCare has a lot of -- this bill has a lot of merit, if we're just talking about it in the area of health care policy. We don't want to wait for -- we don't want to wait for children to have illness before we get them enrolled. We all

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know that preventative measures are the best measures. But moreover, the Kaiser Family Foundation has now had the opportunity to study how KidCare and FamilyCare have worked, and there's overwhelming, compelling data nationally that by getting the children enrolled, we eliminate the stigma that has prevented the parents from getting enrolled as well. Therefore, we are taking people out of going to emergency rooms and getting care and we're putting them in a -- in a program where they and their children are getting preventative care. Moreover, if you look at this in strictly economic terms, there's a separate pool of money where we get reimbursed at sixty-five cents on the dollar. What differentiates KidCare and FamilyCare from Medicaid is that if we don't spend that sixty-five cents on the dollar for KidCare, we forfeit it to other states. So those who are so concerned with the financial implications of this, you could make a pretty strong argument, we can't afford not to do this, because it would kill me, as I'm sure it would kill many other Members, for us to be giving money from our KidCare allotment to other states because we were slow in -- in exercising every possible option to enroll people in this. From a health-care policy standpoint, it makes wonderful sense, but from a financial standpoint, which is going to be a recurring question that gets raised throughout this Session - and in many cases it's a legitimate question - we can't afford not to do this because we are not going to receive any further increases in our federal Medicaid reimbursement, no matter how hard we try, and we're going to forfeit whatever money we don't spend on KidCare if we don't aggressive -- more aggressively get people enrolled. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, what reason do you rise, sir?

SENATOR JACOBS:

I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs moves the previous question. Prior to that motion, Senator Jacobs, a Senator sought -- one Senator is seeking recognition. Senator Brady.

SENATOR BRADY:

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Thank you, Mr. President. Senator Lightford, I had the pleasure of serving in the introductory task force for KidCare under the Edgar administration and we battled with exactly the question you're trying to bring about in this legislation - outreach, trying to bring those kids in to have the least costly health care possible at a time when they need it. And I just want you to know, I've heard a lot of debate here, but as I've read your bill and looked at it, I also noticed there are a lot of people talking about it in support of it but very few signed on as a cosponsor. And when I saw this brilliant piece of legislation I want you to know I went right to the well and signed on as a cosponsor. Great piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Lightford, to close. Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Thank you, Mr. President, and thank the Body for providing great debate. Senator Schoenberg summed it up. It's preventive. It'll help us bring in federal dollars. It's enrolling our children in health care. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. The question is, shall Senate Bill 490 pass. All those in -- in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 0 Nays, 0 -- 2 voting Present. This bill, having received the constitutional majority, is declared passed. Senator Demuzio, what purpose do you rise, sir? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. If we're going to debate all these bills that get -- we're going to debate all these bills that get fifty-two votes, we're going to be here till the cows come home. I have an -- an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR DEMUZIO:

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First of all, I see one of our former Members from the Senate, who denounced his -- his title of -- of Senator in his -- in his Floor discussion yesterday, and he has indicated that he wished to be -- to be called Representative. And he's sitting over there in a seat occupied -- it's supposed to be occupied by Terry Link. I have a parliamentary inquiry. Is -- is it proper for House Members or even former Members of the Senate, particularly those who have been degrading Members of the Senate, is it proper for them to be seated in this Chamber?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, I'm informed by the Parliamentarian, once a Senator always a Senator. Representative Molaro, welcome back to your home.

SENATOR DEMUZIO:

Well...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, I think you've gone too far. But seated over in that seat, perhaps it might explain why that today happens to be a -- a very important occasion in the -- in the Member whose seat he occupies. Apparently, Senator Link, who's beginning to take on the characteristics of his good friend, who was just sitting in his seat, is sixty-five years of age today.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, a very happy birthday from all of us.

SENATOR DEMUZIO:

Wait. Wait, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

I'm sorry. I transposed the number. It's fifty-six. Also, I -- you know, I understand that he has some cake...

PRESIDING OFFICER: (SENATOR DeLEO)

That's not unusual for you, sir.

SENATOR DEMUZIO:

Well, you know, you could -- I could have called him Bob Molaro, you know. Also in the Well of the Chamber over here, there is some cake that has been -- been provided by -- by

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Senator Link, and now that you're such a good friend with Molaro, I'm not sure I want to eat any. But anyway, for all you Members, let's say happy birthday to the Senator and have a piece of cake. Happy birthday.

PRESIDING OFFICER: (SENATOR DeLEO)

Very happy birthday, Senator Link. President Jones. What reason do you rise, Mr. President?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. You know, listening to the -- the lower Chamber over there yesterday on the squawk box and we were being berated, but I see our former colleague is here. We want him to know that we're always willing to make accommodations. But if our bills happen to die in the House, we're going to hold somebody over there responsible. Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Yes, Mr. President. President Jones.

SENATOR E. JONES:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR E. JONES:

We do have several bills on the Calendar, and I noticed the last bill of Senator Lightford, I believe we debated the bill over a half an hour and it received almost -- almost unanimous support. I would suggest to the Membership that we should use our time a little more wisely so that we can move through this Calendar and get all these other important bills out of here. But wasting a lot of time on the bill and everyone ended up voting for it, it really doesn't make sense.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. President. Point very well taken. Ladies and Gentlemen, there's thirty-nine pages of 3rd Reading. Today is -- there's thirty-nine pages of 3rd Readings. This is Thursday, so let's try and keep the debate a little shorter this afternoon. Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege.

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PRESIDING OFFICER: (SENATOR DeLEO)

State your point, ma'am.

SENATOR GEO-KARIS:

First of all, I want to thank Senator Viverito for providing all that fine pizza yesterday. It was very nice of him to do so for St. Joseph's Day. Second of all, I want to wish my colleague, Terry Link, many more happy years and healthy years. But you're getting awfully gray to be only fifty-six in this place, so take care of yourself, Terry. And third of all, it's nice to have Senator Molaro back here, and we miss him. And fourth of all, it's about time we cut down the rhetoric, as the President said, and get down to business and finish up. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Point well taken. Back to 3rd Readings. Senate Bill 492. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 492.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, on Senate Bill 492.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senate Bill 492 amends the School Code regarding waivers of U.S. citizenship requirements for teacher certification. Basically, it gives non-citizen teachers two extra years to become citizens. Just another effort to assist us in our bilingual -- bilingual teachers and our teacher shortage. Proponents - no opponents: IFT, the Illinois Adult Educators Association, ISBE, Chicago Teachers' Union, SCOPE, the Illinois Adult and Continuing Educators Association. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Lightford. Is there any discussion? Seeing none, Senator Lightford -- I'm sorry. Senator Cronin.

SENATOR CRONIN:

Thank you. I just rise in support of the bill. I wanted to just point out that although you look at it and you think,

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gee why -- you know, we would hope these -- folks, these -- these teachers would become citizens as quickly as possible, I think there's some compelling evidence that down at the Department of Immigration and Natural -- Naturalization Services, that things just take forever there. So, if they could move things along a little bit more efficiently and expeditiously, we wouldn't have to consider this kind of legislation. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Seeing none, Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you very much. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate -- Bill 492 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, no Nays, 0 voting Present, 4 -- 4 not voting. This bill, receiving the constitutional majority, is declared passed. Senate Bill 496. Senator Halvorson, on 496? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 496.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. Senate Bill 496 allows for township assessors who have been assessors for twelve years not to have to take any more classes. What's happening, after twelve years, they're taking the same beginner classes over again. So, this says if they have become qualified, that they've done their three hundred and sixty hours of service, that they no longer have to take anymore classes. Because what's happening is they're using precious township

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dollars, as well as township time, to take some of the beginner classes over again because there are no other classes to take.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Garrett.

SENATOR GARRETT:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield. Senator Garrett.

SENATOR GARRETT:

Senator, the only question I have, because we've had lots of issues in our district regarding property tax assessors, and while there may be no new test being given, I know that many townships are going to a computerized system and that has cause for additional classes and additional instruction. Would that - - would this bill eliminate any courses in regard to translating the records to a computer system?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Senator Garrett, they can still take all the classes they want to take. So, they know, as assessors, that if there's a new class, that they will be taking it. What this does, is not make them go back to taking the beginner classes all over again. If there's something new out there, they can take that.

PRESIDING OFFICER: (SENATOR DeLEO)

My friend and colleague, Senator Lauzen, what purpose do you rise, sir?

SENATOR LAUZEN:

Thank you, Mr. President. I would just like to point out, especially to our side of the aisle, that this bill was supported by Republicans in committee. So, it was supported in committee by Republicans.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Any further discussion? Seeing -- Senator Halvorson, to close, please.

SENATOR HALVORSON:

Thank you all. And I just want an Aye vote, please.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay. The question is, shall Senate Bill 496 pass. All those in favor, vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, no Nays, 0 voting Present. This bill, having received the constitutional majority, is declared passed. Senator Collins, on Senate Bill 505? Think we're going to have to come back to it. There's a fiscal note attached and I don't think we've received the fiscal note. Okay. Proceeding on. Senate Bill 520. Senator Schoenberg. Senator Schoenberg, on Senate Bill 520. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 520.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'll be succinct. We considered a similar proposal yesterday. The major distinctions here are that there is no mechanism which turns this loan into a grant, but rather, it remains a loan. This would be carved out of the existing revenue bonds issued by the Housing Development Authority for their first-time homeowner program. And finally, there would be no -- no residency requirement to live within the individual school district. And I would entertain any questions and urge your favorable support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield. Senator Roskam.

SENATOR ROSKAM:

Senator, this -- thank you. This -- this came through the Executive Committee and we had a couple of questions on it at that time, and just for the benefit of the Members, if we could just bring out a couple of key points. First of all, do you

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have any idea of the number of school districts that are -- would be subject to this eligibility?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

I believe that figure has been adjusted as recently as the last couple of days. So I could not give you an exact figure. We've seen the Financial Watch List expanded; however, I have not seen fresh data yet as to which areas would require additional help in certain disciplines.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Is it actually the Financial Watch List, Senator, or is it another list as defined by the State Board?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

It would be defined by the State Board, but, obviously, the Financial Watch List would be a major benchmark for determining how the State Board would come to the final determination.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Another area that we had talked about in committee was the possibility of limiting the bill to a particular subject matter that was -- that was high need or making that a higher priority. In other words, it's my understanding that we need math and science teachers more than we need teachers in some of the other subject areas. And is there any opportunity to limit this or to -- to do something in the House or to take care of this by rule? It would just seem a shame to -- to -- to have really precious resources used, and the unintended consequences of which are the math and science folks, computer folks, wouldn't have this because it was used up by other people that -- that are not as high -- in high demand? You open to that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

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Mr. Roskam, I had considered that earlier in formulating this bill, and I decided against it. And I'll tell you precisely why. And that is, you and I both come from suburban communities, and we know that our suburban school districts pay far -- pay at a salary level far superior to many districts in -- in financially depressed suburban communities and also -- but particularly in downstate communities. So, it was my hope that by not limiting it to a subject matter, that we would be able to address the issue of teacher shortages in downstate areas as well, because it's bad enough that we cannot keep people who are trained to be in the profession remaining in the profession. But we have seen -- the data shows a -- a very pronounced migration from downstate communities to better paying jobs in suburban areas. So, for that reason, I did not provide that limitation. I'd be open to discussing it as -- if this were to become law as part of the rulemaking to set that policy, but that's precisely why I omitted it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator. One of the other things that we talked about in committee is -- is what happens if a teacher leaves early. There ---- there wasn't a provision. And I think at the time in committee, you said, "You know, that's a good idea." Have -- and for the benefit of the Members, the question is, what happens if a teacher says, "Yes, I'll take the loan; yes, I will enjoy the benefits of the State's largesse", and then doesn't follow through on their obligation to teach for whatever the prescribed period of time that you have articulated in your bill? Is there a State remedy? Have you contemplated that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Mr. Roskam, it would be my intent for this to be consistent with the provisions with IHDA loans for first-time homebuyers if they were not to fulfill those requirements. So, that could either be done through the administrative process or through an -- a minor amendment in the House, if you wish.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator. I appreciate that. I think -- I think that's wise. So just -- just so that we're clear, if you could make that -- sort of rearticulate that in your closing remarks that for purposes of legislative intent, it is not the intent of the sponsor that someone that doesn't follow through on the underlying obligation get the benefit of the State's largesse. I would urge an Aye vote and thank the sponsor for his excellent answers.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

Again, I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs moves the previous question. Prior to that motion, Senators seeking -- is now one. Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. Will the gentleman yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Schoenberg, I supported this bill in committee, plan on doing so here on the Floor, as well. We just recently got a new release yesterday from the State Board of Education, talks about the Financial Watch List, that there are -- are a hundred -- I think two hundred and eighty-three that are now on the Financial Early Warning List, or in the most school -- the Financial Watch List. So two hundred and eighty-three school districts. One of the concerns that I have is that there are new criteria that -- that are being utilized to place school districts on those, including the fact that a school district is in deficit spending however they do have surplus revenues. Do you know if this will impact this program in the future if we can convince the School {sic} Board that these are difficult times, they're different times that we're in; however, in the future, if we can get them to remove that provision from

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their Watch List, it will even allow fewer school districts to participate. You don't really have a problem with that, do you, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

I -- on the surface, I don't have a problem with it, no.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 520 pass. All those in favor, vote Aye. All opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 voting No. Senate Bill 520, having received the constitutional majority, is declared passed. Senator Walsh, on Senate Bill 524. Madam Secretary, read the bill.

SECRETARY HAWKER:

House {sic} Bill 524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 524 amends the Fire Protection District Act. Provides that to encourage continued service with the district, the board of trustees of a fire protection district has the express power to award monetary incentives, not to exceed two hundred and forty dollars per year, to a volunteer -- to volunteer firefighters of that district. Provides that to be eligible for the incentives, the volunteer firefighters must have at least five years of service with the district. Provides that the amount of the incentives may not be greater than two percent of the annual

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levy amount when all incentive awards are combined. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing none, Senator Walsh, to close, sir. Senator Walsh, to close, sir.

SENATOR WALSH:

Thank you, Mr. President. Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 524 pass. All those in favor, vote Aye. All opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, no -- 0 Nays, and 0 voting Present. Senate Bill 524, having received the constitutional majority, is declared passed. Following members of the media seek leave to photograph or videotape the proceedings: WCIA-Champaign. Is there any objection? Leave is granted. Proceeding on Order -- 3rd Reading, Senate Bill 526. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 526.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- a downstate zoo bill. A couple years ago we indicated that all zoos had to give one free day per week. And some of the smaller zoos, and we happen to be one of those and in counties of under a hundred and fifty thousand, they have asked for permission, and that's what this bill does do - is to allow them to -- to instead of giving one free day a week, to make it to where they give one free day for every day {sic} they're open. So it -- it works out better for them, and they're small so they can't accommodate all the groups. And this way they can maybe do a week of, rather than an individual day. And I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

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Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Just rise in support of the bill. It came out of Exec unanimously. It's a good idea. Please vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Senator. Is there any further discussion? Senator Jacobs, to close. Okay. The question is, shall Senate Bill 526 pass. All those in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 526, having received the required constitutional majority, is here declared passed. Senate Bill 559. 559. Out of the record. Senate Bill 562. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is -- amends the Electronic Fund Transfer Act - a reverse pin number. Basically what this does is this allows electronic fund transfer terminal operations in the State must design and program so that when a consumer enters his or her personal identification number in a reverse order, the terminal automatically sends an alarm to a local law enforcement agency having a jurisdiction over the terminal location. This is an optional jurisdiction of the industry to take place. I know of no opposition at this time on this bill. I'll be more than happy to answer any questions on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Rutherford, what purpose do you rise?

SENATOR RUTHERFORD:

Thank you, Mr. President. Sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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Sponsor indicates he'll yield, sir.

SENATOR RUTHERFORD:

Senator Link, this did come before Financial Institutions Committee, and -- and you did amend it so that it is not mandatory, it is optional. And during that time I asked you with it being optional, why would we need to have a statute to do this, and you did give a -- the answer at that time. I think it would behoove to share it with the Body.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Now I just got to remember the answer I gave you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Hello. As I recall, the excellent answer you gave us was the reason that even though it's optional, that we did need a statute so that it would provide for the Department to promulgate the rules to be able to implement this. And for that reason -- that was the excellent answer you gave during committee. Is -- that still stand now?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

And now that you know it's my birthday, my memory is going good, but I'm glad you could remember my excellent answer better than I could. Thank you, Senator. And that was my excellent answer.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill is in the right direction and I support it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks. Senator -- is there any further discussion? Seeing none, Senator Link, to close.

SENATOR LINK:

I just would ask for affirmative vote on this.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay. The question is, shall Senate Bill 562 pass. All those in favor, vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 1 voting Nay, 0 voting Present. Senate Bill 562, having received the constitutional majority, is declared passed. Senator Link, on Senate Bill 563. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 563.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this does is amends the Illinois Vehicle Code for wheel and axle loads. What it does is creates a weight limit load for tow trucks manufactured with a third rear axle of fifty-six thousand pounds. Reduces the current fee from two thousand dollars to two hundred annually for a special permit issued by IDOT permitting tow trucks to exceed the weight limitation. Concerning special permits, removes the current limitation from fifty miles to transport a disabled vehicle and adds that the tow commence at the initial point of wreck or disable of a -- termination at a point where the repairs are actually to occur. I have to say, this is -- this is an effort that we worked together with the Professional Towing and Recovery Operators and the IDOT and the State Police, that we worked this out together. And I commend IDOT and the State Police for working together with us on this and work out the differences on this bill. And we -- we got it out and it become an agreed bill. But I will be more than happy to answer any questions on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Just very briefly for our side of the aisle. This bill did come out of Transportation

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Committee unanimously. I thank the sponsor for his work in bringing all the parties together. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion -- thank you, Senator. Seeing no further discussion, Senator Link, to close, sir.

SENATOR LINK:

I would just ask for affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 563 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. Senate Bill 563, having received the constitutional majority, is declared passed. Senator del Valle. Senate Bill 564. 565. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 565.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 565 creates the Illinois Early Learning Council, an unpaid, unstaffed council that will bring together a broad coalition of early childhood learning and child care experts to coordinate the use of existing resources. This is a good bill. It enjoys broad bipartisan sponsorship. It is supported by Voices For Illinois Children, Ounce of Prevention, the Day Care Action Council and Metropolis 2020, among others, and I would urge a -- an Aye vote, respectfully.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield, sir.

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SENATOR D. SULLIVAN:

Senator Harmon, is this your first bill before the Senate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Yes, Senator, and thank you for noticing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Would -- would freshman legislators count for this Early Learning Council?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

About now, I would hope so.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Do you have Council members picked out, and would they come from all over Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

We do not have Council members picked out. Although, the -
- the Act does prescribe where some of those folks are to come from. In general, the -- the Council should reflect regional, racial and cultural diversity. And beyond that, there are specific people, by virtue of their office, who will be appointed, appointees by each of the legislative Leaders and the remainder by the Governor.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Is this part of Governor Blagojevich's efforts to revamp all the State councils?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

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I believe his intention is to revamp boards and commissions, and -- and this being a council, would not fall within that category.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Now, it's for early learning. Will children be on this Council, or will it be adults on this Council?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

It would depend, I suppose, on who the Governor appoints to certain positions as the head of his agencies.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator Harmon, in committee we talked a little bit about this bill, and one of the things that was not clear to me was the provisions as it relates to expenses, per diem and so forth. Governor Blagojevich has taken a very public stand as it relates to boards and commissions and their consolidations. Can you tell me how this initiative, which is a new initiative, sort of fits within the overall scheme of him -- not scheme, his plan to consolidate these things? And -- so that's question number one. And question number two is, the -- the expenses and are there any limitations to the expenses. For example, could they go to a conference out of State and so forth?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I would not claim to try to speak for the Governor, but some facts about the bill: Again, it is an unpaid position, it is not a staffed council, and there is no provision for reimbursement of expenses, nor is that sort of reimbursement contemplated.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield.

SENATOR JACOBS:

Have you cleared this with the Governor, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I have -- I've not spoken with the Governor himself, Senator. I have no indication from his office that they are opposing this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

This is the Senate. And normally we don't make any attempt to bypass the -- the confirmation. Is this bypassing confirmation with this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I'm sorry, Senator. I don't think I understand the question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Usually board members, commissioners, directors all go through the appointments process, and they have to be approved by Senate. And is this bypassing that process, or is it just bypassing the process?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I suppose the answer is yes and no. There are certain positions who -- appointed by the Governor and confirmed by the Senate who will serve ex officio on the Council and others that

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would -- that would be appointed directly by the Governor without confirmation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Just to close. To the bill: You know, I personally think that you should do things properly, especially as a freshman. I think the other Senator said it well. You should maybe get into the learning curve. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld, what purpose you rise, sir?

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield.

SENATOR LUECHTEFELD:

This question's a -- a little bit different than -- than you've been receiving so far, and it comes basically from Senator Watson. What -- what kind of a softball player are you?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I hope that I can get around the bases.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Do you have a particular position that you play, possibly, that you would prefer?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I -- I played baseball all -- all through high school and I was always assigned the -- the positions of the short, fat guys.

PRESIDING OFFICER: (SENATOR DeLEO)

Those positions are already filled here. Senator Luechtefeld.

SENATOR LUECHTEFELD:

On a one to-ten-scale, what would you call yourself as a softball player?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

One or ten being the highest?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Ten being the highest. One to ten. What would you say?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I believe the safe answer would be a five.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

That -- that will get you in the star, because we have a lot of twos. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Members of the Senate, we've tormented Senator Harmon long enough. I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis moves the previous question. Prior to that motion, there were two people seeking recognition. Senator Wendell Jones, sir.

SENATOR W. JONES:

Thank you very much. When you started talking about the short, fat caucus, I thought I better get up and defend myself. I just had a question about your Council. Will they be allowed to do finger painting?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

The bill is silent on the question of finger painting.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR W. JONES:

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That was one of my favorite subjects, and I think you should put that into the Council. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Senator Harmon, you are from the west side and western suburbs, is that not correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I am from Oak Park, and I know enough to know that the west side is the best side, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

...answer. Why would you choose your first bill, since you're from the west side, to be a bill that takes power away from the Chairman of Executive Appointments? I got a little -- you know. What's up with that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Harmon. Senator Harmon.

SENATOR HARMON:

There was no disrespect intended, Mr. Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, what -- what point -- state your point, sir.

SENATOR DEMUZIO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR DEMUZIO:

While I was off the Floor, I heard some description of some short, fat guys.

PRESIDING OFFICER: (SENATOR DeLEO)

That is correct, sir.

SENATOR DEMUZIO:

I want you to know, I am on a diet. I intend to play third base, and I wish you wouldn't be keep talking about our President like that. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

On that remark, Senator Harmon, to close, sir.

SENATOR HARMON:

Thank you for the kind treatment. I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 565 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 Nays, 0 voting Present. Senate Bill 565, having received the constitutional majority, is declared passed. Senate Bill 606. Senator Radogno. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill attempts to clarify how certain property tax incentives for development are handled under the property tax cap once those incentives inspire {sic}. These -- this applies only to Cook County because they -- this is the county that has these tax incentives. It states that they'll be -- that once the incentives expire, the new development will be treated as new property under the property tax cap legislation. It was brought to me by the schools in Cook County. So, be -- happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Halvorson.

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question.

SENATOR HALVORSON:

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Senator Radogno, I just would like to know from you, possibly, how much this is going to cost the business owners who, if they're already getting a 6b, it's a definite need for that city, and then when the business -- when it goes off the tax rolls and it's now new property, do you have an amount of how much more that will cost the business owner that is in that property?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Well, the incentive goes off -- I mean, it depends on what the development is, you know, what it's worth. It's -- it's -- it treats these incentives, once they come off, the identical way we treat TIF developments once they expire. So it obviously is going to depend on what that development is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Okay. So it depends on every case. I -- I guess my concern is somebody's in that building and they decide to stay in a blighted town, but if that incentive goes away and now they're new property, I guess what I'm just trying to get at is how much extra.

PRESIDING OFFICER: (SENATOR DeLEO)

...Radogno.

SENATOR RADOGNO:

I'm not sure that I'm -- I'm completely understanding what -- these incentives reduce the assessment level to encourage people to develop. So, we want people to be developing, particularly in Cook County, and you know we've got that classification issue. These incentives all expire at a particular time. That's written into law. They're supposed to expire. So this bill doesn't really deal with the incentive, per se, at all. That incentive, we're not touching that. That's a county issue. All we're trying to clarify is how that property, the new developed property is treated once that incentive goes away, and we're trying to treat it the same way we do TIFs. The reason we need to do it now is because when these incentives

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were established, it was before property tax caps. So we're just trying to clarify what happens.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

And I appreciate that, and I -- and I'm going to support this, but I just have to let you know that there were a number of business owners and people from the business community that are concerned because the school districts have said that that's an increase to them, which means it has to be taken away from somewhere else. So, you know, I appreciate what we're doing and what we're trying to do for the schools. I just need to worry and I think we all need to worry about what we're doing with regards to the incentives and the business taxpayer.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any further discussion? Senator Viverito.

SENATOR VIVERITO:

I rise in favor of this particular proposal because, as we know, Debbie, a lot of times under the TIF, schools were deprived of a lot of incentives and what we've seen happen - I think the Senator would attest to that - sometime they move out and move into another area where they can be protected by a TIF. What this does is enhances the school districts and I think it's a very good bill for all of us to be on. And I completely commend the Senator in bringing it to our attention.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Viverito. Seeing no further discussion, Senator Radogno, to close.

SENATOR RADOGNO:

Thank you. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Shall -- the question is, shall Senate Bill 606 pass. All those in favor, vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. Senate Bill 606, having received the constitutional

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majority, is declared passed. Senate Bill 611. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 611 amends the Electronic Mail Act. It requires an initiator of an unsolicited e-mail advertisement to establish a toll-free telephone number or return e-mail address that the recipient of the advertisement may call or e-mail to notify the sender not to e-mail any further unsolicited e-mail advertisements. It also prohibits an initiator of the unsolicited e-mail from advertising of -- e-mailing the advertisement from selling or transferring the e-mail address of a person who has given notice that he or she does not want to receive any further solicited {sic} e-mails. I'll answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you. Mr. President, I rise in support of the bill, kind of reluctantly in a way. I mean, it came through Executive Committee and we passed it unanimously. I just don't want us to kid ourselves today. I -- I -- with -- I don't think the spam problem is going to be solved legislatively. So, we will all likely vote for this bill, it will likely pass the House and it will likely be signed by the Governor, and it will likely be very ineffective. I mean, there's a lot of folks who are sending this spam and I -- and I, probably not unlike many of you, have received some of this stuff selling products that I never knew existed before, if you know what I'm saying. And the -- they're coming from all over the world, apparently. They're coming from everywhere. It's -- it's mortgages and a whole lot of other products. But I just don't want us to kid ourselves.

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I think it's a good effort, "A" for effort, but ultimately, I think technology is going to solve this problem. But let's all vote Aye and move on.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Halvorson, to close.

SENATOR HALVORSON:

Thank you. And I would only like to add that this is just a further tool for the State's Attorney to go after some of these unsolicited e-mails. Right now, as you all know, or maybe you don't know, there is something that says if you wish to unsubscribe, click on here. Do you know that when you do that, all that has done is indicated to the person selling it that you now are an e-mail address, and it just makes it more widely known that they will send you that many more. Because what they're doing is they're sending many of these e-mails out, not even know that that's a real e-mail. We just need to give the State's Attorneys another way to go after some of this unsolicited e-mail, if possible, and I wish to get a good roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Halvorson. The question is, shall Senate Bill 611 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 Nays, 0 voting Present. Senate Bill 611, having received the constitutional majority, is declared passed. Senate Bill 616. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 616.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 616 is designed to level the playing field for patients in Illinois regardless of whether they may be in a

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public or private hospital. It arises out of a Supreme Court case from five years ago wherein, in interpreting the different statutes between the Code of Civil Procedure and the Local Governmental Tort Immunity Act, the Supreme Court decided that those patients who may have a malpractice action and were in a public hospital only have a one-year statute of limitations right. This bill would make it two years across the board. The point here is not only to provide some equity with regards to it shouldn't matter whether you are taken to a public or private hospital after an accident to be treated. Also, the common practice now is that too many attorneys, when they're not sure if they have a case or not, will just file the lawsuit but -- in order to make the one-year statute of limitations and this will hopefully cut down on this practice. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he will.

SENATOR D. SULLIVAN:

Senator Righter, is this your first bill as a Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter. Senator Righter.

SENATOR RIGHTER:

It is, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

This one should be fun for the other side of the aisle. This is Senator Righter. Senator, can you give us a little further explanation on the -- the need for this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I can. As the law stands right now, if an individual is in an accident on a highway interstate and they are taken to the

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hospital, it depends on which hospital they are taken to as to what legal rights they may have. This will make that playing field level for everybody regardless of what medical facility they're being treated at.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

I'm not sure if you were following up on Senator Luechtefeld's questioning of Senator Harmon earlier, but why do the hospitals need a level playing field? Are we talking about the softball game here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I agree the hospitals need -- need a level playing field, but this bill has more to do with probably the patients than it does the hospitals.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

This affects public hospitals. Do you -- do you represent part of Cook County and do you know if our Cook County Board President Stroger is in favor of this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I do not represent any portion of Cook County. I have not had any conversations with Chairman Stroger on whether or not he supports or opposes the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

Just -- excuse me, Mr. Chairman -- or, Mr. President, Ladies and Gentlemen of the Senate. I'm a little surprised. Whenever Senator Sullivan asked if this was Senator Righter's first bill in the Senate, I was a little surprised because he's been up on the Floor asking so many questions that I already assumed that he had passed five or six bills. So, it -- it just

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seems strange to me. But -- but to the bill: It appears to me that, as I read it, two years after the date by which the claimant knew or through the use of reasonable diligence, what if someone's like me and getting very forgetful and I don't know what date it was?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, I believe that was a question.

SENATOR RIGHTER:

I'm not sure I understood the question, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

That's just as well. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he will.

SENATOR OBAMA:

Senator Righter, it seems to me that what we're doing here is we're basically allowing more people to sue. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Actually, what I think this would do, Senator, this will -- the net effect of this will be to cut down on those suits that don't have merit. Because the attorneys and their -- and their clients will be concerned that the one-year statute of limitations now will run out, they want to get their complaint on file. That will require the people who are being sued to bring the lawyers into the case. This bill would allow them twelve more months to examine the case. That's -- that's the intent of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

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But, Senator Righter, as a -- as a fellow lawyer, surely you know that anytime that we extend the deadline for lawyers, that just -- that doesn't give 'em more time to -- to consider the case; it gives 'em more time to file lawsuits, frivolous lawsuits that are raising health care costs across the board. In -- in fact, isn't this exactly the -- the -- the kind of runaway litigation that your side of the aisle is constantly complaining about?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

They are complaining about it, Senator, right now, very loudly. No, as I said earlier, I think that this -- this ultimately will have the effect of carving down on the -- lawsuits that really don't have merit. Right now, they're not, in many cases, having the opportunity to properly investigate these cases. With this, I think that the -- the filing of those lawsuits hopefully will be more judicious.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Senator Righter, isn't it possible that this could have a fiscal impact, that by, in fact, extending the deadline for filing lawsuits, that this is going to further clog up the courts and -- and that, in fact, this could contribute to the budget deficit and -- and that -- that -- that we probably really don't want to add additional costs to government at a time of crisis? Isn't that exactly the kind of thing that you've been standing up repeatedly discussing throughout the last several weeks?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I think that that will not be the result of this bill if it becomes law, Senator Obama, but I appreciate your concerns in that regard.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

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Final point, and this is, I think, the most important one. By extending this statute of limitations, is there any way that we could maybe tighten the statute of limitations on Senator Roskam's questions?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Yeah. I'm ready to answer that. The more noise I hear over here, the more interested I am in talking to you about that, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Now that we've finished tormenting poor Senator Righter, I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. It's not necessary because you are the last speaker. We'll have -- Senator, seeing no further discussion, would you close, please?

SENATOR RIGHTER:

Just appreciate an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The -- the question is, shall Senate Bill 616 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 51 Ayes, 2 voting Nay, 2 voting Present. Senate Bill 616, having received the constitutional majority, is declared passed. Senate Bill 618. Senator Cronin. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. Senate Bill 616 {sic} simply expands the definition of textbook to include science curriculum

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materials in a kit format. I know of no opposition. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Senator Cronin, to close.

SENATOR CRONIN:

Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, on Senate Bill 618, shall Senate Bill 618 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 1 voting Nay, 0 voting Present. Senate Bill 618, having received the constitutional majority, is here declared passed. Senate Bill 619. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 619 amends the Military Leave of Absence Act. It requires payment of State compensation and benefits to full-time State employees while on active duty with the Illinois National Guard, the United States Armed Forces reserves or the Illinois State Militia reserves. It reduces the employee's State compensation by the amount of active duty base pay, and I just encourage an Aye vote or I'll answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Just rise in strong support of this bill. It passed unanimously out of Exec. It's a great idea, particularly today.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Halvorson, to close.

SENATOR HALVORSON:

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Thank you. I just encourage an Aye vote. The Governor already does this. This will just codify what he currently does.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 619 pass. All those in favor, vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 54 Ayes, 0 Nays, 0 voting Present. Senate Bill 619, having received the constitutional majority, is declared passed. Senate Bill 620. Senator -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 620.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Mr. President.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Senate Bill 620 limits the type of appeals that may be heard by PTAB in counties of three thousand -- three million or more to -- inhabitants to residential property of six units or less for assessments made -- in the year 2002 assessments. Many of you may have read the editorial in the Sun-Times that I had distributed to your desks today. In -- in the middle 1990s when PTAB was sold -- or, given to us to pass, it was promoted as the -- the poor person's court, where people who could not afford attorneys could go to the PTAB and get their property tax cases heard and probably reduced. PTAB now is dealing with issues that they do not have any standards for as relate to assessments, dealing with big, major high-rises, dealing with large businesses and so forth, which they are not equipped or established to do. Senate Bill 620 will ensure that this -- that PTAB will continue to be the poor person's court. Currently in Cook County, if this bill pass, there will be three methods with which those individuals who -- wish to have their property tax reviewed. They can do it through the County Assessor's Office. If they are not satisfied there, they can go to the Board of Review. If they're not

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satisfied there, then they can go to Circuit Court. Three methods with which to deal with the very, very complex issue as relate to taxes. That's why we introduced this bill, to limit PTAB to areas outside of Cook County when you're dealing with large businesses, large buildings and let it remain the poor people's place where they can go have their property tax reviewed and things of that nature. So I ask for a favorable vote on this bill so that the people in Cook County, homeowners, will not get stuck with higher tax rates and higher taxes because PTAB have given some big, major tax breaks when they -- when they were not really equipped to do the job. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, President Jones. Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciate the characterization of the poor people's court when you think about the Property Tax Appeals Board. I'm a resident of Cook County, a property taxpayer there, and one of the things we worked hard in the nineties to do was make sure that we helped the Cook County Assessor's Office modernize and move forward. The bright framers of the 1970 Constitution reserved for Cook County the right to classify its property. What it led to was twenty years of political kind of manipulation of the property tax system where commercial and industrial property is assessed so -- at such a high rate that we essentially developed DuPage County by having Cook County businesses move away from property taxes they could no longer commercially sustain. Now, I know Assessor Houlihan has been working hard to try to face up to the problems in the Cook County property tax system. One of the pieces of reform that we worked hard during the nineties to do was to access the PTAB board for Cook County property owners. The -- the two levels of -- of appeal that the Senate President talked about was, first, that you can go back to the guy who assessed you wrong or assessed you in a way that you're uncomfortable and ask him to rethink it. So, you can go back to the politically elected Cook County Assessor and say, "Hey, can you cut me a fair deal?"

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Your second choice, if that doesn't work, is you can go to the partisan, elected Property Tax Appeals Board in Cook County and you can say, "Hey, the -- the democratic Assessor didn't give me such a fair deal. Can you cut me a little bit of a fair deal?" And if that doesn't work, you can go to the -- to the pristine, very fast, well-organized Cook County Circuit Court system where you'll probably wait in line three years to get a judge, who has no expertise on property tax matters, to take a look at your property tax. When we inserted the reform of adding the Property Tax Appeals Board, we gave taxpayers that are paying major portions of the -- of the tax bill, people who employ lots of people in Cook County, who are important to the vitality of Cook County, particularly south Cook County, we gave them access to property tax appeals experts who could compare statewide and nationwide data on assessment. Now, I realize that makes the Cook County Assessor very uncomfortable, and I know Jim Houlihan intends, over time, to reform that office. And I know carrying the classification system from the bright framers of the '70 Constitution uphill is like -- like carrying a -- a rock up to the top of a mountain. So, it's not a good situation. But the solution to this situation is not to drive more businesses and employers out of Cook County; it's not to tell taxpayers who are being unfairly assessed that they don't have recourse to the nonpartisan property tax experts at the Property Tax Appeals Board. This is an anti-jobs bill. This is an anti-south Cook bill. This is an anti-Cook-development bill. I mean, we may have to do some hard things over the next three or four years here to deal with the classification system, but I would just tell you, as a Cook County resident, I think this is bad public policy. This reverses reforms we were able to achieve in the nineties. And you know, we -- we all need to help Jim Houlihan - he's a great guy - but this is not the way to help him, letting him off the hook, letting the Cook County assessment system off the hook, and continuing kind of the -- the abandonment of Cook County by commercial and industrial users and employers is bad public policy. I urge people to think hard before we participate in destroying the vitality of Cook County. It's fifty-two percent of the assessed valuation in the State of Illinois. Those people should have the right, as property taxpayers, as

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citizens of this State, to access the Property Tax Appeals Board. Please don't buy into this as some kind of reform. This is going backwards on what we should be doing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

...the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Jacobs moves the previous question. Prior to the motion of Senator Jacobs, there were three people seeking recognition. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: Just two other points, really, to follow up on Senator Rauschenberger's comments. One is, there are a number of opponents to this bill, including the Taxpayers' Federation of Illinois, the Illinois Association of Realtors, Chicago Development Council, Chicagoland Chamber of Commerce, the Property Tax Committee of the Chicago Bar Association, the Illinois State Chamber of Commerce and the Illinois Retail Merchants Association. You know, one of the questions that came up in committee was what happens to the mom-and-pop shop. In other words, if you are a family and you own a garden business, you have a flower shop, you've got a -- a small retail drycleaners or whatever you happen to have, under this bill, you're out of the box. Under this bill, you're treated as if you are a huge commercial developer; you're treated as if you're the owner of one of the skyscrapers in downtown Chicago. So, I think -- are there problems in the current system? I think clearly there are. Does this go too far? Does this throw the baby out with the bathwater? I think clearly the answer is yes, and I would respectfully ask for a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Yes. Thank you, Mr. President. You know, if you want true political reform in Illinois, you want to vote No on this bill. This is a repeal of a previous reform. The last thing that we

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would want to do is centralize more power in the Assessor's Office. I don't ask you to believe me, but if you go back to Crain's Chicago Business, they did an article about the assessment process in Cook County a couple years ago and it was a story - actually, it was interesting enough to -- to qualify for a novel - truthful reporting of a who's who in Illinois politics. The names of people who practice here: Madigan, Hynes, Burke, others. Even when the question was asked of a brother of a person who was making these decisions, "Don't you think that there might be a bias in your favor when you come to take your clients' interests in front of this -- the -- the Assessor? Don't you think that there's an appearance, if not a reality, of a bias?" And the answer, I thought was interesting, was no. But the last thing in the world we want to do is centralize more power within the Assessor's Office. And the Sun-Times article, I would ask you to consider that the Sun-Times also has a building in -- in downtown Chicago. It's a very expensive building. Property tax is very high, and certainly protection of their reputation with the Assessor is a factor. So, if you want true political reform in Illinois, you want to vote No on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Our last speaker seeking recognition, Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. If -- if you want reform, you're going to vote for this bill, and I'm not an editor or a member of the Sun-Times board, but I -- I think they should be a little bit offended at the suggestion that their editorial is based on a desire to have a relationship -- a better relationship with the Cook County Assessor. That's one of the finest papers in this nation, and I doubt that they would editorialize simply along that lines. To Senator Rauschenberger, my -- my esteemed colleague and great friend, you sort of suggest that the County Assessor is guaranteed to be a Democrat. Well, that's not the case. The voters of Cook County determine who the Assessor is, so it's not -- this is not a partisan question, nor is the -- the Tax Appeals Board guaranteed to be Democratic. All you have to do is take care of your business in Cook County and elect a

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Republican and -- and then the Assessor will be Republican. But just because a Democrat won doesn't mean that this is a bad bill. I was an alderman. We had problems with PTAB then. The problems still exist. And as -- as -- as Republicans, you're supposed to be for downsizing government. This is downsizing government. This is to -- to have big government where you have to go to the Assessor then PTAB and all that, that's not good for Illinois. So if you want to vote for real reform and downsizing government, which is part of the Republican philosophy, at least when I was hanging out with Republicans that's what they used to tell me. I won't know -- lately. I don't do that too much anymore, but when I was, they always said they were for downsizing government, smaller government. If you want smaller government, vote with President Jones. Vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. President Jones, to close.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I'm really shocked that one would say that the Sun-Times editorial would be tied to this legislation. If the truth were told, the buildings owned by the Sun-Times, the buildings owned by the Chicago Tribune, they're taken out of PTAB and be left with Cook County. So -- so, it's not helping them, if you say that PTAB is so good. There should be standard, there should be comparables when you talk about assessing major commercial property and large buildings. PTAB doesn't have that. It doesn't have the staff. When I was here and it was promoted, it passed under -- on a party line, they said, "Well, people need a place to go who cannot afford lawyers." Big, major corporations can afford lawyers, so they're running in, taking advantage of this big loophole which is impacting the school districts in the south suburbs, giving these huge tax breaks when they don't even know what they're doing. Or the big, major commercial property in downtown Chicago, you should be equipped to handle that. That's the problem. It was deform, not reform. And it passed along party lines. That's what that issue's all about. I appreciate what my colleague over there had to say, but sometimes at least tell the truth. You're looking at that clock, and we'll give you truth twice a day, Senator. At least tell the truth on -- as relate

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to this piece of legislation. Just because you live in Cook County, you should not be cheated equally as well. Why shift the burden to the homeowners. You talk about the small businesses and so on, the ma-and-pa. At least those businesses who are making money can afford a lawyer. What about that little old lady who's a senior citizen who owns a home? Should the burden be shifted from the large commercial to that little homeowner? No, it should not be. This is reform. That's why we need this legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 620 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 33 Ayes, 20 voting Nay, 1 voting Present, 5 not voting. This bill, having received -- Senate Bill 620, having received the constitutional majority, is declared passed. Senator Halvorson, what reason do you rise?

SENATOR HALVORSON:

Point of personal interest.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR HALVORSON:

I guess I was so stunned that I had three bills not only in the same year, but all on the same page, that I forgot to vote for my last bill. So, could the record reflect that I was for my own bill?

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your comments. Senate Bill 630. Before we go to 630, Senator Martinez, what purpose do you rise?

SENATOR MARTINEZ:

I also, too, did not vote for the -- 619 and like to cast my vote as a Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate it. Senate Bill 630. Senator Crotty. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 630.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and fellow Members of the Senate. Senate Bill 630 amends the Hearing Instrument Consumer Protection Act. It provides that no more than five hours of continuing education credit per year can be obtained through programs sponsored by hearing instrument manufacturers. The Hearing Society proposed this measure in an effort to improve the professional standards of those individuals who dispense and fit hearing aids. Thank you, and I'd entertain any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes, I rise in support of this. This passed unanimously out of our committee. I think it's a good piece of legislation, and I urge an Aye vote on this side.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further... ..Hendon, what purpose do you rise, sir?

SENATOR HENDON:

Thank you, Mr. President. Senator, is this your first bill as a Senator? I mean, but did you get a hard time yesterday, or we gave you a pass? So, why should we give you a pass today? You're beautiful and all that. Gorgeous. I love your hair, but, you know, what's going on here? I mean...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR HENDON:

Have we gotten so nice around here that we can't even give a freshman a hard time every now and then? Gee whiz! What's going on here? I don't like your bill. Now...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

I -- I can't comment.

PRESIDING OFFICER: (SENATOR DeLEO)

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No further discussion. Seeing none, Senator Crotty, to -- sorry. Senator Geo-Karis. I'm sorry.

SENATOR GEO-KARIS:

Mr. President, I just heard Senator Hendon. I feel he's two-timing me.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, would you like to respond to that, sir?

SENATOR HENDON:

Let me -- let me make this straight: She cute, but you fine.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to close.

SENATOR CROTTY:

I want to thank everybody for their attention. And this just makes me feel real at home. It's just like being in the House. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 630 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On this question, there are 55 Ayes, 0 Nays, 0 Present. Senate Bill 630, having received the constitutional majority, is declared passed. Ladies and Gentlemen, on the top of page 33, we'll go -- continue our 3rd Readings. Senate Bill 633. Senator Shadid. Senator -- out of the record. Senate -- Senate Bill 639, sir? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 639.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President, Members of the Senate. This bill here, Senate Bill 639, changes the responsibility of transporting mental health patients. Instead of the county sheriff being responsible for doing that, this responsibility is being transferred to the Department of Mental -- of -- I'm

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sorry, to the Department of Human Services. I would appreciate your support, a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I just rise in support of this legislation. It's a fine piece of legislation, even though it is George Shadid's legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I just want to point out to Senator Hendon, this is not Senator Shadid's first bill. I didn't want -- I didn't want Rickey to say that he was fine or he liked his hair either.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Shadid, to close, sir.

SENATOR SHADID:

Yeah. In response, Senator Burzynski, Rickey and I have better conversation when we're alone. Thank you. I appreciate support.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 639 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. Senate Bill 639, having received the required constitutional majority, is here declared passed. Senate Bill 640. Senator Link. Out of the record. Senate Bill 641. Senator Burzynski. Out of the record. Senate Bill 642. Senator Radogno. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the definition of -- of drug paraphernalia. It's currently defined as equipment, products and materials peculiar to and marketed for the unlawful -- and marketed for use unlawfully, and this broadens the definition to include equipment, products and materials of any kind which are intended to be used unlawfully. So it covers homemade drug paraphernalia, which current law does not. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing -- seeing -- Senator Radogno, to close.

SENATOR RADOGNO:

Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 642 pass. All those in favor will vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 Ayes, 0 Nays, 0 voting Present. Senate Bill 642, having received the required constitutional majority, is declared passed. Senate Bill 679. Senator Sandoval. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 679.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, fellow Members of the Senate. This bill makes it unlawful for any employer to adopt or enforce a policy that prohibits the use of any language in the workplace unless the policy is justified by business necessity and unless -- and unless employees are given a notice of the policy and the consequences of the policy of the violation. It also clarifies the right of the employers to impose English-only limitations

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based upon business necessity. I stand here this afternoon as a -- calling for your support of a right of every individual of this country to exercise the basic freedom of speech in their native language in the workplaces in the great State of Illinois. I think that this bill will add to the quality of life of all the hardworking people of the great State of Illinois, from Rockford to Elgin to Waukegan to the south side of Chicago, and even to the small town of Sandoval in central Illinois. I ask your favorable vote, Mr. President and Members of the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he will.

SENATOR JACOBS:

Senator, you know, it's probably a good thing that on our computer it shows no analysis available, but that's okay because the -- the Calendar states that this has to do with human rights-language-workplace. Now, have you ever heard of the theory of evolution? Does this, then, include monkeys, and if so, do monkeys have their own language?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

I guess, if you would like to consider monkeys to speak in their native language in the workplace, so be it, Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

I think that's a pretty broad answer to a pretty specific question. Now, I just ask you one more, beings that we're dealing still with the -- the theory here. Are you familiar with the group, The Monkees?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

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SENATOR SANDOVAL:

No, Senator Jacobs. I am -- my parents are from Mexico, not from Greece.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

So, what -- I guess what I'm asking then, would any of their songs be covered by this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, Senator Jacobs, they would be covered.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates he'll yield, Senator.

SENATOR CULLERTON:

Senator, this came through our committee and I recall your testimony in front of the committee, and I wanted to ask you if you can relate that to the Members of the Senate. It had something to do with the motivation for this bill and had something to do with, in the workplace, you said that -- something about a person's wife couldn't even -- wasn't even allowed to call them at the workplace. Could you -- could you refresh my memory as to just what that is about?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Cullerton, yes, I'd like to refresh your memory. During committee I gave testimony that I was personally a target of discrimination in the workplace. I -- during the -- the pregnancy of my wife of our twins, Marty and Angie, I got the call that she was going to the hospital and I, of course, was on the phone, speaking in my native language of Español, and I was advised by my employer to hang up the phone because this was not a business-related discussion since I was not speaking English.

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And so I was restricted, prohibited from speaking my native language to my wife, who is from the country of México.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

So, there's a situation that exists right now where you don't have to take a call from your wife and you want to change that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

Will the Senator yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman indicates he will, sir.

SENATOR VIVERITO:

Senator, if I heard you correctly - and I probably -- maybe I didn't - but you said, as big as you are, that somebody intimidated you in the workforce -- workplace?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Viverito, I -- my -- I was intimidated by someone who was bigger and from the country of Italy.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

Now, Senator, you're getting a little bit personal. Now, you know, we're not supposed to get personal on this Floor. But you know the Como Inn? Very good friends of ours. And of course -- of course we were over fifty years, and Italians get along very, very well, and the Mexicans had no problem working for the Italians or understanding their language. Am I right, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Viverito, I was not around fifty years ago.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR VIVERITO:

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Senator, I think, again, that this being your very first bill, I love to pull your chain, but I still find difficulty in believing there was an Italian that would intimidate you. But, congratulations.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I can well appreciate the frustrations of Senator Sandoval; after all, whether it was an Italian employer or -- or Greek, remember, those of you who do not come from the Mediterranean or from lands like Mexico and other areas, Latino countries, don't really appreciate all of us, but every now and then you have to learn. And, Senator Sandoval, I -- I applaud you for bringing that forth because as big as you are, if your boss was something else and was a non-understanding jerk, naturally you would not want to lose your job. But I commend you because there's nothing wrong with foreign languages, 'cause this country's made from -- of all of us who came from foreign lands, and I congratulate you for bringing up this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The Majority Leader seeking recognition, Senator Demuzio.

SENATOR DEMUZIO:

You know, I -- I listen to this and, Marty, you've done real well, but I had no idea that one of Bob Molaro's guys worked over there for you. I had no -- and I support your bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates he will, sir.

SENATOR D. SULLIVAN:

And I -- Senator, I see that this amends the Human Rights Act, and in my reading of it, I haven't find -- found the language on the gay rights section of the bill. Can you point that out to me?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Sandoval.

SENATOR SANDOVAL:

I am not familiar with the full Human Rights Act, Senator Sullivan, but as soon as I sit down with members of your community and talk about the -- community and learn more about sexual orientation, I will respond to you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Well, no, I'm a very happily married man with four children. Thank you, though. You know, if you -- a couple of years ago, Senator Sieben had a bill for -- yeah, my wife's happily married also. Senator Sieben had a bill for auctioneers and when he presented it on the Floor, in his closing he -- he did it in an auctioneer's voice. And I thought maybe it'd be appropriate, since this deals with Spanish language, you may be able to present that to us in your native tongue.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Righter, sir.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he will, sir.

SENATOR RIGHTER:

Senator, I appreciate the discussion that's gone on so far, and I -- and I do have just a couple serious inquiries I would like to make to you about the bill. The term "language" is not defined in the bill and so there's -- there's two areas I want to talk to you about. First, what about an issue concerning profanity. Would that fall within the scope of this bill? My understanding of the bill is, is that the restrictions can only be made if, one, there's an absolute business necessity and, two, there has to be notice posted of that. My concern is an account -- a small accounting firm, maybe, where there's -- there's -- there's two or three employees in a certain common work area, no clients ever go back there or anything like that, and one or two of the employees -- one -- two of the employees is -- is using profanity excessively. Would this -- would this

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allow that employer to -- still regulate that or would this --
would this empower the employee to continue to do that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Righter, no comprendo su pregunta.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Okay. Let me try again. If I own a small accounting firm and I have a group area where I have two or three staff people working where they don't have any contact with clients or anyone else like that and one of the employees insists on using profanity on a regular basis and I object to that, the other employees object to that, if this would become law, would that prevent me from telling that employee they either need to stop using profanity or there'll be some kind of repercussion for that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Righter, the legislative intent of this piece of legislation is to not allow and prohibit profanity in the workplace, in any workplace, including this Chamber.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

And then, on that point then, I hope that this bill will certainly pass out of this Chamber, that you will consider an amendment in the other Chamber that will -- that will restrict that because I don't know that that's in there now. The other one is a -- is a little more serious and this would have to do not with profanity, but with words that would constitute under our law, sexual harassment. And I guess the same question comes forward in the same situation. I'm the employer and I have one employee back there who's not using profanity but they are continuing to use words which other employees find offense to, is this going to allow them the freedom to continue to do that without me, as an employer, being able to regulate that?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

When -- when you say that, I guess...is it your belief that the law -- that the bill, as written right now, would not include that or that that is not your intent by moving this piece of legislation? 'Cause those -- I mean, those are -- I think that's an -- there's an important distinction between those two.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

All right. We -- we can prohibit language that is derogative sexually in nature in the workplace.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I'm -- I didn't -- are you saying that you can now?

SENATOR SANDOVAL:

That's correct, sir.

SENATOR RIGHTER:

Then -- well, that's true. My concern is, is that this addition to the Human Rights Act would put those prohibitions in competition with this and puts that up for question, then, about -- well, some person's going to say, "I'm being sexually harassed." The other person who's doing that in the workplace, if this is law, is going to raise this -- the Humans Right -- Human Rights Act as a defense, and say, "I have a right to speak as I choose."

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Righter, if you look at line 27 of the bill, it talks about "the language restriction is necessary to the safe

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and efficient operation of the business". And so that would be included in the bill as it exists.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

That's a good point and I appreciate you pointing it out, Senator. Just -- I hope that you will consider - this bill's going to move out - that you will put specifically in the bill issues such as profanity or sexual harassment so we don't get to the courts later on after this becomes law and have to litigate this issue for a year or two. Thank you very much, Senator. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks. Is there any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Just a question. I -- I have enormous respect for the sponsor. I've enjoyed working with you already. I do have a question about the -- just -- and perhaps on a more serious note, and I apologize. I guess maybe that's not as appropriate on your first bill. But the official language in the State of Illinois is what?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

English is the official language, as I understand it, Senator Lauzen, but that has no relation to this piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Could you -- could you share with us the -- the concept or the thought. And -- and I think that it's a terrible thing for anyone, to be intimidated anywhere. And so that personal experience that you had and -- and any person -- any other person has is a bad thing to occur. But why would -- if you could share with us your thought as far as why it would be wrong for an employer, especially a small employer in the State of Illinois, to require the official language of the State of

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Illinois to be spoken at her place of employment. Could you share with us what your -- the thought is?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Lauzen, if you read the bill in its entirety, specifically -- actually this benefits -- this piece of legislation benefits employers. It puts them on notice that they may restrict the use of their native language if it is a business necessity. So at any point in time any employer in this great State of Illinois deems it appropriate and a business necessity to conduct its operation and its business in English, it has a right to and should exercise its right with the caveat that it must notify their employees appropriately, as indicated in this piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Does this law, in your opinion, bring all of us closer together or does it divide? I -- my grandparents, all four, came from Romania. I speak just a little. Mostly I learned how to sing a -- a Christmas carol in Romanian, and I'm very proud of Romanian heritage, as you are of -- of your Mexican heritage. Is it generally -- I -- I think that one of the things that all of us are responsible for is bringing us together, as opposed to keeping us -- although we appreciate our own and others' heritage before -- you know, in the United States, is this something that brings us together or may keep us, just in a little way, a little bit separate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Lauzen, this -- this piece of legislation undoubtedly brings this country more together, unifies us, but more importantly, it unifies the people of the great County of Kane in places like Batavia and Aurora and all the Latinos and Asians and other folks from foreign countries that live in our home districts. This only enhances the quality of life for all those people that we represent in our home districts that work

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in the restaurants, that work cleaning the hotels, that work cleaning our offices, that work in the factorias, that work in the tire shops, that work in every shop that we all -- we all do during our everyday lives, day in and day out.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Question is, shall Senate Bill 679 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 Ayes, 0 Nays, 1 voting Present. Senate Bill 679, having received the constitutional majority, is declared passed. Senator del Valle in the Chair.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senate Bill 685. Senator -- Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 685.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 685 amends the Local Mass Transit District Act in several important ways. This -- this bill is the result of a -- of a collective effort by a number of downstate transit districts. It makes technical changes to the Local Mass Transit District Act that -- that was requested by each district. Some of them are varied. For example, it -- it allows for the annexation into a Metro East transit district, which I represent in Madison and St. Clair County, of territory that is contiguous to the transit district but not in the same county. The reason for that is that these transit districts were set up on a basis of the old Bi-State service area. It also adds a -- a paragraph which mandates that if a transit district buys out or absorbs another transit facility, all the employees have a vested right to keep their jobs in the new transit facility. It outlines how these transit district trustees are appointed. It increases their pay from fifty dollars per diem to one

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hundred dollars per diem, but a maximum of four hundred dollars from a previous maximum of two hundred dollars. Now, this is a permissive thing, doesn't mandate a pay increase. Some of the districts will do it; some will not. My home district indicates that it will not. There were -- there's some paragraphs relating to the -- the lease of property, purchase of property that were requested by the Champaign-Urbana transit district. There is a provision in there to allow transit districts to borrow. The Metro East transit districts cannot presently borrow money which means that they cannot issue bonds. They have to go into various devices such as lease agreements, buy-back agreements, which cost more. There is no provision in this Act to raise a tax. None. The -- the issuance of the bonds must be paid from the revenues generated at the present time. So, it does not authorize any tax increase unless -- there is a provision which authorizes a referendum to increase the sales tax in the Metro East transit districts, the area that I represent, among others, and that is for the purpose of providing matching funds for the expansion of light -- light rail, but that's only upon a front-door referendum submitted to the voters by two thousand five hundred citizens. And there's another provision from the Metro East area which mandates that the Department of Revenue collect a fee, which does not raise the fee - it just provides a mechanism to have the Department of Revenue collect a fee upon the sale of -- of automobiles. Again, it does not raise the fee. The fee's already been in place. It's the -- the fee is in lieu of applying the sales tax through the purchase of cars, which no one particularly wants in that area. So, that's about it, and I would ask the consideration of the Body. I'm open to any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Wendell Holmes -- Wendell Jones.

SENATOR W. JONES:

Yes, Mr. President, I rise to indicate that we have support for this. We had a couple of Members in our committee who questioned the non-referendum aspect of the bonding, but on balance, we think it's a good bill and certainly will move transit forward in your part of the State. I would also like to

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announce that our Minority Leader, Frank Watson, is -- is for this piece of legislation and most of the Republicans on Local Government supported it. I think we had two dissenters. So, we are in support. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

Thank you. Senator Haine, just for my own information. I was just trying to read through the analysis and everything. The portion relative to the bonding -- referendum - let me put it that way - where you indicated they had to have twenty-five hundred signatures to put it to a referendum. Is that just for the one mass transit district?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

It's only for the Metro East transit districts, the one in our area, and that is not a bond; that's only to increase the sales tax. That's all it does, because there's no sales tax increase in this bill at all.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just one follow-up question. Why the twenty-five hundred? Is that a percentage of registered voters or -- I'm just kind of curious. I didn't know.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Senator, I don't know. It was a collective decision. This came out of a meeting of all these transit districts. I -- I guess they didn't want to make it too low and they didn't want to make it to -- burdensome. If they had ten percent of the general election, it'd be eighteen thousand. So, you see?

PRESIDING OFFICER: (SENATOR DEL VALLE)

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If there are no further questions, Senator Haine, to close.

SENATOR HAINE:

Well, I -- I would appreciate a vote. As the Senator -- Senator Wendell Jones indicated, it will move the transit districts forward with -- by amending this -- this Act. This is a good government bill. Thank you, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 685 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, 7 voting Nay, none voting Present. Senate Bill 685, having received the required constitutional majority, is declared passed. Senate Bill 686. Senator Haine. Mr. Secretary, read the record {sic}.

ACTING SECRETARY HARRY:

Senate Bill 686.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a bill which amends the Criminal Code which, at the present time, makes it a Class 3 felony, or Class 2 felony - I'm not sure which now - to possess a silencer. This is not a gun bill. This is a bill -- jobs bill, really, which affects those who have a United States government license to manufacture munitions, and that applies to the Olin Corporation, in my district, which employs three thousand five hundred workers, all members of various crafts, including the International Association of Machinists. And they need this bill to compete for Department of Defense contracts on rifles and -- and munitions which are fired from rifles with silencers or handguns, and the only way they can compete is to be able to lawfully possess a silencer. The bill is very restrictive. The only way a -- a government entity can allow this is through a license. That's the only way a company can be allowed to possess a silencer. And I would ask the favorable consideration

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of this, especially -- and this is for the Department of Defense, as I say. United States Navy is the one who wants to engage the Olin Corporation in the manufacture of these munitions. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 686 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 Ayes, 1 Nay, 2 voting Present. Senate Bill 686, having received the required constitutional majority, is declared passed. Senate Bill 688. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 688.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Purpose of this bill is to clarify the Attorney Act to -- on the prohibition of unauthorized practice of law. It's patterned after other penalties that exist for unauthorized practice for a variety of other professions that we already have on the books, such as accountants, dentists, detectives, doctors, engineers, pharmacists, real estate brokers, and veterinarians. It is a -- designed to provide consumer protection through a variety of private rights of action, will clarify venue rules and the Bar Association's standing to bring actions and will specify available remedies comparable to those found in the Consumer Fraud and Deceptive Business Practice Act. Senator Dillard and I are cosponsors of this bill. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall Senate Bill 688 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 688, having received the required constitutional majority, is declared passed. Senate Bill 697. Senator Demuzio. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the School Code. It provides that if there's a vacancy in the office of the regional superintendent of schools of any of the educational service regions that are not located in a county that is a home rule unit, that the vacancy shall be filled by the appointment of the county chairman or the -- or the committee of the county chairmen of the same political party that the regional superintendent of schools' vacancy -- that vacated was -- was attached to. Currently what is taking place now is, is that - even in my own area; I've had two vacancies in regional superintendent of schools the current statute calls for the regional superintendents to be -- vacancy to be filled by the county board chairmen of the respective counties in which the regional superintendent runs, and they do so by weighted vote. What this does now, since they're State officials now and -- and the fact that they run in a partisan vein, it seems to me that the proper appointing authority ought to be the county chairmen of the respective political parties to which the -- the vacancy occurs. And with that, I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of the bill, and I did want to ask the sponsor if he'd be kind enough to state, just for purposes of intent, that this does not apply to suburban Cook County.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The sponsor indicates he will yield.

SENATOR DEMUZIO:

Hello.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senator Cronin, that's absolute.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

It's a good bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator, briefly, I'm not sure I understood fully what problem in your district arises to -- is there -- is there a problem with getting someone appointed or you just think that it's more -- it's important to have symmetry between elected officials, like legislators, as opposed to regional superintendents?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Some of the counties have county board chairmen that don't belong to the party to which the vacancy occurs and I've had the -- the -- both -- both political parties have indicated to me that they would prefer to see the process change, and that is the reason for the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Sometimes in campaigns we hear, back and forth, Senator, and I know you're aware of this - and both sides do this - in taking on someone who's been appointed,

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they like to attack that person in saying that they're not legitimate because they're an appointee, they weren't elected by the people, or something like that. Is it your -- do you have a concern that these regional superintendents may fall victim to the same kind of criticism that they're not going to enjoy the same breadth of authority, maybe legally, but not in real terms because they've just been appointed and not been elected?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Your guess is as good as mine. You know, everybody's free game, it seems to me; however, they do run in a -- in partisan political election and it seems to me that we fill vacancies for the Senate, for the House. Perhaps we ought to expand this at some point to do this also for the other county offices that are -- that we have vacancies for. That is -- this is only for the regional superintendent of schools. And in some instances, I have -- in multiple counties, I may have one county of one political party and three of the other - county board chairman. I may have three -- and the reverse in another county. I've had both -- both ways now in -- in the last year.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

And I appreciate that, Senator. My concern is that there'll be a feeling out there that some people may be attacked in a campaign for not being really legitimate because they weren't elected. I mean, in your mind, I want -- I guess I want to ask: In your mind, will they be just as legitimate and just have just as much authority if they're appointed than if they're elected?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

I don't know the answer to that question. All I can tell you, there's a vacancy. They have -- they have to be appointed. And what has happened is that the political parties would rather have the appointment power to which the vacancy occurs. That's -- that's -- that's as simple as you can get. I mean, I don't

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know the rest of the issues that -- that could be -- develop. I suspect that you could argue both ways of the question that you've asked.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

And I'm sorry. Maybe I didn't state my question as clearly as I should have. I'm asking, in your mind. I mean, Senator, you've been around for a long time. I'm asking, in your mind, would they have just as much legitimacy {sic} and just as much authority appointed as they are elected? And that's a concern of mine. I think it ought to be a concern for all the people who live downstate and are subject to the authority of the regional superintendent. In your mind, what do you see?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

I didn't really understand your question. Could you restate your question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

As the sponsor of the bill, Senator, is it your opinion that people -- regional superintendents who are appointed under the system that your bill calls for would have just as much legitimacy {sic} -- sorry, just as much -- just as much legitimacy and just as much of authority whether they were elected or appointed? That's -- that's the only question. In your opinion.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

I suspect you could ask that question of the -- the new lady who took Senator Klemm's spot a -- awhile back. I mean, all I'm attempting to do is to clarify the process and -- and what is in my mind is irrelevant to -- to this process.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any other discussion? Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President. Senator, I'm just asking you whether, in your opinion, these regional superintendents will enjoy the same status, the same authority, are just as legitimate whether they're appointed or elected. And -- and it's a -- it's a simple question. I'm just -- I'm just curious, as the sponsor of the bill, whether you think that's true or not.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'll answer the question. I would pose the same question back to you to determine what is in your mind with respect to this, but I suspect, yes. The answer would be yes. The lady in front of you has the same -- has -- would have the same legitimacy, and I would say yes. You're -- the answer to your question is yes, an unequivocal yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter, could you please bring your remarks to a close?

SENATOR RIGHTER:

I'm done, Mr. President. Thank you, Senator. I appreciate that very much. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, there being no further discussion, the question is, shall Senate Bill 697 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, and none voting Present. Senate Bill 697, having received the required constitutional majority, is declared passed. Senate Bill 698. Senator Demuzio? Out of the record. We're turning to page 37 on the Calendar. Page 37 on the Calendar. Senate Bill 804. Out of the record. Senate Bill 805. Senator Radogno. Out of the record. Senate Bill 809. Senator Cronin? Out of the record. Senate Bill 810. Senator Syverson. Out of the record. Senate Bill 820. Top of page 38. Senator Clayborne. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 820.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. Basically -- Senate Bill 820 allows for those teachers who were employed prior to 3/31/86 to participate in the Medicare program. They're allowed to make a onetime irrevocable election to participate in the federal Medicare program. Employers are required to pay the necessary employer contribution and make the necessary deduction from the salary of the teachers. This is important because of the problem that we're currently having with our TRIPs program, our Teachers Retirement Insurance Program. It's determined that this is a very minor cost and basically all -- all teachers after -- that were hired after April 1st of '86 are already required to participate in the -- in the Medicare program. The proponent of this legislation is the Teachers Retirement System. I will ask -- I'm open for any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Just to Members on this side of the aisle, this is a piece of legislation that passed unanimously out of committee, and I encourage them to support it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Are there any other questions? If not, Senator Clayborne, to close.

SENATOR CLAYBORNE:

I appreciate your comments, Senator Brady, and I will ask for the Senate's favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 820 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, and none voting Present. Senate Bill 820, having received the -- the required constitutional

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majority, is declared passed. We're moving to the middle of page 40. Senate Bill 875. Senator Welch. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 875.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill simply amends the Higher Education Student Assistance Act, increasing to five billion dollars from 3.5 billion dollars the principal amount of bonds issued by the Illinois Student Assistance Commission under the Education Loan Purchase Program. So, I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Inquiry of the Chair. Does this bill require a supermajority vote?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, we're checking right now. Senator Rauschenberger, in response to your inquiry, the bill will require three-fifths vote. Is there further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator Welch, unlike a lot of the other -- just kind of for clarification 'cause bonding is on everybody's mind and so forth. You can put the Members of our side at ease by explaining how this is unlike the pension bonding program, actually, that we're going to be contemplating later on in the week. I think we're prepared to come alongside with you on this. I just want to have our side be -- kind of rest easy on this. But can you just walk us through that process, how this is distinguishable from those other plans?

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Welch.

SENATOR WELCH:

Well, these bond funds will be immediately put to work helping students attend college. The pension bonding bill, of the Governor, of course, will take the money, keep the ten billion dollars intact and invest it for future returns. So, the difference is, this is money being put to work immediately; that bill uses proposed savings on the arbitrage between the rate of return and bond costs to help balance the budget.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Sort of for the point of clarification, is that there is an existing revenue stream on the bonds that you're suggesting today, which is -- is the -- the -- the loans themselves. So, this isn't going to put an increased burden on and this is fine and dandy.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Welch.

SENATOR WELCH:

I didn't realize that's what you were getting at. But, yes, this -- these are bonds that'll be repaid by the students and it will encourage more students to go to college and help us with our problem with the MAP program.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

The sponsor indicates he will yield.

SENATOR GEO-KARIS:

These -- these are not general obligation bonds, is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Welch.

SENATOR WELCH:

I believe they are GO bonds, but they are issued with a dedicated stream of revenue to repay them.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If they are general obligation bonds - I will support the bill; I think it's a worthwhile bill - then it takes thirty-six votes. That's why I'm questioning it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Welch, to close.

SENATOR WELCH:

Thank -- thank you, Mr. President. I think this is a good bill. It helps students. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

There being no further discussion, the question is, shall Senate Bill 875 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, 2 voting Present. Senate Bill 875, having received the required constitutional majority, is declared passed. Senate Bill 877. Senator Woolard. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 877.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Woolard.

SENATOR WOOLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a merely bill. It merely -- it merely adds Red Cross to the definition of those entities that could work with schools in providing shelters in some kind of a civil problem that we might have. So, would certainly appreciate and -- and need your support on this great piece of legislation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? There begin none, the question is, shall Senate Bill 877 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

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are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 877, having received the required constitutional majority, is declared passed. Senate Bill 880. Senator Trotter. Out of the record. Senate Bill 881. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 881.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this does is amends the Department of Human Services Act for the leukemia grants and it's a checkoff for -- on -- amends the income tax. It's a checkoff for the Leukemia Treatment and Education Fund. Basically that's all this does. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall Senate Bill 881 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 881, having received the required constitutional majority, is declared passed. Senate Bill 899. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 899.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Last year the Cable Television Association helped pass legislation to prevent network piracy of online services, and while last year's legislation was great, one of the things that

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bill failed to address was the case of intentional disruption of service. And this bill adds intentional disruption of service to a bill that makes it a Class 3 felony for a person to engage in that prohibited act. So, it's for the disruption of the delivery of any communication service, and we would put it into the bill we passed last year. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? There being none, the question is, shall Senate Bill 881 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Senate Bill 899. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 899, having received the required constitutional majority, is declared passed. Senate Bill 901. Senator Garrett. Out of the record. Senate Bill 903. Senator Garrett. Senate Bill 903. Senator Garrett? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 903.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Senate Bill 903 simply amends the school board {sic} (School Code), allowing a school board, including that in Chicago, to establish, maintain, and operate a summer -- kindergarten program that begins two months before the beginning of the regular school year and a summer kindergarten program for grade one readiness for those pupils making unsatisfactory progress during the regular kindergarten session that will continue for two months after the regular kindergarten session. The summer kindergarten program may be held within the school district or, pursuant to a contract that must be approved by the State Board of Education, may be operated by two or more adjacent school districts or by a public or private university or college. And the proponents are the IFT and CTU, and the

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Illinois State Wide School Management Alliance is neutral. It's also subject to appropriation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

The sponsor indicates she will yield.

SENATOR ROSKAM:

Senator, kind of along some similar themes that we've been talking about today, what -- what's your understanding? Is -- is this putting more pressure on State funds? Is this simply allowing a local school -- no, here's my question: Is it -- number one, is it permissive only? Does this require school districts to do anything?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

This -- this is permissive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

If a school district elects to do this, what's your understanding of what it would cost? For example, in areas that -- that you represent and maybe lesser so my district, but kind of in that range, there probably wouldn't be quite the State financial pressure if our school districts elected to do this because our property taxpayers end up footing most of the bill. You could contemplate and probably expect other school districts, however, to do -- to put more pressure on the State financial situation. What -- what's your kind of range of thinking in terms of the amount of financial pressure that will come on if this is fully enacted? Or can you give us some genesis on this or kind of where's it coming from?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

The genesis on -- on this particular proposal is that we understand that the early learning is probably the most

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important initiative that we can put forward when it comes to education and this is one of our greatest tools in which to do that. We also hope to -- even though this is subject to appropriation, there are many civic organizations that are behind these kinds of proposals. Because once the State does have the necessary funds, we will be able to have proposals in place and start making sure that children are prepared and have, you know, the advantages and the opportunities that they need before entering first grade.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: I mean, I understand -- it's a neat idea. I understand it's a heartfelt idea, but it -- it -- it seems ironic at a time when school districts are -- are cutting and are not able to have, you know, in some circumstances, even full-day kindergartens if they want to, they're under financial pressure the other way, to kind of create an expectation that the State is going to be there. You've seen the Watch List. Senator Schoenberg and I spoke about that a couple of minutes ago. The Watch List for school districts is expanding, and my concern is - and it's -- it -- it is a recurrent theme - we're creating an expectation here - again, less so in the districts than you and I represent because they don't have quite the financial pressures on them. But I have a -- a -- a -- real concern with our ability this Session and in the next few years to deliver on the promises that we're making.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Well, I think this is more than a neat idea. I think the time has come for the State of Illinois to recognize how important it is to have these kinds of programs in place and to have these kinds of programs in place and to be legitimately recognized by the State Board of Education as well as some of the private organizations in the State that would like to see -- see this happen. While there are financial restraints right now, I would suggest that to have these kinds of programs ready

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to go, this doesn't mean that they can't be funded privately. And especially in the City of Chicago, it appears that there are ways in which that funding is being looked at. So I would -- I would hope that we get an unanimous vote on this not asking for any State funds, but to -- to pave the way for every opportunity we can to ensure that early education is in place in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR RAUSCHENBERGER:

Is there anything in current law which prevents a school from having summer kindergarten now? I have schools today that run twelve months a year and their kindergarten runs twelve months a year. Are they in violation of State Law? I mean, do we need this bill to permit what's already happening?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Senator, I would say that some of this is easier said than done. Having a program like this officially recognized and adopted by the State Board of Education makes it clear that this is a priority when it comes to education in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Do you -- do you equate passing a mandate by the Legislature as being accepted by the State Board of Education? Do you think those are the same things?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

This is not a mandate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

You just said it -- it's a mandate on the State Board of Education that they accept this as part of their program, isn't it? I'm not saying it's a mandate on school districts.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator...

SENATOR RAUSCHENBERGER:

I mean, you -- do you see a difference between us passing a statutory program and the State Board of Education adopting policy?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

I -- I think what we're asking for the State Board of Education to - I'm not done - is to look at this seriously and make sure that the parameters are in place so we don't do this in a scattershot way, and that when school districts are ready to do it, there -- there will be requirements in place that make sense.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I just would respectively point out there's no current prohibition on summer kindergarten. Schools in Illinois and my school district already do it. The only organization that I can see in the text of the bill is that transportation shall be at the responsibility of the district. I just think we're getting pretty cynical here. When we don't know what's going to happen to the twenty-third or twenty-fourth school aid payment, when there hasn't been an appropriation bill before this Body since the new General Assembly to deal with the school aid payment question and we have school districts wondering what the state of finances is, to be here doing news release programs without any funding and without any structure and arguing somehow that we're directing the State Board of Education, I just think we -- we ought to step back and -- and maybe put some of these things aside until we deal with the budget situation. We just got word from Economic and Fiscal that our revenue situation continues to deteriorate, and we're in here debating kindergarten programs

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that we can already do. So I -- I just -- maybe take a deep breath here and get some oxygen. I would hope that the sponsor holds this bill until we get some clear direction from the Governor's Office about how we're going to deal with our financial situation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld. Senator, do you wish to respond?
Senator Garrett.

SENATOR GARRETT:

I think we have received clear direction, Senator Rauschenberger, from the Governor. The Governor reported in this State of the State Address that he would like to see more dollars put into early education and -- and I guess you and I would both agree that this would be considered early education.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR LUECHTEFELD:

Senator, I voted for this to get this out of committee and, again, I -- I think your intentions are good. There's no question about that. Now, you did say this was -- subject to appropriation. Is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Yes, I did. But there also are federal funds that we can use when we, in fact, are ready to go with this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So we would not be able to access those federal funds until the State put money into it? Is that right or not?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

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The access would not be made available until we have this in law, that there is some proposal in place.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

...would -- so we would get money, then, once -- if this bill passes, we will get federal money to do this?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

From -- from what I've been told -- are fifty-five million dollars set aside for this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

We -- and we don't have to match it? And we -- we don't have to put anything into it? That's a -- that'd be a great deal if we -- we need some more -- more programs like that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

What we've been told is that there is money right now available from the federal government. We haven't heard if there is a match that will be needed. There may be, but we haven't been able to get that information. But right now fifty-five million dollars has been set aside.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I -- I really doubt that -- you know, any state could do this. It'd be a great way to get money. Just pass this bill and -- and get fifty-five million dollars. I -- I -- I can't quite -- that'd be a great way for each state to get some money. You know, again, I -- I think you're -- you mean well, you know, and, we -- we constantly expand what we want to do for kids. You know, year-round preschool or at least preschool for everyone, all those sorts of things. And -- and I guess I always ask myself, where is enough enough, and where do we stop, where can't we afford it anymore? And I really think -- you

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know, again, I -- I -- I don't want to take away from what you're trying to do. I -- I just think it's really a bad time for this sort of thing. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Garrett, to close.

SENATOR GARRETT:

I would ask my colleagues to support this initiative knowing full well that there are no State dollars set aside for this right now. But it's incumbent upon us to get this proposal tied together so that when we do have the funds and we are able to access the federal dollars, that we will have a program already established, in place. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 903 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question -- Madam Secretary, take the record. On that question, there are 41 voting Aye, 14 voting Nay, none voting Present. Senate Bill 903, having received the required constitutional majority, is declared passed. Senate Bill 908. Senator Jacobs. Out of the record. Bottom of page 44. Senate Bill 1023. Senator Walsh. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1023.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1023 amends the Property Tax Code in regards to cost of mailing and advertisement. Provides that the county collector shall collect twelve dollars -- now, ten dollars - from the proceeds of each tax sale for the delinquent properties to cover the cost of registered or certified mailing and the cost of advertisement and publication with respect to

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notice of judgment and sale. I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you. Just a question. Just clarifying questions. In -- committee the...

PRESIDING OFFICER: (SENATOR DEL VALLE)

The sponsor indicates he will yield.

SENATOR LAUZEN:

Okay. In committee there were No votes from the Republican side. Can you clarify who pays this fee right now?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Thank you, Senator. My understanding is, this fee is collected after the sale of the property has taken place. And in order to -- because of -- because of the -- the cost of mailing of the additional letters and publications, that the people that -- or, the taxpayers that basically have not paid their property tax, and that's why it's going to sale, that they are going to incur a -- a two-dollar extra charge to cover those costs. So, the ones that basically are causing the situation to be there are going to cover the cost, instead of just the average taxpayer.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Who pays -- who pays right now for the ten dollars? I mean does -- is it the taxpayer who's losing his or her home? Or is it the -- the tax buyer?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

...understanding it's the taxpayer.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

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Okay. So this is a different bill from that one that it switches from the tax buyer used to pay the fee and it goes over to the tax -- to the taxpayer. I mean this is the same as it was before. It's a fee increase.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Well, are you -- are you talking about another bill, Senator Lauzen? 1864?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

That is what I'm trying to get clarification on. I think what would clear it up is, in the past, it's been the taxpayer paying this one, and under your bill, it's the taxpayer paying it again. So there's no shifting. So it's the same person who's paying it. It's just a fee increase.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

All my -- Senator Lauzen, all my -- all my bill is doing is increasing from ten dollars to twelve dollars to cover the extra cost of mailing and advertising of the properties that are -- are up for tax sale.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Then a final question. About how many properties are there across the State of Illinois these days that fall into that category? And could you do the math of multiplying it by two bucks?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Thank you for the question, but I have absolutely no idea how many pieces of property that would be that way, Senator Lauzen. All -- all we're asking to do is that in order to recover the cost that it costs the county to put the publications out and the mailings, is to -- to -- to assess that

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fee to the individual who has not paid their taxes and has caused the tax sale to begin with.

PRESIDING OFFICER: (SENATOR DEL VALLE)

There being no further discussion, Senator Walsh, to close.

SENATOR WALSH:

Thank you, Mr. President. Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1023 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 25 voting Nay, 1 voting Present. Senate Bill 1023, having received the required constitutional majority, is declared passed. Senator Lauzen.

SENATOR LAUZEN:

Could -- could we have a verification of the positive votes?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen has requested a verification. Will all Members be in their seats? Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Haine, Halvorson, Harmon, Hendon, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Ronen, Sandoval, Schoenberg, Shadid, John Sullivan, Trotter, Viverito, Walsh, Welch, Woolard, and Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen question the presence of any Member voting in the affirmative?

SENATOR LAUZEN:

Senator Halvorson. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson is in her seat.

SENATOR LAUZEN:

Senator Sandoval.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval is in his seat.

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SENATOR LAUZEN:

Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg is in the back.

SENATOR LAUZEN:

Senator Harmon.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine. Harmon -- Senator Harmon. He's in -- in the Chamber.

SENATOR LAUZEN:

And Senator DeLeo.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo. Senator DeLeo. Is Senator DeLeo in the Chamber? Madam Secretary, strike Senator DeLeo's name from the roll. Senator Lauzen, do you question the presence of any other Member? You don't question the presence of any other Member? Okay. You -- you're done? Okay. Thank you. Thank you. On a verified roll call, we have 29 voting Aye, 25 voting Nay, 1 voting Present. The bill, having failed to receive the required constitutional majority, is declared failed. Senator Walsh. Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Would request to be put on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

That request is in order, Senator. Senator Meeks. Senate Bill 1030. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1030.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman and to the Members of this great Body. This bill, Senate Bill 1030, amends the Sale of Tobacco to Minors (Act) prohibiting the sale or distribution at no charge of cigarettes from a lunch wagon engaging in any sales activity within a thousand feet of any public or private or

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secondary, elementary school. And it defines a lunch wagon as a mobile vehicle designed and constructed to transport food from - from which it is sold to the general public. And so I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR D. SULLIVAN:

Senator Meeks, is this your first bill before the Senate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

...Senator Sullivan.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Well, I guess to start off, Senator, would you prefer that while we're debating legislation, we refer to you as Senator or Reverend?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Senator, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sullivan.

SENATOR D. SULLIVAN:

You know, I'm not familiar with these lunch wagons. I -- I -- I don't think we have 'em in Park Ridge. Can you describe for us what these things do and why they're selling tobacco?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Well, these lunch wagons are vehicles that transport food and they've also added tobacco. And it's also our understanding that they not only sell it, but they also give it away.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Sullivan.

SENATOR D. SULLIVAN:

Is Reverend Pflieger in -- in favor of this legislation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

I have not talked to him, sir, but it sounds like the kind of legislation that Father Pflieger has fought for all of his life.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sullivan.

SENATOR D. SULLIVAN:

Would that -- do you know, are there any Senators - and I know several Senators smoke - do you know if they have used one of these lunch wagons to get their tobacco and were they getting it for free?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Well, since I don't smoke and neither Senator has ever asked me to get them a package of cigarettes, I wouldn't know, Senator.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sullivan.

SENATOR D. SULLIVAN:

Just looking for a little further clarification on the wagon. Is this a paddy wagon or a Radio red Flyer wagon? What do these things look like?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

I think it's a truck that's open and it has different layers in which it sells sandwiches and liquid refreshments and other things of that nature.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I am sure, Mr. President, Ladies and Gentlemen of the Senate, that Reverend Meeks will pray, as a Senator, that we

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pass this bill, and rather than torment him so that he won't be praying against us, I move the previous question.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator Geo-Karis moves the previous question. Prior to the motion of the Senator, we have four Senators seeking recognition. Senator Obama.

SENATOR OBAMA:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. I have -- I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR OBAMA:

Senator Meeks, I'm curious. Where did you get this bill? Did this come to you in a dream at night or -- or via some sort of divine intervention?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Actually, Senator Obama, there are several proponents of the bill, but it came from the American Lung Association but -- the American Lung Association, Public Health Association and other individuals.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Obama.

SENATOR OBAMA:

I -- I noticed you -- you had to refer to staff when I asked you the question, but I thought you had the direct line on -- on this kind of legislation, that -- that, you know, your inspiration; you didn't have to refer to the American Lung Association, that you had higher sources in order to find out what kind of bills needed to be passed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Senator -- Senator Obama, I chose not to use the direct line on this one.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Obama.

SENATOR OBAMA:

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You know, I -- I -- I have no -- further questions. I just wanted to establish that he does have a direct line. So if -- if any of you need, at some point, to -- to get advice or counsel that, you know where to go.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

Thank you. Senator Meeks, I grew up in southern Illinois. I'm -- I'm quite aware of what a coal miner is, but I'm kind of curious what a tobacco minor is. And I'm looking at the board up there, and I wasn't exactly sure what that meant - tobacco minor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Perhaps, Senator, it is a individual who extract tobacco from underground.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

I -- I assume, then, they do that with growing lights, or you know. Never mind. Let -- let me ask you something else. That was a good answer, by the way, Senator. One of your colleagues, earlier, was talking about his softball prowess, and how would you categorize yourself in -- in that context?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Well, I think the scale that was given was a one to ten, with ten being the highest. I'm about a twelve, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Mr. -- Mr. President, can we censure him for that? No. I would like to just indicate that -- that we do know that Senator

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Meeks is -- is a pastor as well, and certainly today we've -- we've been the beneficiaries of his passionate pleas here on this bill. And I -- I'm assuming you're even a little bit more passionate in the pulpit. But great bill, and I intend to vote for it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR COLLINS:

I stand strongly in support of this legislation. And my comments are directed to my Senator Sullivan on the other side. My pastor happens to be Father Pfleger. So in his absence, I wanted to go on record in support of this legislation on behalf of our children, all the children and their health in the State of Illinois, and I thank you very much for mentioning his name. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. And, Senator Collins, we will remember that when your first bill rolls around here. We can't allow no freshman to be backing up another freshman in this Chamber. Senator Meeks, if I question you as sternly as I wish, would I still be able to make it to heaven?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

It depended on whether or not I had the deciding vote, Senator.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Well -- well, let's -- let's take a look at that now. As I recall, you replaced a great, tall Senator who used to sit to my right. You about half a man as he was, size wise. And I happen to recall that Senator Shaw smoked, and he smoked and he smoked

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and he smoked. Now, is -- is -- is -- is -- is this a anti-Shaw bill? Is this your reelection bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

No, Senator. The anti-Shaw sentiments were expressed in our district on November 5th.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Okay. Okay. That's -- that's cool. That's cool. Now -- now -- now, I just want to know, where does -- now, Senator Collins mentioned Father Pfleger, but I can feel a little Jesse Jackson around here somewhere. Is the Reverend Jesse Jackson going to get the contract for these trucks or something? I mean, is Jesse Jr., Joshua, going to sell the tobacco? I'm just trying to figure what the angle is here out, Senator. You know I have great respect for you, but normally a freshman doesn't come in with a substantive bill like this unless there's an angle. And did you pay your tithe on Sunday?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Senator, yes, I did pay my tithes on Sunday, and this bill would prohibit anybody from having a lunch wagon to sell, be it Michael Jackson, Millie Jackson, Jesse Jackson. It doesn't make a difference -- Andrew Jackson. All Jacksons would be excluded.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Well, Senator, you know, I'm going to pray for you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Will the -- will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR LIGHTFORD:

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Senator Meeks, can you tell me why the Illinois Statewide School Management Alliance is neutral on this legislation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

They did not express why they're neutral.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Is it possibly because they're not sure if the funds that you would collect from the fine will go to a love donation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Senator Lightford, seeing as how much I love you, that would just cut into both of our revenue.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Moves for adoption.

PRESIDING OFFICER: (SENATOR DEL VALLE)

There being no further discussion, the -- Senator Meeks, would you like to close?

SENATOR MEEKS:

Yes. Mr. Chairman, I would just ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1030 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, 1 voting Nay, 1 voting Present. Senate Bill 1030, having received the required constitutional majority, is declared passed. Senator Hendon.

SENATOR HENDON:

Mr. President, I had -- I had got one of those cigarettes off of one of those trucks he was talking about and it made me

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hit the wrong button. I want to be recorded as voting Aye on Senator Meeks' first bill. Please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The record will so reflect. On Senator Walsh's motion for Postponed Consideration, that motion is granted and Senate Bill 1023 will be placed on the Order of Postponed Consideration. Senate Bill 1031. Senator Meeks. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1031.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman -- Mr. President. This bill, Senate Bill 1031, has to do with secondhand smoke, and right now, individuals who are owning and operating day care centers, they can smoke when children are not present. This bill simply says that any individual who owns or operate a day care center, even when children are not present, that they can't smoke in the day care center.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Meeks, we discussed this bill at length in committee, in Health and Human Services Committee, and I want to cover some of that ground here again on the Floor for the benefit of the rest of the Members. This bill would include all licensed day care facilities. Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

That is correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Righter.

SENATOR RIGHTER:

That would also include individuals' homes, would it not?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

That's correct. And I think the current law includes that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

The current law -- licensed day care centers could also be someone's home. Right. Would this bill make it illegal for an individual sitting at home at 9 o'clock to smoke, you know, with no kids around, to smoke in their home?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

I believe that's the intent, Senator, in that we're -- we're trying to make sure that the secondhand smoke or the smoke from their home at 9 o'clock at night does not become involved in the children's blankets and the things of that nature. So, yes, sir, it would.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Senator, one of the other issues that we discussed in committee was the property of a licensed day care center, which might also include an outdoor playground. Would this prohibit an employee who is outside by themselves with no children around for -- to lean against the -- the fence -- the fenced in playground there and smoke a cigarette there?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

No, it would not.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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Can you point -- is there a place in the bill that creates a special exception for that, for outdoors areas or something like that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

There -- there is no place in the bill that says that. However, Senator, I think that this particular bill is just adding a law -- just adding a penalty. This is current law. I think we're just adding a penalty.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Well, I guess I'm -- I'm confused now, Senator, because in your opening you said that this bill would add an additional prohibition to prohibiting smoking even if the children are not present. So, are we talking about a bill now that is adding substance to the law or just you're increasing a penalty?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

It's -- it's increasing a penalty, I believe, Senator.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

If I -- has -- has -- perhaps I should ask, has there been an amendment adopted that takes out the language that you referred to in your opening?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Senator, the basic component -- current law stipulates that it is a violation of the Child Care Act for any person or any -- on any day when the center is in operation, to smoke tobacco in any area of a day care center in which children are allowed, regardless to whether there are no children in the area at the present moment. The current law does not contain a penalty provision for violation of smoking in the day care center on a

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day when the children are not there, or in a group home -- group day care when the children are not present.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Senator, and -- and the other Members of the committee who -- who are here who were present could certainly stand to correct me, but it's my impression that when you presented the bill in committee you presented it as a bill that not only changed the -- the penalty, but also added the prohibition that there would be no smoking in the day care center even after the hours of operation had expired. And, in fact, I think I gave you the specific example of someone sitting at home when no kid's around, 9 o'clock at night, that licensed day care center not being open, would it be illegal to smoke and you said yes on the Floor here just like you did in committee. So, I guess I'm looking for some clarification now on what changes we're trying to make.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

It's already current law, Senator. The changes that we're making is simply to add a stipulation or to add a penalty to the current law.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

So it's -- it's your understanding now, Senator, of the current law that if a constituent of yours or mine operates a licensed day care facility out of their personal residence, that they can not smoke in that residence -- regardless of the hour of the day. That's the law now?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Yes -- yes, Senator.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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...is the -- what is the change in the penalty provision you're making, Senator?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

The change would be, Senator, it's a violation of the Child Care Act for any individual to smoke tobacco in any area of the day care center whether or not the children are present. The foregoing violation is a business offense subject to a thousand-dollar fine. It's also a business offense punishable by a fine of a thousand dollars to smoke anywhere in a day care center, home or group day care home when children are present at the day care home. So, in other words, it's a thousand dollars.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Senator, I'm -- I'm looking now at the current law, and it's 225 ILCS 10/5.5. A Section from that law says, and I'm going to -- I'm going to quote here: This subsection - and that's the subsection -- prohibiting smoking - does not prohibit smoking in the home in the presence of a person's own children or of children to whom the day care services are not being provided. Now, considering that, is it your understanding, again, whether or not it's against the law currently for an individual to smoke in their own home after the day care operation has ended?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Senator, I believe that it is against the law currently even when the day care center is not -- when children are not there and the day care center or facility is not under operation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Can you -- then can you help me understand a little better, then, the language that I just read, what that is -- what -- what that is referring to then?

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

I don't know.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Are there any other questions, Senator Righter? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR GEO-KARIS:

I -- I'm -- with all the rhetoric here, I'm a little confused. Does your bill say specifically that -- that a person that works in a day care center or in their home, if the children are not there, they cannot smoke?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Yeah. Senator, that's the -- it is my understanding that that's the current law now.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

You're saying then that -- the way I have been listening to all this rhetoric, would seem to me that your bill says that if the children are not there, then these people who run a day care center, either in their home or another place, they cannot smoke. Is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Yes, Senator.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, you know, Mr. President, Ladies and Gentlemen of the Senate, -- smoking is still legal. I don't smoke, but I think we're going a little bit too far ahead when we're trying to

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dominate people's lives completely. And if they want to smoke and there's no children around when -- in their day care center, that's up to them. I think we're going too far. I -- I, much as I like you, Senator, and hope that you pray for all of us, I cannot support this bill. I think we're getting too far afield, meddling in people's business.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Woolard.

SENATOR WOOLARD:

Not -- not pretending to be the authority, but let me -- let me just refer to what I know about this law as it stands today. My sister and her husband run a day care center in their home. My wife works for the CCR&R facility which runs day care programs around the region of southern Illinois. And as I understand the law as it -- as it exists today, in a day care facility within a home, there is a designated area that is to be used for the day care facility. In that designated area, they would not be permitted to smoke at any time whether children were present or not. But in the part of the home setting that is designated for personal use, for families only, that they have no jurisdiction. They don't even have the ability the -- the DCFS and -- and State officials don't even have the ability to go into that part of their facility to check if there's anyone that has smoked or hasn't smoked or anything else. So there is a separation of the part that is designated for the residential living quarters of that family and that part of the house that is designated for a day care center.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The sponsor indicates he will yield.

SENATOR SYVERSON:

Senator, may -- I guess, first may I suggest that -- may I suggest we take the -- take the bill out of the record until we can...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks. Excuse me.

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SENATOR MEEKS:

I'm sorry, Senator. I was getting -- trying to get the Chair's attention to say that. We'll pull this particular bill out of the record so that we can make sure that we clear that aspect up, and then I'll bring it back up again. Okay.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Take the bill out of the record, Madam Secretary. With leave of the Body, we'll return to page 31. Senate Bill 408. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 408.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 408 is a initiative by the Water Reclamation District. As you know, current law has the Water Reclamation Districts coming here every few years asking for a pay raise for compensation. What Senate Bill 408 does is, under the current statute, you know that compensation for the commissioners is determined by the laws here in the General Assembly and must be approved by the Governor. This amendment would reassign the responsibility to the current office commissioners. Currently, you know, Water Reclamation commissioners are elected at large and they're accountable to the taxpayers for all their actions taken by them with -- except this exception. We -- and currently, county boards in the State of Illinois have this authority, Aldermen. And district commissioners, that they serve over five million people in Cook County. The budget for the Water Reclamation District is about nineteen billion in infrastructure. They have an operating budget of about three hundred million. And I must tell you, the current commissioners would not benefit from this legislation. This legislation has no effect on the State of Illinois budget and any changes in compensation would be paid from the Water Reclamation District operating funds. One more important factor in this legislation, and I think it's a good thing to get this -

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- they -- off of, -- necks of the General Assembly. This bill requires that if -- the Water Reclamation District Board, through their budget process, would have to have a two-thirds vote to set their compensation and it would not go for any current members. I'd be pleased to answer any questions on this matter.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: Ladies and Gentlemen, I rise in opposition to the bill. For the life of me, I can't figure out why we would want to give away the ability to have some -- some say over the salaries of these individuals. This is a -- an entity that is a creature of the State Legislature. It's a creature of the General Assembly. We recently gave them, I think, very generous pay raises within the past couple of years. So I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

A couple of questions of the sponsor, if he would indulge me.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The sponsor indicates he will yield.

SENATOR RAUSCHENBERGER:

Senator DeLeo, can you tell us what the current compensation of the members of the Water -- Metropolitan Water Reclamation District are?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

I believe -- in January of 2001, I believe it was fifty or -- sixty thousand dollars for the president, and I think fifty thousand dollars for the members was the last -- we haven't -- we -- the last time we set the compensation, we did it in steps for them and it was -- it was eight or nine years ago. So I -- I don't...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

I appreciate that answer. Could you give us some idea of -- are -- are -- are members of the Water Reclamation District, are they required to be full-time, or -- or are they permitted to pursue outside interests or earn other income?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

There are nine members, and they're part-time.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To -- to the best of your knowledge -- I think Senator Hendon pointed out, in his opinion, the ineffectiveness of the Cook County Republican Party. To -- to the best of your knowledge in the -- your twenty years' experience as a Cook County legislator, has there ever been a Republican elected to the Metropolitan Water Reclamation District?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

My -- my authority body here is telling me, yes, there has been.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Maybe Senator Viverito could grace us with the name, 'cause to the best of my recollection, because of the way it's done, countywide, there hasn't been a Republican elected. There have been Republicans appointed to fill vacancies.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

I -- Mr. President, I -- I'd ask Senator Viverito to -- if he could respond to that question with leave of the Body.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito is recognized.

SENATOR VIVERITO:

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...you, Senator. I believe when President Eisenhower was elected unanimously, all the commissioners were elected.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To the best of my knowledge, President Eisenhower was elected prior to twenty years. So I -- I apologize for that I guess. Was he in the eighties? I -- I get a little mixed up on the history.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

I'm -- I'm sorry. Could you repeat the question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Do you have any idea when Eisenhower was President?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

I was in preschool.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger, could you please bring your questions to a close?

SENATOR RAUSCHENBERGER:

I -- I know -- I know Senator DeLeo means well with this. I -- I think it's a bad mistake, again, for -- for Cook County property taxpayers to be saddled with another part-time board at over fifty thousand dollars a year. And, you know, I don't know where we're going here. I -- I think we ought to be very thoughtful about granting local governments that have virtually no voter oversight on a countywide ballot the kind of freedom that this bill would suggest.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. In all due respect, when you really think about this for a while, most of you and most people do not really understand the Water Reclamation District, how

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it's elected. County board is elected basically the same way. They have the privilege of setting their salaries. And, obviously, many of us -- I, perhaps, know a little bit more and so does Senator Sandoval, who served on that body. But most of you don't. So when you're granting a salary, you don't know what you're granting. Why not put the omen {sic} on them; that when they set their salaries, they're going to have to live with that, and the newspapers will certainly take credence with them if they don't do the right thing. I think this Body -- and I commend the sponsor of this particular bill. I think he has a lot of wisdom in what he's trying to do. Take it out of our hands and put the responsibility on the backs of the commissioners. And I commend you, Senator DeLeo.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Radogno.

SENATOR RADOGNO:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RADOGNO:

My hesitancy with this bill is the history we have in Cook County of elected officials setting their own salaries. What do aldermen make in the City of Chicago?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

I honestly don't know, but a lot more than a General Assembly Member. I believe the current salary as an alderman in the City of Chicago is -- salary -- annual salary is eighty-five thousand dollars a year.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Radogno.

SENATOR RADOGNO:

Excuse me. I -- and I think that's -- that's excessive. And my concern for the taxpayers in Cook County is that's exactly the direction that this body will end up going. So I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

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SENATOR HENDON:

Just for point of information. The citizens in Chicago reelected ninety-five percent of those aldermen even though they knew they had voted themselves high salaries. So I think it's up to the citizens to take revenge or vengeance on any elected official who sets their salaries too high. So, why hold Senator DeLeo hostage for that? They were reelected, and, believe me, I worked against several of them and they won anyway. So, that's up to the people.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President. I'd just like to -- just one thing in response to Senator Rauschenberger. When Governor Ryan -- there was a vacancy occurred on the Board, Governor Ryan chose a Democrat for that vacancy. As a Republican Governor, he could have appointed any -- anybody he liked. He appointed Commissioner Sandoval - now Senator Sandoval -- to that vacancy. So it -- it -- does have -- the Governor does have the power to appoint anybody he or she wishes. One thing that's very, very important and -- I want to remind everybody that the commissioners are elected at large, and they're accountable. They're accountable to taxpayers for all the actions they take to them. They raise their -- Senator Radogno raised the point that aldermen raised their salaries. The Mayor of the City of Chicago raised their salary. If their -- they have elections and these people have -- these commissioners, if they do something outrageous or outlandish, they're going to be accountable to the voters. Let's take it out of our hands. Why should we be the bad ones, the good ones, the people that always -- nobody wants to vote for pay raises, especially in economic times like we have right now. Let's send it back to the -- to the -- to the commissioners and let them vote on their own pay raises. I think it's a good, fine piece of legislation. I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 408 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 22 voting Nay, 1 voting Present. Senate Bill 408, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to the bottom of page 31. Senate Bill 474. Senator DeLeo. Senate Bill 474. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a lot less controversial than the -- the pay raises. Senate Bill 474 allows retired police officers in good standing to carry their firearm. They must take a proficiency test once a year. By -- the Illinois Police Training Board will keep a list of these officers qualified to carry their -- and issue them a card indicating. If the officer does not qualify under the FOID, they will not qualify under the statute. There's a -- the NRA is opposed to it. The Illinois State Police Association is a proponent. The FOP is a proponent, the Illinois Association of Chiefs of Police. This -- as you know, retired police officers, the average age is between forty-six and fifty-one. They usually have twenty -- twenty-some -- five years of law enforcement background. I urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Jones.

SENATOR W. JONES:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR W. JONES:

Senator, I have a bill out here that's in Rules Committee right now and I would like to ask you if you would be more than willing to hold this bill and let me amend it with my bill,

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because I have a conceal to carry for all the citizens of the State of Illinois. Would you be interested in doing that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Absolutely not.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jones.

SENATOR W. JONES:

That's very disappointing because I would like to see the citizens of this State have an opportunity that -- that a lot of other people have in this State. So it's -- that's very disappointing.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR PETKA:

Senator DeLeo, under your legislation that -- that would permit retired peace officers to conceal carry, will there be any standards that will have to be -- that will be operative in connection with the issuance of these firearm permits?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Yes, there will be. They will be -- have to take a test and they would have to qualify with Illinois Police Training Board. And as you know, the Illinois Police Training Board is a model board for the entire country. It's not -- it's made up of village mayors, former FBI agents, police officials. It's one of the most modeled training boards in the -- in the United States.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Petka.

SENATOR PETKA:

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Senator DeLeo, what is the public policy behind permitting conceal carry for peace officers that are retired? They're no longer hunting down criminals.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Well, I -- I certainly believe it was a -- it'd be a safety issue. We have -- and it -- the retired peace officer that decide to take this -- this training at the Illinois Police Training Board, these -- these men and women, could serve as a -- as a reserve unit for -- for -- for law -- enforcement agencies. Putting trained professionals on the street and allowing them to carry their weapon would be a great idea for the safety of every citizen of Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Petka.

SENATOR PETKA:

When -- when you use the term "a reserve force", is that -- are you intending to empower these officers as -- as a -- kind of a -- a State militia?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

This legislation does not address that, but it's something we certainly could look into. I think the individual police departments could evaluate that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Petka.

SENATOR PETKA:

Do you think that retired peace officers are in any greater danger than, perhaps, people who serve on the courts or, perhaps, State's attorneys?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Absolutely. Senator, as you know, as a former State's attorney, the policemen -- the men and women that are working the front lines everyday, the men and women that work the vice, the men and women that work the tactical units, the men and

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women that have been serving and protecting, the men and women that have been locking up felons in the State of Illinois, of course they are.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Petka.

SENATOR PETKA:

After the arrest is made, Senator, is it not true that only on rare occasions these individuals ever bump into the persons that they had arrested?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Senator, if -- if you recall, a couple years ago we had legislation in this Chamber that allowed police officers to no longer have -- register their vehicles to their home - they could register at their place of employment - because there was incidences where -- where criminals ran the officer's plate, made threats to their -- to their family, visited their house. And this General Assembly changed the law that active police officers could change their vehicle registration to the police department they work in.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Petka.

SENATOR PETKA:

Well then, Mr. President, to the bill: The -- the public policy that is -- the sponsor apparently is aiming at is that retired police officers, after they have fulfilled their commitments to the -- to the departments in which they serve, that they are entitled to some time -- type of special protection. It seems to me, as Senator Jones pointed out, that individuals who have, for example, served their country, that they ought to, at -- at the very minimum, be able to have the same type of -- of protection afforded to themselves. To single out a group just because they have served on the police department and state that they -- they need special protection, to me is a -- is -- is a classification which, in my opinion, is suspect. I do believe that if we are going to begin selectively picking out groups of individuals who are favorite sons, so to speak, so that they, and -- they alone, will have a right to

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carry and -- and others who even though they may have fought for their country will not be in the same position, I think is -- is very poor public policy. If we are going to have right to carry in this State, it should be right to carry for all citizens, not a chosen few by this General Assembly.

PRESIDING OFFICER: (SENATOR DEL VALLE)

If there are no further questions, Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President. Everybody knows -- anybody that's been around this Chamber longer than an hour knows that the NRA's position is they wanted to go further. Senator Jones mentioned that he'd like to have the right to conceal for every human being in the State of Illinois. Senator Petka just mentioned his views on military. You know, anybody that's been here knows what -- the NRA's position. They'd like to have everybody have a gun, everybody have a rifle rack. This is about protection. This is about giving retired professional police officers the right to keep carrying their weapon, making the streets safer for the men and women and our children. I ask for a favorable roll call on this, on Senate Bill 474.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 474 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 26 voting Aye, 22 voting Nay, 6 voting Present. Senate Bill 474, having failed to receive -- having failed to receive the required constitutional majority, is declared failed. Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. I'd ask that Senate Bill 490 -- excuse me, 474 be put on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

On Senator DeLeo's motion for Postponed Consideration, that motion is granted, and Senate Bill 474 will be placed on the Order of Postponed Consideration. Senator Jones, for what purpose do you rise?

SENATOR W. JONES:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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State your point.

SENATOR W. JONES:

Up in the gallery, right up here to my left, I have a group of young students from Webber High School in Bluford, Illinois, and their teacher, Mrs. Johnson, their bus driver, Mr. Reilly. And these young people have taken on themselves to build a community center and a youth center, after schools program, in their -- in their town. And so welcome them to Springfield, would you please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield and thank you for your work. With leave of the Body, we will turn to the bottom of page 44. Senate Bill 1037. Senator Trotter. Out of the record. Senate Bill 1038. Senator Trotter. Top of page 45. Senate Bill 1038. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1038 amends the School Code requiring that the school district's State aid claim be certified and filed by the regional superintendent of schools. It is basically a -- a housekeeping bill that was supported and pushed by the Illinois State Board of Education.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Are there any questions? Any -- any discussion? There being none, the question is, shall Senate Bill 1038 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1038, having received the required constitutional majority, is declared passed. Senate Bill 1039. Senator Trotter. Read the bill, Mr. Secretary.

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ACTING SECRETARY HARRY:

Senate Bill 1039.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Thank you, Mr. President. This is another housekeeping bill by the Illinois State Board of Education that eliminates the need for school board presidents to sign the reports of driver education students for reimbursement claims. There's no fiscal impact, and as far as I know, there's no opponents to this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Any discussion? There being none, the question is, shall Senate Bill 1039 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1039, having received the required constitutional majority, is declared passed. Senate Bill 1044. Senator Schoenberg. Out of the record. Senate Bill 1046. Senator Schoenberg. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1046.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1046 simply raises the Illinois Development Finance Authority's bond authorization by an additional two million {sic}. This past cycle it was done for one million. To refresh the memory of the Members, that IDFA's bond authorization is not a cash requirement of the State, so it does not increase the bonds' indebtedness. If we do not increase this authorization, the Development Finance Authority will reach

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its limit approximately midway through the year. And I would be happy to answer any questions and urge your support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'd like a ruling from the Chair whether this bill requires thirty or thirty-six affirmative votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, that inquiry is in order. We'll check right now. Senator, it does not increase State bond indebtedness, so therefore, it requires thirty votes. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: I rise in support of Senate Bill 1046. As Senator Schoenberg said, it does not increase the -- the State's indebtedness and it comes out of the -- the current income stream. So there's no problem. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? If not, Senator Schoenberg, to close.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1046 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 2 voting Nay, 1 voting Present. Senate Bill 1046, having received the required constitutional majority, is declared passed. Senate Bill 1047. Senator Schoenberg. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1047.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1047 is an initiative of the Illinois Student Assistance Commission. There are three principal provisions to the bill. One is to delete that -- to delete the exclusion that prohibited the College Illinois! prepaid tuition benefits from being used at institutions that provide sectarian instruction or professional religious training. The second would be to prohibit College Illinois! benefits paid to institutions from being offset to pay for debt owed to the State, since all College Illinois! tuition payments are from a non-appropriated fund and funded by payments made by contract purchases and, thus, not State funds. And finally, deleting the limitation on the payment period for these prepaid tuition contracts to enable families, parents and grandparents of young children to extend the time period in which they pay into these installment contracts. I'd be happy to answer any questions and know of no opposition.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I want to compliment the sponsor on two of the three elements of his bill. I'm -- I'm a little concerned about the element to the bill that was advanced by ISAC which prevents offset on prepaid tuition funds against State debt. Just yesterday I think the Comptroller released his report showing the State of Illinois wrote off this year three hundred and nineteen million dollars of uncollectible State -- debt, bringing the grand total during the Hynes administration as Comptroller to nearly a billion dollars of uncollectible State debt that's been written off. The -- the argument that ISAC raises that somehow prepaid tuition funds are not appropriated funds of the State therefore not subject to offset, well, the truth of the matter is, your income tax refund from the State of Illinois is not appropriated funds and not subject to -- it's not State funds at all. We set up the offset program to reduce the amount of -- of bad debt that the State has, and I -- I don't think ISAC passes the smell test on saying that somehow prepaid tuition contracts ought to be treated differently. It's a benefit that they're getting from the State of Illinois.

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We're guaranteeing that -- that their investment keeps pace with the, -- with the rate of inflation in universities. And -- and I -- I compliment the sponsor on the other two provisions. Hope he would consider taking the bill out of the record and delete the elimination from offset. At a time when State revenues are precious, I don't think ISAC's made the case, and I hope the sponsor will consider that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

I'm going to proceed, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I rise in support of the two provisions that Senator Rauschenberger was talking about because I think they will benefit the people of my district, my constituents, of which I have a fourth-grade class from Rochelle, Illinois. I would appreciate it if the Body could welcome them here today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

All right. Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Is there any further discussion? Senator Schoenberg, to close.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1047 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 voting Aye, 2 voting Nay, none voting Present. Senate Bill 1047, having received the required constitutional majority, is declared passed. Senate Bill 1051. Senator Cullerton. Out of the record. Senate Bill 1054. Senator Dillard. Out of the record. I want to go back to Senate Bill 1053. Senator Cullerton? Out of the record. We'll try Senate Bill 1054 again. Senator Dillard. Out of the record. Senate Bill 1056. Senator Sullivan. Out of the record. Senate Bill 1060.

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Senator -- Senator Garrett. Out of the record. Senate Bill 1069. Senator Lauzen. Senator Lauzen? Out of the record. Senate Bill 1085. Senator Winkel. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1085.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Thank you Mr. President. Senate Bill 1085 would amend the Department of Natural Resources Act. It provides for a study to be done by the Department of Natural Resources to study our aquifers and groundwater. I'd be glad to take any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 1085 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1085, having received the required constitutional majority, is declared passed. Senate Bill 1093. Senator Winkel. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1093.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel, on Senate Bill 1093.

SENATOR WINKEL:

Thank you, Mr. President. Senate Bill 1093 would amend the Vehicle Code. What it does -- it's a simple bill. It's permissive. It would allow school districts to equip their school buses with alternating headlights, just like the headlights that State patrol cars have. Currently, if they were to equip their buses with these alternating flashing headlights, it would be illegal. This is not a mandate. It's permissive. Be glad to take any questions.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

The sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR DEMUZIO:

This is permissive. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Yes, it is. It's completely permissive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Can I just ask you what went through your mind when you wrote this bill and submitted this bill. I mean, what -- how did you get to this point with this bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel. Senator Demuzio.

SENATOR DEMUZIO:

I really don't want to know. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Mr. President, I think that's a fair question. In fact, this comes from a constituent bus driver that did try this out. He did a study at Unit 4 in Champaign schools, and he did find that without the -- the alternating flashers, people would come up even with the arm extended, right up to the bus. But, somehow, they were particularly arrested by -- no -- no, Vince, you asked. It's a good question. I'm glad you asked. And it works, Ladies and Gentlemen. It works. People stop about a hundred feet away. Yes, he did.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

Thank you. I -- I'm looking at my analysis, Senator Winkel, and -- and I realize that Champaign County is unique in many ways, but can you explain to me the eight flashing lights or the eight lights on the headlight system of a school bus? I mean, will this not look like some of those eighteen-wheelers that come roaring down the highway with lights and they look like -- well, I'm not even going to say what they look like. But can you explain the -- the eight headlight system to me?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Senator, I -- I do appreciate your question, but I'm afraid Senator Jones does not. You're talking about ten-wheelers or eighteen-wheelers. You're talking about big trucks. I think, you're treading on some pretty dangerous ground here.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

I don't think I am. I -- but you -- you didn't answer my question. I'm talking about the eight lights. I mean, I got this treatment yesterday, Senator Winkel. I'm talking about the eight headlight system. Can you explain that? Are they amber lights, yellow lights, green lights? Is it like the early warning system that we've got? Or, you know, are they all clear headlights, or -- I said headlights, not head lice. And I wanted to -- I wanted to clarify that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Senator Burzynski, I -- I will answer your question. But this is my second bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

I'm waiting for the answer to my question. I don't care if it's your second or third bill. Sounds like a personal problem.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

It's tempting. No. Currently, there -- there are a large number of lights that are actuated. You've seen the school buses. We already have safety lights that are actuated. When they extend the safety arm, it flashes. All this does is adds the headlights, the two front lamps, at the front of the bus, just like a -- a State patrol car.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Senator -- Senator Winkel, I'm a little bit concerned, because if these buses -- and this is somewhat in seriousness. If these buses are out at 4 o'clock or 4:30 in the evening in winter -- during the winter, it's already dark, the lights are bright. If you've ever seen these lights on a police car, you know what they have to do -- you know what they do to you as a driver. Is it not possible that this could create another distraction for a driver?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Senator, in all seriousness, that's exactly the point of the bill. It is to distract the driver from driving, to cause that driver to see the bus, to, as a matter of safety, stop. It's more important, I think, to distract the driver from further traveling around the bus. You're right. It's -- it's -- it's an attention-getting device. It's been demonstrated, by installing these on buses, that it does actually work. We tried it out at Unit 4 in Champaign schools and it works very, very well. You're right, it gets the driver's attention. There's no question about that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Did you have a pilot project approved to try this out on Unit 4 buses, or did you do this illegally?

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Winkel.

SENATOR WINKEL:

When you say "you", you mean me?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Unit 4.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

This -- this is a safety bill and it -- it really works, Senator Burzynski.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator, I -- I -- I know that this is not your first bill, but beings you're up and you got a little bit of beratement there. I just want to ask you one question 'cause I'm too lazy to walk over there. Give me an honest assessment of how far Illinois is going to go?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Well, I have to admit, it's not provided for in the bill. If -- if it would help, I would definitely have added a provision. We're going to do real well tonight. The next game and beyond that, you know, we're just going to have to root real hard.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? If not, the question is - - Senator Winkel, would you like to close? I -- I didn't think so. The -- the question is, shall Senate Bill 1093 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1093, having received the required constitutional majority, is declared passed. Senate Bill 1095. Senator David Sullivan.

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Out of the record. Senate Bill 1098. Senator Jacobs. Out of the record. Senate Bill 1101. Senator Jacobs. Out of the record. Senate Bill 1104. Senator Peterson. Senator Peterson. Out of the record. Oh. Senator Peterson. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1104.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 1104 provides that if the Illinois Life and Health Insurance Guaranty Association elects to succeed to the rights of an insolvent insurer arising after the date of an order of liquidation or rehabilitation under a contract of reinsurance to which the insolvent insurer was a party, the Association must pay all unpaid premiums due under the contract for coverage relating to periods before and after the date of the order of liquidation or rehabilitation. This bill is to bring the Illinois Insurance Code in tune with the NAIC Life Guaranty Association Model Act. I know of no opposition and I ask for your support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. There is no discussion on this bill. Please forgive me for jumping in the middle. Just on a -- rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR TROTTER:

I -- I just want -- would like the Body to acknowledge, with us this afternoon is the Chairman of the Chicago City Colleges, Jim Tyree, along with the President of Chicago City Colleges, Dr. Wayne Watson. And would you please recognize them? Make them feel welcome.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Well, we want to recognize them, and welcome to the Senate. Is there any discussion? There being none, the question is, shall Senate Bill 1104 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, 1 voting Present. Senate Bill 1104, having received the required constitutional majority, is declared passed. Senate Bill 1107. Senator Hendon. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1107.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This is a "Scared Straight" program, prison tour bill. It is not mandatory. It simply allows schools to take students who are at risk and who have shown signs of getting into trouble on a tour of a prison so that they can say -- see where they're headed and hopefully it will turn some of them around. If we're able to save just a few of our youth, I think it's a wonderful thing. The Department of Corrections is working with me on this and they have no opposition for, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. A couple questions, if I may, of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR CRONIN:

Senator Hendon, the language in this bill clearly establishes a mandate to the schools in the City of Chicago. Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

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No, that is not correct. This is not mandatory. This is permissive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Well, I don't know. Maybe I -- I forgot or maybe I misunderstand what the meaning of the word "shall" is, but it seems fairly clear in the bill that it's a -- it's a mandate. Even though it says that, is that still your position, that it's not a mandate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

It is my position that this is permissive for each individual school. The school district may establish the program but it is permissive for each individual school.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

I don't want to be dilatory here but the language says that the board shall establish a program to prevent crime and it shall be done in cooperation with the Department of Corrections. The Department of Corrections is not opposed to this legislation. Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Yes, that is correct. The Department of Corrections understands the fact that we can't build our way out of this problem. The Department of Corrections has cooperated with me on this and I believe that it is very important, especially in my district, since twelve percent - twelve percent - of all the new young people who've gone to prison last year came from North Lawndale, of which I live. Fifty-seven percent of those currently in jail come from the west side of the City of Chicago. So we have to do something aggressive. We have to do something that will work, and I just urge all of you who care about our youth to just give this program a chance. If you can point to anything that's really working, then fine; we don't

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have to do this. But everyday I see more and more young people going to prison. What's wrong with a "Scared Straight" program that will give them the opportunity to at least know where they're headed and change their minds?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Senator Hendon, let me ask you: How do you identify the students at risk?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

The individual schools will identify the students that they consider at risk through the counselors, the truant officers, the ones who have to visit the principal's office one or two times too often. And we are looking at students who have shown a pattern of getting in -- in -- into trouble. And this is something -- we're trying to scare 'em straight, give them, the opportunity to see where they're headed if they don't change their ways. And as you know, Senator, when we -- when they end up in the penitentiary, we, the taxpayers, are paying forty-some thousand dollars a year to incarcerate them, where this tour costs practically nothing.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR HENDON:

And let me add, it is with the parent's permission.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR HENDON:

In writing.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Okay. Senator Cronin.

SENATOR CRONIN:

Well, you -- that may be your intent, that it's with the parent's permission, but it doesn't say that in the bill. Let me ask you this, Senator Hendon: With these people -- students that you may or may not be able to identify at risk, do -- do

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they -- do they get the day off from school when they go down to the Department of Corrections?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Senator, I don't believe that it is a day off or a vacation or a fun field trip to go to the penitentiary and see the grim realities of prison life. This is not a fun day. This is not a -- a day out of school, where you're just on a bus going to have some fun. This is a reality check, Senator. And I live with this every day. I live in the middle of a crime-infested community. All I'm asking is for those of you who have a conscience to give me the opportunity to address a problem that I have to deal with on a regular basis. And it is permissive. If I have to, I'll read the line for you. Line 8, it says, "on page 1, line 14, after the period, by inserting 'The touring of a prison under this Section shall be subject to approval, in writing,' - in writing - 'of a student's parent or guardian.' In writing. So if there's a parent who feels like they don't have to or they don't want to send their child down to give them an opportunity to live - to live - instead of choosing death, instead of choosing crime, to choose an option to go to college or -- or get a job, then that's up to that parent. But we, as responsible legislators, have to at least put an opportunity out there to save some of these babies. And I go back to the E2 tragedy: I remind everyone that if it wasn't for the fight that preceded the -- the -- the mace, that preceded the stampede, we wouldn't have the E2 tragedy right now. We have to find a way to deal with the violence in my community right now. Not next week. Not next year. I've been working on this for ten years, and I want it today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

To the bill, if I may. I understand the passion, I understand the intention of Senator Hendon, but I -- I got to tell you, this has got to be number one on the hit parade down here. I just think that while this may be well-intentioned, it's incredibly misguided. I don't know -- first of all, it is

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-- it is a mandate. Review the language. I -- there's no option about it. Number two, I don't know how -- there's no methodology, there's no consideration, there's no real guidelines for how you identify these at-risk students. That's not such an easy task, when you talk about privacy and other considerations. Number three, you know, you're talking about kids that are disciplinary problems, kids who are at risk, kids who are a discipline problem in the school. I mean, my opinion is, after spending some time in juvenile court and working with some of these kids, these troubled kids, Lord knows, if they get a day off from school, they're going to take a bus ride down to some jail or prison facility. They're going to probably -- you're going to have to feed 'em. You give 'em a box lunch on the way down. Once they get there, I don't know what they're going to be able to see, what would be appropriate if you're going to try to scare them. I think a lot of kids are going to want to go on this -- this trip. I think it's going to be an interesting day, a way to get away from the routine of school when they should be there trying to connect with their teachers and their parents and their counselors. I understand your intentions. I think it's something more appropriately handled maybe through the churches, maybe through social service organizations. But, Lord knows, the schools have enough -- a tough enough time teaching the kids how to read and write. Now they got to take on this kind of a program. I think it's well-intentioned, but it's just silly. Please vote No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon, you wish to respond?

SENATOR HENDON:

Well, Senator Cronin, I've been here with you ten years, and I've heard you say some things that I disagree with, but I've never got up and called you silly or your ideas silly. I take offense to that. In addition, I live with this every day, my friend. Every day. Madison and Sacramento every day. I go to the funerals. All right? You may go to juvenile, but I go to the damn funerals. I have to get up and look at those mothers in their eyes and tell them what are we going to do to make a difference. This ain't no doggone field trip, sir. This is serious, and I am serious about it. And until you've gone to

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ten or fifteen funerals in a couple of months, you can't tell me what I need to do in my neighborhood.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. I rise in support of this legislation, and to indicate that it should have gone -- further. It should not have been just including the Chicago school district. It should extend itself to the suburban area, because we have many children that are in behavioral schools that could benefit from a Scared Straight program. Many of you may be aware of the Lincoln Challenge Program that the State supports, and also through our National Guard program. Well, that program has a waiting list. The juvenile population drop-out rate is so high that they're dropping out of school left and right. They're dying left and right, they're killing one another, and it's not just in Chicago. It's across the entire State of Illinois. I encourage us to really take a look at this in hopes that a Scared Straight program would encourage children to take a second chance, allow them to rethink their behavior, and I'd encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR LUECHTEFELD:

Senator, you know, I -- I -- I really believe you do care about this situation and would like to do something. I -- I -- when I first started teaching - and we talked about this in -- in committee the other day - I took tours with the kids through Menard Penitentiary. And you could do that -- you know, you'd just request ahead of time and you could do that. I did that -- every year for the first few years. The Department of Corrections, I'm going to guess, discontinued that for security reasons and things had changed a lot in the prisons, and very likely, liability was a problem. You know, I can remember our kids -- our kids really looked forward to doing it. It was a

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day out of school, first of all, and secondly, it was different. It was -- it was kind of interesting. I wouldn't say they left there -- certainly they left there thinking that it was not someplace that they'd like to go, but I can't say that they really left there being scared. Now, I -- I've seen some programs in -- in the Scared Straight programs that -- you know, where you have really, really ugly situations that the kids are confronted with and which may -- may be much more effective than this. And I guess -- you know, I don't think there's a law that says we can't do this now. I don't think there's a law that says you can't take kids in -- into prisons, but I do believe that the Department of Corrections really -- really wonders whether this is a liability and -- and who would be liable for those kids, for instance. You know, I -- I think this is something that you might be able to work out with the Department of Corrections without a law and certainly without mandating that that happens. You know, I -- I don't question your -- your concern, and I'm sure you see things that we don't see. But I -- I just don't think that this is something we need to mandate and something that -- you know, there may be other things that would work better than this. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito.

SENATOR VIVERITO:

...President. I rise in favor of this legislation, and I commend the -- Senator Hendon in terms of what he is trying to do. I remember a few years ago when I visited Pontiac and Dwight and then had the privilege of going to a couple of others, and I brought some young people down that were having some problems. I had talked to the school superintendent and I talked to their parents, and I'm telling you, those individuals that were having, they were delinquent in school, they were causing fights in school, they were the troubled children. And when they went through that prison, I'm telling you, they came back with a better attitude. This is something -- not to go down to some real nice-looking prison maybe, in Cook County where they built a nice, new prison, but go through Pontiac and some of those real tough institutions. And I'll tell you, it definitely has an effect on a young person. And most of the

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principals and superintendents know the children that are having trouble. And I believe the sponsor of this bill was quite clear when he said it would be permissive and that the parents would be in agreement to have that child taken to a prison to experience it. I think he should be commended, and I would hope that all of us would vote for something. At least he's trying to do something to help people to see how difficult it is to be in prison. I think we all should vote Yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator Hendon, I hope we can all just sort of lower the wattage here, if you can turn the high beams down, in defense of Senator Cronin. I don't think he was telling you what to do in your neighborhood. You're coming here asking for his support for a bill. So, for him to ask you questions, with all due respect, it wasn't out of line. But let me ask you this: Do you have a sense of the -- and can you share with me what you envision to be, Senator, the selection process for this and how -- we live, as you know, in a very litigious society. People love filing lawsuits. They love being singled out. They like to say, "I was characterized this way, and not that way." How do you propose to have a clear demarcation of the -- the students that are chosen and the students that are not chosen for this program?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Senator Roskam. And I will take your very intelligent advice to heart. It says, on line 4, that students at risk of committing crimes shall be limited to those students who have engaged in serious acts of misconduct in violation of the school board's policy on discipline. So it's up to each school, and they -- they recognize and identify these children already right now - the counselors, the truant officers. I get

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the calls every day. And let me say this, there are many single mothers out here who I've talked to about this bill who are looking for some help. They are looking for some help. They need some help. My educators are in support of this bill. The Department of Corrections has had plenty of time to put in opposition to this, if they were in opposition, and they're not. I'm simply trying to save some lives, and at the same time, we save the State of Illinois some money, because incarceration -- the cost of incarceration is going through the roof.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

How many tours, Senator, do you anticipate? Is this going to be a weekly thing? Is it going to be a daily thing? Is it a monthly program? How do you envision this in your conversations with the Department of Corrections? Are the -- are the prisons that are closest to Chicago going to have the highest burden because it only is Chicago? So, does that mean it's just going to be Joliet, it's just going to be the -- the municipal center -- or, the Metropolitan Center downtown? What -- what's the volume you're looking at?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Hopefully, violence in my community will decrease tomorrow and the volume will be low. This is permissive. It's based on what's going on, but let me just give you a few numbers here. Last year there were a hundred and sixty-seven killings on the west side; nine hundred and sixty-five serious assaults on the west side; two hundred and forty-seven killings on the south side; fifteen hundred and seven serious assaults on the south side - the vast majority committed by sixteen- and seventeen-year-olds. We have to give these babies another opportunity. We also are encouraging the schools to also take 'em to college campuses, take 'em to -- to Fortune 500 companies and workplaces and give 'em choices, Senator. That's all I'm trying to do. Give them a look at life, where you're going if you continue down this road and where you can go if you change your life. Now, I used to be a bad kid myself at one time. Somebody gave

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me a hand and now I'm here today. Don't use that to vote against me. But I think it's a good thing that when people are given choices and opportunity, they can choose more wisely.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs has moved the previous question. Prior to the motion, Senator, we have -- we had four more speakers. Senator Roskam.

SENATOR ROSKAM:

Senator, if we could just rewind the tape, my question to you was, how many tours do you think are going to be necessary and where is the most pressure going to come? Which correctional institutions are going to bear the -- sort of the administrative burden? How many and which institutions?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Unfortunately for me, the -- the brunt of it will probably come from the west side and the south sides of the -- City of Chicago because that's where we have the greatest amount of killings, murders, rapes, assaults committed by young people than any place else in the State of Illinois. But East St. Louis has a problem. There are other areas that have a problem. I can't put a -- a projected number on the number of tours. I hope it's none. I hope we get to the point to where it's not even needed at all, but right now it's clearly necessary. I had to speak at the -- at the funeral of the choir director who was killed in front of her church, shielding her children. I had to speak at the funeral of the grandmother who was killed on her porch trying to get in her house to secure her grandchildren. In fact, the vice-president of my organization had her grandson killed the other day - sixteen-year-old, church-going, a student - killed sitting in her car, minding his own business, and teenagers drove down the street and shot up the entire block. So, I would hope there are no tours, but I can't stand here in all -- and be honest with you and say a certain number of tours.

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I don't know, Senator. I hope there's zero. I hope there's no more killing, no more violence. Right now I have to deal with the reality of the situation that this has gone too far and we have to do something different, because, clearly, nothing is working. The prison population is through the roof. We talk about it every week, we want more -- more prison time. But what about giving an opportunity to not get 'em down that road in the first place? That's all I'm attempting to do here.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Okay. So you don't know how often. So -- would this be limited, Senator, to a number of schools? Is this high schools only, junior highs only, elementary only, or is it every public school in the Chicago public school system?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Because some other legislators didn't want it in their community, this is Chicago only. It should be statewide. But in -- in my attempt to appease some Senators who simply don't want the opportunity to save the children in their district, I made it Chicago only.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam, could you bring your remarks to a close?

SENATOR ROSKAM:

As soon as we get sort of focused on the answers. You've heard. I've asked three times, but -- and we're getting closer. Senator, so you're not sure how many. My question wasn't the school districts, Senator, it was the number of schools. Is every school building in the City of Chicago subject to this program?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator...

SENATOR ROSKAM:

I think the -- is the answer yes? You can nod.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

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The -- the answer is no. First of all, this is a pilot program. If it doesn't work, we won't expand it. If it works and we save some children's lives, then we can expand it. Our target in the -- for legislative intent, is fourth and fifth -- fifth and sixth grade. I'm sorry. Fifth and sixth grade. Not high school, because guess what, Senator? After they've made it to high school, it's darn near too late. Sophomores, juniors, seniors, sixteen, seventeen, eighteen. After they've caught three or four cases already, it's almost too late. So we want to try to catch them when they're not too young, but they also aren't too old. So, no, it's not high schools. It's a pilot program. We want to give it a try. If it doesn't work, it doesn't work. But if it works, guess what? We've done what we -- every time before we start Session, we have a pastor or reverend or priest or Rabbi get up and pray that we will ask God to give us the fortitude and the ability to save lives and do something for the people of the State of Illinois, and that's all we're trying to do here.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam, your -- your time has expired. Do you want one more question?

SENATOR ROSKAM:

Senator, is there -- or, Mr. President, is there a time limit in the Illinois Senate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, we have a number of speakers waiting to be recognized. There was a motion to move the previous question, and as you know, we have a Calendar that's filled with bills. We're just trying to move things along here.

SENATOR ROSKAM:

Right. Thanks, Mr. President. Brief question. Sort of a statement, and, Senator Hendon, you can -- you can handle it however you want. If you want to answer it, I'd appreciate it, but if you want to give us some more explanation of sort of your own prospective, it's your dime. How do you protect little girls? For example, you got fourth and fifth graders, which was sort of news to me. I didn't think that it was going that low. But if you've got fourth- and fifth-grade girls going into some of these facilities, how do you protect them from some of the --

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the harsh language, from some of the innuendo, from some of the sexual things? How do you -- how do you guard 'em against that? You're -- you're putting 'em in -- in an admittedly very, very difficult environment. It would seem to me that if the response that you give me is, "Well, hey, they've heard it all before," that's a -- that's a fine answer for you. I'm not buying that. That's not good enough for me. I would hope you would have a different response and a different strategy that's not, "These girls have heard so much that it's not a problem," 'cause you're putting fourth- and fifth-grade girls into this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR DEMUZIO:

Well, thank you. Let me make a point of order here. Question was -- our -- our rules do provide for time limits; however, we've never invoked them. However, it seems to me that at a time reasonable, the Chair can ask the Member to bring his remarks to a close and you're always afforded the opportunity to come back and speak a second time. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Senator Hendon, you wish to respond?

SENATOR HENDON:

Certainly. Anytime Senator Roskam asks me a question, I like to respond, because he did the same when they were in the Majority. And this is fifth and sixth graders. I didn't say fourth graders. It's fifth and sixth graders. The -- the girls would go to a girls -- a women's prison with permission of their mother or father, with permission of the parent - that is the key question here - with permission, and that's where they would go. Now, have they heard it all before or seen it all before? I've spoken in fourth- and fifth-grade classrooms, Senator Roskam, and I asked all the students, "Raise your hand if you have a friend who's been shot." Seventy-five percent of the students, fourth and fifth grade, in my district, raised their hand. "Raise your hand if you have a friend who's been killed or is in jail." Seventy-five percent or more raised their hand. Something is wrong with that picture, Senator. And if you have

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compassion and love for human beings in your heart, you'd vote with me to try to do something about it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, when I was on the Rape Study Commission in the House, we visited penitentiaries, and they are -- they are a very interesting place to avoid. I think the Senator has a good point with this pilot program, because when they're in fifth and sixth grade, they can learn that these are places they don't ever want to end in. And talk about control and guns. Chicago has a lot of strong gun control laws, and you know what? They don't do too much about it. They don't enforce it. And that's why I'm saying this is a good pilot program. I think this is great. Let the children find out what it's like. Let them see the seamier side and maybe they can avoid it. I speak in favor of this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR SYVERSON:

Senator, I kind of -- I kind of like the idea. We've -- we've done something similar to this in -- in Rockford, and I think for some individuals, Scared Straight certainly has some merit. With that in mind, my question to you is, looking at -- as I've toured some of the prisons and I look at the conditions of some of the county jails, in -- in our -- in Rockford where we've done this before, we've taken them to the county jail, which is -- you talk about a place that's a hell. The county jails being as -- so overcrowded, with no amenities, is a place that when someone walks in there, it is significantly worse than, frankly, some of the prisons, depending on how you take that tour. And I wondered if you'd be interested in -- in looking at maybe amending this bill to look at -- looking at using county jails. One is because of the expense. I don't

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know how many schools are going to want to take the time to pay for people to transport a student for the day down to that -- down to that jail -- or, down to that prison. And we might find the school districts not complying with this because of the extra manpower it takes and the cost and the time to go that far versus trying to set up regular visits into a county jail where I think they're going to get a worse issue but it's going to be less costly, easier to do. And I think perhaps the school districts would be more willing to put kids through those issues if they can go to a county jail. So, I guess my issue is and respond to, can we look at maybe amending this to making it a -- county jails, as opposed to the State prisons?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Well, Senator, being a Senator, I want to deal with -- on the State level. If I go to the county, then I have to deal with county commissioners and county boards and the county sheriff. You saw how difficult it was when Senator DeLeo simply wanted to let a county-based water reclamation district set their own salaries. I don't want to get into that -- to that situation where I have to deal with county officials. In addition, in county jail, these people are awaiting trial and -- and -- and -- plus, I believe that the Department of Corrections can be a safer place and more secure. And I have been working with them on this for several years. They are in favor of it. We will allow them to set up the program and they will determine the security risk.

PRESIDING OFFICER: (SENATOR DEL VALLE)

There being no further discussion, Senator Hendon, do you wish to close?

SENATOR HENDON:

Yes. Let me close by first apologizing to my good friend, Senator Cronin. I don't apologize for my compassion because, believe me, this is very, very serious to me. I -- I have Rockwell public housing in my district, Henry Horner public housing in my district, ABLA in my district, and I border Cabrini-Green. I have it all. I have all the problems and I simply want to come up with one solution. I urge a Aye vote. I

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apologize for all Members of the Senate who may have been offended by anything that I said that I should not have said.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1107 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 voting Aye, 14 voting Nay, none voting Present. Senate Bill 1107, having received the required constitutional majority, is declared passed. Senator Jones.

SENATOR E. JONES:

Thank you -- thank you, Mr. President. For the -- for the Members, we intend to go until about 6 o'clock, come back in tomorrow morning and work until noon and try to move this paperwork. I know some issues are being debated a very long time. We do have many, many bills on the Calendar and so we want to come back in early tomorrow morning and work until noon. But we'll be in today until 6 o'clock.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Mr. President. I guess point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR LAUZEN:

You know, I'd like to correct my record on one of the previous bills. On Senate Bill 1047, inadvertently, I voted Yes. I -- I had intended to vote No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The record will so show.

SENATOR LAUZEN:

If you could allow the... Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon. Senate Bill 1108. Out of the record. Senator Hendon. Senate Bill 1110. Out of the record. Senator Hendon.

SENATOR HENDON:

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Yes, Mr. President. We would like to move Senate Bill 1115 back to 2nd Reading for the purposes of an amendment.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, we -- we do not have an amendment. So we'll have to get back to that at some other point. We'll have to get back to that bill at some other point when we have the amendment. Senator Hendon.

SENATOR HENDON:

Okay. We wanted to move it back to 2nd so we can put it in its proper order. We can't do that right now?

PRESIDING OFFICER: (SENATOR DEL VALLE)

We can't go to that order of business, Senator Hendon. Senator Welch in the Chair.

PRESIDING OFFICER: (SENATOR WELCH)

Senate Bill 1116. Senator Hendon. Senator Hendon. 1116. Senate Bill 1117. Senator Crotty. Please read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1117.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President, Members of the Senate. This bill provides that a physician's assistant may determine or certify that a person has a disability if the physician assistant has been delegated the authority to make that determination or certification by his or her supervising physician. It also provides that an advanced practice nurse may determine or certify that a person also has that disability if the advanced practice nurse has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make that determination or certification. This Senate bill follows the same bill that we had, I think, the last Session, Senate Bill 929, which authorized physician assistants and advanced practice nurses to sign health exams that they perform for their collaborating physicians for school physicals,

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school bus driving physicals and other transportation-related health exams.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. I just want to note that this measure passed out of the Licensed Activities Committee on a unanimous vote. I rise in support.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Crotty, to close.

SENATOR CROTTY:

Thank you. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1118 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. Senate Bill 1118 -- 1117, having received the constitutional majority, is declared passed. Senate Bill 1118. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1118.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Again, this amendment revises and clarifies the language that's used for Children's Advocacy Center ballot propositions. First, it more clearly identifies the maximum amount of the levy. Second, it specifically identifies the subject of the levy. It provides a fair estimate of the tax consequence of a Yes vote for the average taxpayer, and it gives a more detailed description of the function of the Children's Advocacy Center. Really, these changes make the ballot more readable and more forthcoming for the voter.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? Seeing none, Senator Crotty, to close.

SENATOR CROTTY:

I just ask for a Yes vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1118 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, are - there are 56 Ayes, 0 Nays, 0 Members voting Present. Senate Bill 1118, having received the required constitutional majority, is -- declared passed. Senate Bill 1122. Senator Burzynski. Senate Bill 1124. Senator Syverson. Senate Bill 1133. Senator Wojcik. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1133.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President and Members of the Senate. No snitching. Senate Bill 1133 creates the Small Business Advisory Act. Requires State agencies to post a plain-language explanation of charges of law or rule made by the General Assembly or JCAR that affect small businesses, on the Internet. This bill was passed unanimously by both Houses last year, but the Governor vetoed it. So I would just ask your favorable passage. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the -- Senate. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she will yield.

SENATOR JACOBS:

Senator, define small business.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Wojcik.

SENATOR WOJCIK:

I would think that it's a -- a company that has under fifty employees all the way down to possibly one or two.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Is -- is that in the law? Is that in the bill, to where we establish a hundred and fifty?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

I didn't hear the answer. I'm sorry.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

In the bill it states that if it grosses less than four million per year, or has fifty or fewer full-time employees and has its principal office in Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Would this include Publishers Clearing House?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she will yield, Senator.

SENATOR GARRETT:

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Senator, why did the Governor veto this bill? I remember passing this in the House.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

I think that it had something to do with the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Okay. The -- I did have another question, and that is, who creates this Advisory Act? Is this being done...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Anytime there's a change in law, the agency would have to -
- administer that change and it would be posted on the website.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

So is it -- is it DCCA that is -- okay. So just tell me how it works. I'm a small business. I would provide the information to DCCA and then they put together this website?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

The legislation or JCAR would be the agency and they would forward the information.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

And so who would they forward the information to?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Goes to DCCA first, and then DCCA takes it to the other appropriate agencies.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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I guess my ultimate question is, who -- who has the ultimate responsibility of getting all the information, putting it on the web page and making sure everything's in working order?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

The web master at the individual agencies. And that would be for six months, and then it changes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

While there's a clearinghouse, which I guess that's DCCA, this will be handled independently through each individual business.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Individual agency, and that is correct. And there would be a web master there to make sure that that information would be placed on the website. It would be on the website for six months, and then changed. Or if there was some sort of a rule that would come up through JCAR, then that would go on immediately so that the business would have the opportunity to come and testify.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she will yield, Senator.

SENATOR PETERSON:

Thank you, Mr. President. In my analysis it says that the bill also requires advisory opinions and interpretations to be posted in plain language. Now, how is that opposed to, like

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legalese or something like that? Can you -- differentiate between plain language, legalese, and the English language?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

It's the standard language that normally an -- an educated individual would be able to understand.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

Does that include legislators?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Are they educated?

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Peterson.

SENATOR PETERSON:

Definitely. We're here.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Then, so be it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

Thank you, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she'll yield.

SENATOR DEMUZIO:

Senator, this bill indicates that you are requiring DCCA to serve as a clearinghouse. Do we still have a DCCA?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

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Yes, we do.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

At what point, then, do we not have a DCCA? It seems to me that the newly appointed Director of the new Commerce and Economic Opportunity, when the Message came here from the Governor, was journalized, does that mean we no longer have a DCCA, or at what -- what point don't -- do we not have a DCCA?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

Well, Senator, there's normally legislation or an executive order. And we haven't seen either. We've only heard the word of the new change for the agency.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Well, not necessarily. The Governor, in his agency reorganization, may reassign - according to the Constitution - functions among or reorganize executive agencies who are directly responsible to him. And of course, this provides him the opportunity to file such a resolution with the General Assembly, and if within sixty calendar days -- if after sixty calendar days, if nothing happens, then his reorganization becomes effective. I just think that perhaps we are -- you might want to take it out of the record and amend it to the newly created agency, if we ever get it, 'cause we know what -- that's the name it's going to be and we -- we know that that's going to be because we wouldn't be confirming a director to the Department of Commerce and Community Affairs if he sent us a Message saying he was going to be confirmed to the Department of Commerce and Economic Development. So you might want to take it out of the record and get the proper agency.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik, you wish to respond?

SENATOR WOJCIK:

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Senator, everything in the statutes still refer to DCCA, so we'd have to change all of that also. So, I think that we have sixty days. I haven't seen anything, have you?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

I really haven't looked.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I think we've tormented my good friend, who is a great addition to this Body and is a lively person, and I would like to move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. You were the last questioner. Senator Wojcik, to close.

SENATOR WOJCIK:

Well, I thank you, genuinely, for all those questions, and I hope I've answered them sufficiently. And I hope that this bill passes. And I ask for your favorable passage, and thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1133 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 56 Ayes, 0 Members voting Nay, and none voting Present. Senate Bill 1133, having received the required constitutional majority, is declared passed. Senate Bill 1149. Senator Shadid. Senate Bill 1150. Senator Cullerton. Senate Bill -- Senate Bill... ..or 1151. Senate Bill 1151. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1151.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton seeks leave of the Body to return Senate Bill 1151... Senator, what do you wish to do with this bill?

SENATOR CULLERTON:

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I would ask leave to return the bill to 2nd Reading and leave it on 2nd Reading, per the agreement on pension bills that Senator Jacobs and Senator Brady reached last week. So I'm just asking leave to return the bill to 2nd Reading, and then I leave it on 2nd Reading. I think -- I think you can do that.

PRESIDING OFFICER: (SENATOR WELCH)

I think we can, too. With -- with -- Senator Cullerton seeks leave of the Body to return Senate Bill 1151 to the Order of 2nd Reading. Leave is granted. Senate Bill 1152. Senator Cullerton. Senator, are you making motion to return the bill to 2nd Reading?

SENATOR CULLERTON:

That's correct.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Cullerton seeks leave of the Body to return Senate Bill 1152 to the Order of 2nd Reading. Leave is granted. Senate Bill 1156. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1156.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Last November the FDA approved a new test for HIV/AIDS called a rapid test, and the purpose of this bill is to allow for the Department of Public Health to adopt rules to allow for the implementation of this new rapid test for HIV. It also amends the AIDS Confidentiality Act and strikes the old, outdated test that went into effect, I think some ten years ago. It's -- this new test is -- there's four pharmaceutical companies that have developed these new tests, and it -- it's an improvement over the current test. It -- the current tests take up to two weeks for someone to get the results. This is something where you get the results in twenty minutes. So, no opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Just for the benefit of the Members on our side of the aisle, this bill passed out of Health and Human Services unanimously, and congratulate the sponsor on a good bill. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, to close.

SENATOR CULLERTON:

I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1156 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Members voting Nay, and none voting Present. Senate Bill 1156, having received the constitutional majority, is declared passed. Senate Bill 1167. Senator Dillard. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1167.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1167 is permissive language to authorize a city council or municipality, where appropriate, to create the office of internal auditor, which would report directly to the city council or the board. The internal auditor would be set up pursuant to the ordinance of that particular municipality or city. It is the one level of government in Illinois that doesn't have an internal audit control. We have the Auditor General here at the State level. The General Accounting Office is at the federal level. And at the county level, you have a county auditor. And this is optional to a local municipality. But in light of certain corporate scandals and other things, people are a little more sensitive these days about making sure

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we have an internal auditor function should it be needed. The bill's permissive. It's not a mandate. It would be up to the unit of local government or the municipality to determine if they wanted this, but it's just a tool and a way of protection should it be needed. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Members seeking recognition, Senator Dillard, to close.

SENATOR DILLARD:

I just wish an affirmative vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1167 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Yea, no Members voting Nay, and none voting Present. Senate Bill 1167, having received the required constitutional majority, is declared passed. Senate Bill 1168. Senator Syverson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1168.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. This legislation amends the Park District {sic} (System) Civil Service Act. It increases the population threshold, currently at a hundred and fifty thousand, raising it to five hundred thousand. Know of no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeking recognition, Senator Syverson, to close. The question is, shall Senate Bill 1168 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this bill, there are 55 Members voting Yes, 1 voting Nay, and no Members voting Present. Senate Bill 1168, having received the required constitutional majority, is declared passed. Senate

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Bill 1175. Senator Collins, do you wish to call your bill?

Senator Collins. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1175 increases penalties for having or installing a false compartment in a vehicle. As Members of the Chamber know, these compartments are often used by gangbangers and criminals to try to hide their weapons from law enforcement. This legislation increases the penalties for having one of these compartments from a Class C misdemeanor to a Class 4 felony. This bill unanimously passed the Judiciary Committee, and I would appreciate any Aye votes. Thank you very much. Any questions?

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she will yield.

SENATOR JACOBS:

Senator Collins, I notice this bill, of course, is about secret compartments. I really wish you would have called the bill on prostitutions first, 'cause I think we could have probably had a little more fun with that one. But I do have a question. When we talk about -- secret compartments, are we talking about secret compartments in houses of prostitution or in vehicles?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

In vehicles.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Or maybe I could even rephrase that. No? Okay, John. Now, does a trunk count as a secret compartment?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

As far as this legislation, no, not a trunk.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

I see you have quite a few groups that are proponents of this, and it appears that the Cook County State's Attorney's Office is in favor of this. Why are they in favor of this?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

I would think when they prosecute, or when they find individuals with these secret compartments where they have drugs, contraband and guns, that they're able to prosecute for the drugs and narcotics and the other contraband, guns. But we're trying to get these cars off the streets. So, while they can prosecute with a felony 4 with the contraband, these cars -- the individual would promise the judge that they will remove the compartment, but, in fact, that doesn't happen. These cars go back on the street where they can be used again for the various contraband. So this is trying to get these cars off the street. As we witnessed on the east coast last year what happened when we had these various compartments, and I think this is a bill that would alleviate some of that problem of getting these secret compartments out of the vehicles and get these vehicles off the street.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Just one final question, and then I think I would probably ask for a No vote on this. If -- if, in fact, they do have a -- a hidden compartment, why are you so objectionable to that? I

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mean, why don't you want them to have some fun and play a little hide and seek?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Well, you know, secret compartments are fine if you're going to carry CDs or toys for your children, your grandchildren, but I don't take guns and drugs or narcotics as fun items. And I -- as a good social policy, we don't need these elements in our communities where they can be used by criminals for negligent intent. For the safety of our children, our families and our communities, I feel that we should remove these vehicles off the street.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I think the Senator makes a very good point with her bill. I not only support it, but I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis moves the previous question. Prior to the motion of Senator -- Geo-Karis, two Senators have sought recognition, Senator Dillard and Senator Burzynski. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. During the campaign for Attorney General last year, I watched the TV commercials pretty closely and I noticed that our former colleague, now the Attorney General of Illinois, Lisa Madigan, ran this idea of the secret compartment as one of her initiatives in her commercials. And I'm just wondering whether -- or I want to ask the sponsor why she's stealing the Attorney General's idea here.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Well, my response to that is, I think all great minds think alike, and I don't think there's any -- what are -- there's no monopoly on good ideas. And I would like to think that I support Senator Madigan's -- former Senator Madigan's progressive

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thinking on this matter, and I'm glad to be considered one of her colleagues now. And I feel that I hope to stand in her place in this Chamber to -- to continue her tradition of having great ideas and great sponsorship and support from both sides of the aisle.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Are -- are you planning, like she did, to rocket repel {sic} out of here on to statewide office sometime soon?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Well, the thing I've always heard before I stepped into the public arena, a politician would never say no to -- to any question, but I consider myself a public servant. So wherever the people call me to -- to go and to serve, I'm willing to step out to the challenge and the opportunity, but I -- but I feel my position here is in the Senate Chamber.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

I know you're -- I know you're a first-term Senator, Senator Collins, and you're a great addition to this Body, but, you know, there's some of us who like incumbent job protection. And we have a rule in the Senate Judiciary Committee that normally when you increase the penalty for an offense, you only take it up one notch, not two. And I know you're aggressive and you're a comer, so you're going to increase the penalty two notches. But Senator Cullerton will always remind you that, you know, we got to keep coming back with ideas year after year, and when you have bills in front of our committee, we like to take 'em up one notch so we got something to do next year.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins, to close.

SENATOR COLLINS:

My experience before the Judiciary Committee, I found that for most of the legislators, they tend to take on the legal aspect of their profession. They become lawyers and not

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legislators. So, I would like to remind them that we're all here to serve the public, and I ask for affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Okay. Let's have some order. Let's have some order here. The question is, shall Senate Bill 1175 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that bill, there are 56 Ayes, no Members voting Nay, and none voting Present. Senate Bill 1175, having received the required constitutional majority, is declared passed. Senate Bill 1176. Senator Collins. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1176 is an effort to give those individuals and businesses who are affected most by prostitution in their community an opportunity to fight back. Senate Bill 1176 will now require courts in our State to allow these individuals the opportunity to offer a statement at the sentencing hearing of a defendant concerning the impact of the crime of which they have been convicted. Senate Bill 1176 will give our law enforcement officials the opportunity to offer testimony, as well. This bill passed unanimously out of committee, and I hope you will vote Aye in order to give communities and neighborhoods the opportunity to fight back in our judicial system in their effort to rid their streets of prostitution. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1176 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted -- who wish? Madam Secretary, take the record. On that question, there are

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55 Ayes, no Members voting Nay, and none voting Present. Senate Bill 1176, having received the required constitutional majority, is declared passed. Senate Bill 1193. Senator Lightford. Senate Bill 1198. Senator Cullerton. Senate Bill 1199. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1199.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill has to do with the breath alcohol ignition interlock device. We utilize these now. Where a person would get a judicial driving permit, judges are authorized to install these. And also, many times when a DUI is resolved, the offender gets supervision conditioned by one of these breath alcohol ignition -- interlock device. But what this bill does is to say that the judge can impose this requirement as a condition of bond. 'Cause the way it works now: Someone will get a suspension -- the summary suspension for failure to take a Breathalyzer; they get a JDP; they use this interlock device; then when the summary suspension expires, they still may have -- not have dealt with and resolved the DUI. So there's an interim period where the -- the judge is not authorized to have them use this device. This would close that loophole and... Supported by the Chiefs of Police, Mothers Against Drunk Driving. Don't know of any opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any Member seeking recognition? Seeing that there are none, the question is, shall Senate Bill 1199 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 56 Ayes, none voting Nay, and none voting Present. Senate Bill 1199, having received the required constitutional majority, is declared passed. Senate Bill 1202. Senator Trotter. Senate Bill 1205. Senator Harmon. Madam Secretary, read the bill.

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SECRETARY HAWKER:

Senate Bill 1205.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 1205 amends the Illinois Municipal Code to permit any municipality to enter into a long-term energy contract, even if the length of that contract would exceed the term of office of the current authorities. My understanding is that currently home-rule communities have this power. This bill would simply expand that to include all municipalities. And I'd urge a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing that no Member is seeking recognition, the question is, shall Senate Bill 1205 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Member voting Nay, and none voting Present. Senate Bill 1205, having received the required constitutional majority, is declared passed. Senate Bill 1210. Senator Walsh. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1210.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1210 amends the Illinois Municipal Code. Provides that a municipality with twenty-five thousand people -- inhabitants must print a statement of receipts and -- expenses and a summary of its proceedings during the preceding months; that municipalities with fewer inhabitants must print the statement annually. This is an issue that has been brought to me by Forest Park. They are one of, I think, fifteen counties

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that are under the commission form of government. And currently, if there are -- less than fifteen thousand inhabitants, they fill out an annual report. When they hit that threshold of fifteen thousand, then all of a sudden they jump up to where they have to fill out a detailed and -- and -- report every month. Very time consuming, and my understanding is they do not object to this. We contacted the Comptroller's Office. They do not object to it. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1210 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 54 Ayes, no Members voting Nay, and none voting Present. Senate Bill 1210, having received the required constitutional majority, is hereby declared passed. Senate Bill -- pardon me. Senate Bill 1321. Senator Crotty. Senate Bill 1331. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1331.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett. Take the bill out of the record, Madam Secretary. Senate Bill 1332. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1332.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I'm sorry. This -- we're waiting for an amendment. So if we could take this back to 2nd.

PRESIDING OFFICER: (SENATOR WELCH)

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Madam Secretary, take the Senate Bill 1332 out of the record. Senate Bill 1333. Senator Garrett. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1333.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Yes. Thank you, Mr. President, Ladies and Gentlemen. Senate Bill 1333 amends the School Code with respect to reimbursement to school district for costs relating to children from orphanages, foster homes, children homes and State housing units. It changes the provisions added by the Public Act 92-597 to limit that reimbursement to the school districts to the amount appropriated that fiscal year. And, also, we need to say that any insufficiency will be reimbursed on August 30th of next fiscal year and will be made before any claims for their current fiscal year. This bill has been called before the Senate.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing that no Member is seeking recognition, the question is, shall Senate Bill 1333 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Ayes, no Members voting Nay, and none voting Present. Senate Bill 1333, having received the required constitutional majority, is hereby declared passed. Senate Bill 1337. Senator Maloney. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1337.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1337 creates a new Section in the Municipal

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Code, as amended, giving the City of Chicago regulatory authority over public schools and universities as it relates to fire code, health code, building, elevators and revenue. The real focus, however, here is safety. The recent tragedy at the E2 night club brings this matter into focus. If, for example, the -- UIC were to host a concert at their pavilion, under current law neither the Chicago police or fire department would have the authority to make a determination as to when the capacity of the venue has been met or whether or not fireworks could be used in the presentation of that concert. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing that no -- pardon me. Senator Jacobs.

SENATOR JACOBS:

Thank you. Senator Maloney, it just seems to me a little ironic that you're creating a new Section in the Municipal Code. As a freshman, don't you think that's a little bold move?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Senator, I've been encouraged to -- to be forthright in my presentations here, so I -- by -- by my colleagues here, and that's why I'm doing this.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

So the bill that -- that you have here, it prohibits fireworks outside as well as inside?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

That would be a determination to be made by the City officials, as to whether or not the fireworks would be allowed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

So you don't think that this Body has the wisdom to tell the municipalities what to do? You got Senator Woolard sitting

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there right beside you and I'm sure he could advise you on how to tell them what -- what they should do. So, I think in the future that maybe you should seek a little advice from your colleagues on either side and -- to ensure that you write a bill that -- where you're not taking all the assumptions into effect.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Will the sponsor yield for question, Mr. President?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he will yield, Senator Jones.

SENATOR W. JONES:

Senator, during our discussion in Local Government, we were concerned about the potential increases in fees for parking. Can you talk to us about why a freshman would want to raise fees?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Actually, the taxes that will require -- that will be collected are the amusement tax, the parking tax, and the university will actually realize money from these taxes. They will get to keep three percent of the taxes that are -- that are being paid.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Does this only affect the City of Chicago?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Yes, Senator, that's correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Senator Maloney, is this your first bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

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Technically not. I had a long three-month career in the House of Representatives ten years ago, which I did get a bill passed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Senator Maloney, to be a little more specific if I could, is this your first bill in the Senate of the State of Illinois?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Yes, Senator, it is.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Understand you used to be a basketball referee, so I'd call a foul on you for trying to get around your first bill. This new Act, according to my staff analysis here, says every public institution of higher education is subject to all municipal ordinances and regulations within the municipality's territory concerned with health, safety, zoning, land use, taxing, revenue and finance. Isn't that giving the City of Chicago quite a bit of power for a first bill by a freshman in the Senate?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Currently, all the other universities within the City of Chicago, with the exception of those related to the University of Illinois, are in compliance with this.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

So, Senator Maloney, you're just bringing this one in compliance with all the others?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

That's correct, Senator Jones.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Jones.

SENATOR W. JONES:

How did you learn so much in the first two months of the Senate? Is it because you were a referee, or what was the reason?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Actually, I -- I took your advice, Senator, and I've been listening to Senator Woolard and all the other Senators around me who have been very, very helpful.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Thank you for your clarification, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, a nice-looking Irish boy like that should be given a break. I -- I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis moves the previous question. Prior to the motion of Senator Geo-Karis, one person -- one Senator has sought recognition. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney indicates he'll yield.

SENATOR LAUZEN:

Senator, I -- I think that you've distinguished yourself already in this term of hardworking, conscientious Senator. I do have to ask you a, on the serious side, question. I understand that the Illinois School Association -- or, the Illinois Association of School Administrators is an opponent to the bill and then I think that everyone on this side - the Members of the committee that this went to - everyone on this side was opposed to the bill. Can you give us a background on their opposition?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

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SENATOR MALONEY:

There was that opposition prior to the amendment, which we originally had it as a statewide proposition. We amended it to just include the City of Chicago, and the opposition has been removed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney, to close.

SENATOR MALONEY:

Thank you for the questioning. I encourage an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1337 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 44 Members voting Yea, 8 voting Nay, and 1 Member voting Present. Senate Bill 1337, having received the required constitutional majority, is declared passed. Senate Bill 1347. Senator Winkel. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1347.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. Senate Bill 1347 would amend the Probate Act. It would change the definition of a small estate from fifty thousand to one hundred thousand. I'd be glad to take any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1347 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that bill, there are 55 Members voting Yea, none voting Nay, and none voting Present. Senate Bill 1347, having received the required

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constitutional majority, is hereby declared passed. Senate Bill 1351. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. It's a real merely bill. It simply updates two references to the Acupuncture Practice Act by renaming three new names. And there's no opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1351 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, are -- there are 56 Members voting Aye, none voting Nay, and none voting Present. Senate Bill 1351, having received the required constitutional majority, is hereby declared passed. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, when Senate Bill 1332 was - excuse me a second - 1333 was sponsored and -- and heard by Senator Garrett, I thought I put my Yes button on, I instead put the speakers button, and I would have voted Yes. And I'd like the record to reflect that.

PRESIDING OFFICER: (SENATOR WELCH)

On Senate Bill 1333, the record will so reflect your intent, Senator Geo-Karis. Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR RAUSCHENBERGER:

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I'd just like to advise the Chair and the Majority that I don't know what's going on with the computers, whether it's the number of bills in the system, but about half of the bills are being roll called before they're coming up on our screens. And I don't want to slow anything down today, but if we have to look into new computers or using district office money to buy 'em, I just think it's important that we either get the system going or look into new laptops. I just want to advise the Majority and the Chair that we're having a lot of trouble with computers over here, and it's -- just uncomfortable with the situation. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Your point will be taken under consideration, Senator. Senate Bill 1352. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1352.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is put in at the request of the Chicago Housing Authority and what they want to do is to make the Henry Horner Homes development into a condominium development, and they don't want to sell the land 'cause they still want to have some control. So, what they're going to do is make it into a condominium by keeping the ownership of the land and then leasing it out on a hundred-year lease to a limited liability company. Now, the concept of leasehold condominiums is something that we have in the law now, but it's limited to entities that are 501(c)(3) entities. So what this bill does is to expand the Condominium Act by adding the definition, basically, of the CHA as an entity that can also have this leasehold condominium. Be happy to answer any questions. Seems like a good idea, to me, to allow them to have this form of -- of housing. The inhabitants would simply go to the CHA just as they do now to apply for the

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housing. It's just a different form of ownership. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Would the speaker yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

The speaker indicates he will yield.

SENATOR BURZYNSKI:

Thank you. I -- I know that at least fifty percent of us in here would like to know where Ellis Levin stands on this particular piece of legislation, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Cullerton.

SENATOR CULLERTON:

I can assure you that he's against this bill, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Seeing no other Member seeking recognition, the question is, shall Senate Bill 1352 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Aye, none voting Nay, and none voting -- none being Present. Senate Bill 1352, having received the required constitutional majority, is hereby declared passed. Senate Bill 1353. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill - what number am I on? - 1353 amends the Township Code and the Illinois Vehicle {sic} Code. Provides that the township voters may authorize general road and bridge funds or town funds to be used for the disposal of brush and

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leaves from property contiguous to roadways. I know of no opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

The Committee on Local Government on this side -- Members on this side are all for this bill. We think it's long overdue and it's time to pick up the trash.

PRESIDING OFFICER: (SENATOR WELCH)

Seeing no other Member seeking recognition, the question is, shall Senate Bill 1353 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 53 Members voting Yea, none voting Nay, and none voting Present. Senate Bill 1353, having received the required constitutional majority, is hereby declared passed. Senate Bill 1362. Senator Rutherford. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1362.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. This is a follow-up to Senator Shadid's bill of yesterday, and what -- and he's a cosponsor of it with me. What this does is, back in 1996, we passed legislation - I think it was unanimous out of both Chambers - to set up a universal charitable plate so that we can have the opportunity for organizations around the State to be able to have a fundraising mechanism and having their own unique identifier on it and still meeting the standards set by law enforcement for their needs in -- in identifying and keeping separate the size and look of the -- of the plates. The Secretary of State had not promulgated rules to start using the universal charitable plate, and finally I was able to corner Secretary White and his staff got back to me. And the reason they were finding some resistance in it was because there was

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not the ability for these organizations to attain the -- the fundraising mechanisms on the renewables. So that's what we're doing here, is to add the opportunity for that.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he will yield, Senator.

SENATOR BURZYNSKI:

What kind of fundraising can they do to -- to do this, sir?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

They'd have to be a part of a 501(c)(3) to be able to -- to be eligible for it. So it would not include such things as political fundraising, anything like that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Who oversees the authorization, the -- the implementation of 501(c)(3)s?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

I believe it's the Attorney General's Office.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, then that begs the question, how does the Attorney General feel about this particular piece of legislation? Because the only thing I can see that this legislation has going for it is the cosponsor on the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

That's probably a good reason it might pass this Chamber. As far as Attorney General Madigan, I think that, I --

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suggesting that she would probably be in favor of it. But I've not spoken to her personally.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well, where does Senator Collins stand on this particular piece of legislation?

SENATOR RUTHERFORD:

We're going to find out in a few moments when we open up the board on that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Senator Rutherford, is this your first bill in this august Body?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Senator, yes, it is my first bill as a State Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Would -- would you expect us to allow you to just skate through unscathed without some questions from Members of both sides of the aisle?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

As I've grown to know and love many of you in this Chamber, I doubt that's going to be an opportunity I'm going to have.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Well, I want to make sure, Mr. President, that that is not the case, because having gotten skewered four years ago for about twenty minutes, I can't believe these freshmen are getting away with this today. I was skewered by both sides of the aisle for twenty minutes on the first and only bill I've ever passed on this Floor. I haven't passed one since. But let's not let

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this freshman go without having some -- some questions about this. Mr. -- Mr. Chairman, to the bill: Are these plates free?
PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

No, Senator, they're not free. They would still need to -- the person purchasing them would still need to pay the regular underlying amount. They would pay a certain surcharge that would cover the cost for the Secretary of State to administer this program, and then they would have the additional portion of it that goes for fundraising for that organization.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Mr. President, they're -- they're charitable, but they're not free. I don't get it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, my good friend, Wendell Jones, if he was skewered, he doesn't look skewered at all to me. I might say that my computer isn't working, so I don't know anything about the darn bill. However, trusting Danny to do the right thing, I will support it, and I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis moves the previous question. At this time, there's only one Member seeking recognition and that would be Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First, a statement, along the lines of what Senator Geo-Karis said. Senator Jones had indicated that he was skewered for over twenty minutes. Well, it looks like he's still not well-done at this time. I might ask two -- one question, and then I've got a statement. First, is there a senior discount with these plates?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

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SENATOR RUTHERFORD:

They would fall under the same circuit breaker -- the plate would have the same benefit that the Circuit Breaker program would lend to it, as I understand it. And I want -- I'm not absolutely positive, but I believe that is the case, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Why can't all seniors have a discount?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Well, that was the way that we crafted the law in the General Assembly to have it become -- or, to be a part of the benefit of a Circuit Breaker program.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Yeah. It just seems to me, Senator, that you have something against senior citizens, of which I happen to be one. So, you know, it -- it bothers me a little bit, but let me just close by saying it's very appropriate that you're handling this bill, because when you look at the -- the computer and look at what's on the screen, this is a bill sponsored by Senator Lauzen. I think it just great.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford, to close.

SENATOR RUTHERFORD:

Mr. President, Ladies and Gentlemen of the Senate, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1362 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 53 Members voting Yea, 0 voting Nay, and none voting Present. Senate Bill 1362, having received the required constitutional majority, is hereby declared passed. Senator Geo-Karis, for what purpose do you rise?

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SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, these computers are not working well at all today. And may I suggest to the Leadership that we get the printed Digests again, because I'm telling you, it's very hard when you don't know what the heck you're voting for because you can't even see it on the darned computer 'cause it's not there.

PRESIDING OFFICER: (SENATOR WELCH)

Could we have the computer experts who are here please see Senator Geo-Karis? Or have somebody direct them. He is here. We're having trouble, as well, Senator. The next bill is Senate Bill 1370. Senator Clayborne. Senator Jones, for what purpose do you rise?

SENATOR J. JONES:

Thank you, Mr. President. On 1362, Senate Bill 1362, I would like to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator Jones. The record will so reflect your vote. Senator Clayborne, do you wish to call Senate Bill 1370? Senate Bill 1375. Senator Demuzio. Call the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1375.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1375 is an initiative of the Community College Board. It would create a special fund in the State Treasury, that money that's recovered from federal programs for general administration that are received by the ICCB are deposited into a fund. Requires all the money in the fund to be used subject by appropriation to the General Assembly. I know of no opposition. Ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1375 pass. All

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those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Members voting Nay, and none voting Present. Senate Bill 1375, having received the required constitutional majority, is hereby declared passed. Senate Bill 1377. Senator Clayborne.

SENATOR CLAYBORNE:

Mr. President, I'd like to recall that bill back to 2nd Reading. This -- this was a pension bill that inadvertently was moved to 3rd Reading, and I guess we're going to put...

PRESIDING OFFICER: (SENATOR WELCH)

All right, Senator. Senator Clayborne seeks leave of the Body to return Senate Bill 1377 to the -- 2nd Reading. Leave is granted. Senate Bill 1382. Senator Syverson, do you wish to call that? Senator Shadid. Senate Bill 1383. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1383.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Yes. Thank you, Mr. President and Members of the Senate. Senate Bill 1383, there are ten -- there are eleven civic centers involved in this throughout the State and what it does, it allows the civic centers who presently have a twenty-five-hundred-dollar threshold that they have to go out for bids, they're -- want it raised to ten thousand. I'd appreciate a Yes vote on this.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the gentleman's bill. Think it's reasonable and urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

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The question is, shall Senate Bill 1383 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 54 Members voting Yea, none {sic} voting Nay, and 1 vote -- and none voting Present. Senate Bill 1383, having received the required constitutional majority, is hereby declared passed. Senate Bill 1407. Senator Obama. Senate Bill 1409. I'm sorry, Senator Obama. You wish to call that bill, Senator? Mr. Secretary, please read Senate Bill 1407.

ACTING SECRETARY HARRY:

Senate Bill 1407.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a relatively simple bill that simply permits the clerk of the circuit court to accept credit card payments over the Internet for fines, penalties or costs from offenders on voluntary electronic pleas of guilt in minor traffic and conservation offenses. I know of no opposition and would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1407 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1407, having received the required constitutional majority, is hereby declared passed. We skipped over Senate Bill 1401. With leave of the Body, we would like to return to that order. Senate Bill 1401. Senator Maloney. Please read the bill, Mr. Secretary. Senator Maloney seeks leave of the Body to return Senate Bill 1401 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill

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1401. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

The amendment is necessary because the bill states that it will amend the Veterans Affairs {sic} (Affairs) Act when, in fact, this check-off program for -- will be -- on the individual income tax form will be administered by the Revenue Department.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senate Bill 1409. Senator Obama. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill requires that local emergency energy plans include information concerning blood banks in their planning process. It is an initiative of the Red Cross and some of the blood banks across the -- the State. I know of no opposition. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1409 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Take the record. On that bill, there are 55 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1409, having received the constitutional majority, is hereby declared passed. Senate Bill 1412. Senator Obama. Mr. -- Senate Bill 1417. Senator Obama. Senate Bill 1418. Senator Obama. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1418.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill I -- I just want to spend a -- a brief second on and focus our attention on it because I -- this is an initiative that grows out of tragedy. I think it's an extraordinarily important bill, and it affects a lot of our constituents. I have in the Chamber with me today, Mr. Ken {sic} (Kevin) Riggins, the father of a young man, Sean Riggins, sixteen years old, who attended Lincoln Community High School, who some of you may have read recently died a tragic death as a consequence of the consumption of a product that contained ephedra. He consumed something called "Yellow Jackets" that some of you may be aware can be bought in and around various 7-Elevens and gas stations. They come in little packets. They go by other names like Black Beauties and other versions of it. Essentially, these are marketed as performance enhancers, whether it's athletic or otherwise. They are not regulated effectively at the federal level, and what has happened is that we've seen a repeated number of deaths arising out of the use of these -- these products. Obviously, Mr. Riggins' story devastated the community. The death of Sean, who was a healthy, young football player, shook everyone up. It turned out that he, like a number of football players in the high school, were using these because they thought somehow it would make them play more effectively in their games. But the experience has not been restricted just to high school players. What you've also seen is the recent Baltimore Oriels pitcher who died, apparently

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because he had used the same product. You've -- there is some suspicion that Rashidi Wheeler, the Northwestern football player, again, died as a consequence of the use of this product. And so, what you've started to see is a national movement in terms of eliminating these products from the shelves, particularly as they're currently marketed. And one of the, I think, telling aspects of this -- these products is the fact that the United States Military, our Armed Forces, bans them from commissaries already because there have been thirty-three deaths among Armed Services' members who have used these products. There is no proven medical benefit from these. They're primarily marketed, as I said, either as product -- performance enhancers or weight-loss products. It turns out, though, that studies done by RAND Corporation and others have shown that, in fact, the -- the weight-loss results are no more effective than if somebody just took a walk every day and -- and watched their diet. So, they -- they do not provide any miracle cure. What they -- what they do potentially do is put our young people and adults at risk. As a consequence, this legislation would say that Illinois, like many other communities that are starting to consider these prohibitions and like the United States Military, shall not be marketing these products, particularly because they're often combined with caffeine which helps accelerate the heart rate and makes them more lethal. I think that the fact that Mr. Riggins has -- and his wife, Debbie, have transformed a devastating personal tragedy into a mission -- they've testified before Congress. Senator Dick Durbin has been working with Tommy Thompson to remove these products as well at the federal level. We're taking the initiative here at the State level, in part because we've experienced these tragedies here at home. This was on the Agreed Bill List, coming out of the Health and Human Services Committee, and I'd ask that we make sure that we -- we pass this bill, send it over to the House, and send a clear message that, in fact, these kinds of products are unacceptable and that we are going to be protecting consumers of all ages. So, I would ask for affirmative roll call, but will answer any questions that Senator Roskam may have.

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Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of this legislation. I had the opportunity to meet with Kevin a few months ago. He explained to me the tragic incident of Sean. Unfortunately, I -- I never knew Sean. From what I understand, he was an excellent athlete, a fine young man. And this legislation is long overdue. I think there are some that felt that this should be handled at the federal level. I applaud Senator Obama for pushing this issue at the State level, and I hope everyone votes in favor of it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

The sponsor indicates he will yield.

SENATOR ROSKAM:

Senator, thank you for your presentation. I think the bill makes perfect sense, and I know we're all sympathetic. My question is really one of -- of notice for the -- the person that would have criminal culpability on that. Have you -- you know, it -- it seems like if you're -- I'm just working through the mechanics. If you're a retailer, and, you know, you're out in the middle of nowhere, you're the franchisee and you take the product in and you move it out and so forth, how do you know what products are legal and what products would be illegal? It seems like there's got to be some notice mechanism, and I see you nodding and I can tell you've given this some thought. Can you just share your thinking with us on that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Senator, I think you -- you make an excellent point. We do have mechanisms in the State to -- that regulates and -- and disseminates information about products that are banned. I believe it goes through the Department of Public Health and that they have some mechanisms in order to deal with these issues. I

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-- I confess to you that we did not specify the mechanism in the bill because our assumption was is that it would be through the normal regulatory channels by which notice is provided to retailers on various products and that we're obviously -- this is not an area that we're unfamiliar with. We regulate a lot of products across the State, and as prohibitions like this or regulations like this get added or labels are required or what have you, that that information is disseminated. I am happy to investigate this issue further for you, and if it turns out that, in fact, we don't have a sufficient mechanism for notice, then I'd be willing over on the House side to try to attach something.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Yes. I want to commend the Senator for bringing this bill forward. I, too, rise in support of the bill, and I hope everyone will support it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, to close.

SENATOR OBAMA:

Thank you, Ladies and Gentlemen of the Senate. I would ask for an affirmative roll call. But, again, I just want everybody to acknowledge Mr. Riggins here, who -- with two children of my own, I -- I just know how gut-wrenching these kinds of events must be, and I think for him to become a single-minded expert on this issue and -- and really help to transform our awareness of this, deserves enormous commendation. He's really bringing this issue to myself and federal officials like Senator Durbin. It's the classic example of -- of an ordinary citizen doing extraordinary things, and I really think he deserves all the credit on this legislation.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1418 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Members voting Aye, no Members voting Nay and none voting Present. Senate Bill 1418, having received the required constitutional

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majority, is hereby declared passed. Senate Bill 1440. Senator Dillard. Senate Bill 1441. Senator Dillard. Senate Bill 1453. Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill -- or, Senate Bill 1453 seeks to extend the grandfathered weight exemption granted to certain short-axel trucks that are currently allowed under Illinois law. This provision which covers vehicles under forty-two feet in total length has traditionally been extended for a ten-year period and, again, expires in 2004. Willing to answer any questions. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Members who are seeking recognition, the question is, shall Senate Bill 1453 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 53 Members voting Yea, none voting Nay and 1 voting Present. Senate Bill 1453, having received the required constitutional majority, is hereby declared passed. Senate Bill 1457. Senator Harmon. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Mr. -- Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 1457 is an initiative of the Illinois Probation and Court Services Association. It amends the Unified Code of Corrections to provide for the -- the -- the payment of a -- a fee by a -- a

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person on probation or parole who seeks to leave Illinois for another state under the -- the Interstate Compact. The proceeds of that fee would be deposited into the general revenue fund of the county and used to pay costs associated with retrieving parolees from other states if they violate the terms of their parole. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1457 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Members voting Nay and 1 Member voting Present. Senate Bill 1457, having received the required constitutional majority, is hereby declared passed. Senate Bill 1458. Senator Harmon. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 1458 is also an initiative of the Illinois Probation and Court Services Association. It amends the Juvenile Court Act and the Probation and Probation Officers Act. The primary purpose of this bill is to deem juvenile probation officers as peace officers so that they can arrest a juvenile violating the terms of -- of his probation, instead of having to call a peace officer. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1458 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 56 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1458, having received the required constitutional

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majority, is hereby declared passed. Senate Bill 1468. Senator Righter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1468.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1468 is a evidentiary procedure bill that would streamline the procedure for State's attorneys across the State. Quite simply, it would allow for, in cases where contraband is seized and that contraband, such as -- ephedrine would be a good example, is seized in the original packaging it was bought -- or, purchased in at the store, including in the box and in the blister packs, that that would constitute prima facie evidence that that is what that chemical is and that is what the weight is. The defense still would be allowed to rebut that information and so it would not be disclosed from arguing that evidentiary matter, but -- and oftentimes in these cases, there is no argument there. This would prevent the State's attorney's office from having to forward the materials to the State lab and have it tested when it says right on the package what it is. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing that no Member is seeking recognition, the question is, shall Senate Bill 1468 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1468, having received the required constitutional -- majority, is hereby declared passed. Senate Bill 1471. Senator Brady. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1471.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This is a very simple bill. It simply allows a farmer who chooses not to drive his truck all year to get a prorated plate, leaving the truck for those months they didn't buy the plate fee for in the barn or garage.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1471 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 54 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1471, having received the required constitutional majority, is hereby declared passed. 1479. Senator Clayborne. 1492. Senator Ronen. 1493. Senator Obama. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill, unfortunately, grows similarly out of tragedy, like the previous one. It is prompted by the tragic events at the E2 nightclub, as well as in Rhode Island. The Illinois Licensed Beverage Association, Retail Merchants and other industry groups came and discussed with me the possibility of structuring some sort of work on these issues at the -- at the national level -- or, at the State level, rather. Here's what we came up with, and I'll just go through the provisions of the bill very briefly. It bans the use of -- I'm sorry. I've got somebody hollering at me in -- in the back here. We've got five -- five specific provisions. Number one, it forbids pyrotechnics in nightclubs where alcohol is served without the approval of the State Fire Marshal. Number two, it prohibits

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the use of mace, pepper spray or other airborne compounds of that sort in close spaces where liquor is served. Number three, it requires the use of panic bars, which are -- make it easier to exit these facilities, when -- when the nightclub has a capacity of two hundred and fifty persons or more. Number four, it provides that an announcement must be made with respect to exits if the venue has a capacity of five hundred persons or more where live entertainment takes place. It prevents the blocking of exits during an emergency by bouncers and such. And finally, it requires that local fire departments, upon request by an owner, will send a safety marshal to identify potential problems with exits and work with them to design a safety plan. This received unanimous approval in the committee. I know of no opposition to the bill, and I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing that no Member is seeking recognition, the question is, shall Senate Bill 1493 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1493, having received the required constitutional majority, is hereby declared passed. Senate Bill 1497. Senator Link. Senate Bill 1499. Senator Link. Senate Bill 1500. Senator Link. Senate Bill 1503. Senator Harmon. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1503.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 1503 is an initiative of the Chicago Bar Association. It amends the Income Withholding for Support Act to -- to correct what I -- what we think may have been an oversight. Currently an employer who's been served with a notice has an obligation to withhold payment

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from an employee's paycheck. This just clarifies the penalties to make sure that it's not just the -- they can't just -- the current penalty is if they were to fail to pay over an amount that they had withheld. This simply clarifies that if they've knowingly failed to withhold, they're in the same boat. I'd urge for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1503 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1503, having received the required constitutional majority, is hereby declared passed. Senate Bill 1505. Senator Harmon. Senate Bill 1510. Senator Harmon. Senate Bill 1521. Senator Jacobs. Senate Bill 1542. Senator Viverito. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1542.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. All this does, it amends the Public Aid Code in appeals for general assistance and makes it where the members that serve on this board are not -- are immune from any personal liability. I believe this is very well-accepted outside of Cook County and long overdue for Cook County. I'd appreciate a -- a Yes vote on this.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? With no Member seeking recognition, the question is, shall Senate Bill 1542 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, none voting Nay and none voting Present. Senate Bill 1542, having received the required constitutional majority,

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is hereby declared passed. Senate Bill 1545. Senator Haine.
Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate. This is a bill which was amended in committee, so it's on 3rd Reading. It involves extending the date to 2006, and that's the closure date, to become qualified in Illinois to be licensed as a registered professional nurse anesthetist. And if you can say that, you should vote for the bill. The -- the nurse anesthetists are in short supply in Illinois, and the requirements passed by this General Assembly a few years ago mandated graduate study. However, many states in the -- in the -- adjoining states do not have this -- requirement, or if they do, they are phasing in. What this does is allow us to phase in so that these nurse anesthetists who are properly licensed and - - and qualified can come to Illinois to meet the shortage, particularly downstate. And the -- the Medical Society is in favor of this. The compromise was -- was -- was worked out. I know of no opponent. I ask for a favorable vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. I rise to note that it passed out of the Licensed Activities Committee unanimously, and I rise in support.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

...rise to note that I used to chair the Licensed Activities Committee and there's no such thing as a good licensure bill. Senator Haine, would you yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

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Senator indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. What about the CRNAs? Where -- where are they on this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR BURZYNSKI:

I mean...

SENATOR HAINE:

They are in favor of this bill. I have a document which indicates that they are in favor of the bill. There's no opponent to the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine, to close.

SENATOR HAINE:

I just ask for a favorable vote. It will assist the -- the practice of medicine in Illinois a great deal.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1545 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Aye, none voting Nay and none voting Present. Senate Bill -- 56 Members voting Yea, none voting Nay and none voting Present. Senate Bill 1545, having received the required constitutional majority, is hereby declared passed. Senate Bill 1546. Senator Haine. Senate Bill 1548. Senator Sandoval. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Members of the Senate, this bill basically adds -- amends current State law. Legal immigrant survivors of domestic violence currently qualify for cash assistance and food stamps, but currently are not eligible for Medicaid-only assistance.

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This bill -- this piece of legislation covers that gap. Due to the fact that legal immigrant survivors of domestic violence are a qualified immigrant under the federal law, this bill contends that -- this bill will -- will allow also for federal funding. Federal matching Medicaid funding will defray fifty percent of the cost of providing Medicaid to those persons who resided in the U.S. after 8/22/96. I ask for your favorable vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Senator, we had some good discussion about this in Health and Human Services Committee and -- and there was some questions asked and answers that you gave that I thought were very good, and I -- I want to cover those areas again now for the entire Chamber. First, how many people are we talking about that this statute would -- that this bill would affect?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

This bill would affect potentially fifty families in the State of Illinois at a cost of a thousand dollars per family. This is a very minimal cost for that type of protection under Medicaid.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

And these persons -- currently, if Illinois changes its law, these people will then be eligible for federal financial participation funds, is that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

That is correct, Senator Righter.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

And last question. Senator, DHS has not been able to seek this match before because we've not made this particular change in statute before, is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

That is correct, Senator Righter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Just to the bill, Mr. President. Congratulate the Senator on a terrific bill. This is the right thing to do, and I would appreciate an Aye vote as well.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval, to close.

SENATOR SANDOVAL:

I ask for a favorable vote of the Body. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1548 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 56 Ayes, no Nays and none voting Present. Senate Bill 1548, having received the required constitutional majority, is hereby declared passed. Earlier we had leave of the Body to return to page 32, when Senator del Valle was in the Chair. Senate Bill 564. Senator del Valle. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill just simply extends repeal dates of provisions creating the State Board of Education

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Fund, the State Board of Education Special Purpose Trust Fund, the Private Business and Vocational Schools Fund, and it also extends the repeal date for the Chicago Schools Academic Accountability Council from June 30th, 204 {sic} to June 30th, 209 {sic}.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing that no Member is seeking recognition, the question is, shall Senate Bill 564 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays and none voting Present. Senate Bill 564, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will go to page 51 of the Calendar. Senate Bill 1647. Senator Rutherford. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1647.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would provide for the opportunity to have a county be able to put together a procedure for purchasing - I'm lost here - with regards to their counties. I'm sorry. This takes it from the -- from the State Procurement Code to allow the counties to go out and do a request and sets in the specific guidelines. And it's really to help set it up for the sheriffs, particularly in the 9-1-1 systems. I'm sorry about that.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. Question for the sponsor. Will the gentleman yield?

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he will yield, Senator.

SENATOR SCHOENBERG:

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Mr. Rutherford, does this legislation weaken the existing Procurement Code?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

No, it does not. In fact, what this does, this is putting it such that a county, by an ordinance, can actually go and utilize a certain provision and it's the same language out of the State Procurement Code. So, this does nothing to the Illinois Procurement Code.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

So, you're -- in other words, you're saying that this mirrors the Illinois Procurement Code.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

This Section of it will be an exact mirror of the Illinois Procurement Code.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford, to close.

SENATOR RUTHERFORD:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1647 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Aye, none voting Nay and none voting Present. Senate Bill 1647, having received the required constitutional majority, is hereby declared passed. Senate Bill 1648. Senator Rutherford. Senator Rutherford. Would you -- Senator Burzynski, could you let Senator Rutherford get to the microphone? Senator Rutherford. Senate Bill 1648. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1648.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

I've never had so many bills in one day in the Senate. This -- this creates the Construction Management Services Act which -- which, actually, this is an agreed piece of legislation between the construction industry and in cooperation with the Capital Development Board.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1648 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays and none voting Present. Senate Bill 1648, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will return to page 50, which we had -- inadvertently passed over three pieces of legislation. Senate Bill 1577. Senator Bomke. On page 50. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, and thanks for recognizing you had missed it. This -- 1577 amends the Sexually Dangerous Person {sic} (Persons) Act. It applies to someone who has been convicted and -- as a sexually dangerous person who has -- may apply for discharge at any time and as often as they wish apply for a jury trial, causing a chronic problem with the Department of Correction, local prosecutors and a backlog with the -- with the court system. This simply will establish criteria for screening those individuals. I know of no opposition and be happy to address any questions.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1577 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 55 Members voting Aye, 1 voting Nay and none voting Present. Senate Bill 1577, having received the required constitutional majority, is hereby declared passed. Senate Bill 1578. Senator Haine. Senator Haine. Senate Bill 1581. Senator Peterson. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 1581 amends the Vehicle Code and the Criminal Code. A person who's driving without a driver's license and without auto insurance and is involved in an accident where there is death or personal injury, that person's vehicle would be seized and sold. The current forfeiture law does contain a hardship provision under which the spouse of the owner of the seized vehicle may make a showing that the seized vehicle is the only source of transportation and forfeiture will impose a hardship on the family. I ask for your support of Senate Bill 1581.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1581 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 54 Members voting Aye, none voting Nay and none voting Present. Senate Bill 1581, having received the required constitutional majority, is hereby declared passed. Ladies and Gentlemen, we're going to go to page 55 and -- with leave of the Body, and pick up Senate Bill 1749. Senator Munoz. Read the bill, Mr. Secretary.

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ACTING SECRETARY HARRY:

Senate Bill 1749.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. Senate Bill 1749 amends the Medical Practice Act of 1987. It gives voting rights to two public members of the Medical Disciplinary Board and considers them for determining a quorum. There's no opposition to the bill. I will try to answer any questions, if any.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall Senate Bill 1749 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays and none voting Present. Senate Bill 1749, having received the required constitutional majority, is hereby declared passed. Senate Bill 1750. Senator Munoz. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1750.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. Senate Bill 1750 amends the Illinois Funeral or Burial Funds Act. It's a vehicle bill. It's from the Comptroller's Office, and, basically, what their intent was, is use for administrative cleanup in the statutes. I know of no opposition and I'd be willing to try to answer a question.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any -- any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will yield, Senator.

SENATOR BURZYNSKI:

Just very quickly, Senator. I believe you did say it currently is a vehicle bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator. And again, they just want to use it to clean up -- for administrative, to do some of the cleanup in some of the statutes.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? Senator Munoz, to close.

SENATOR MUNOZ:

I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1750 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that bill, there are 30 Members voting Aye, 6 voting Nay and 17 voting Present. Senate Bill 1750, having received the required constitutional majority, is hereby declared passed. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. We'd seek verification of the roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski has requested a verification. Will all Members please be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HARRY:

Following voted in the affirmative: Clayborne, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Dillard, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Sandoval, Schoenberg, Shadid, John Sullivan, Trotter, Viverito, Walsh, Welch, Woolard, and Mr. President.

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PRESIDING OFFICER: (SENATOR WELCH)

Does Senator Burzynski question the presence of any Member voting in the affirmative?

SENATOR BURZYNSKI:

Yes. Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Is Senator Obama -- he is sitting in his chair.

SENATOR BURZYNSKI:

Excuse me. Senator Hendon.

PRESIDING OFFICER: (SENATOR WELCH)

Is Senator -- Senator Hendon is in the Well.

SENATOR BURZYNSKI:

Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty is back by the telephone.

SENATOR BURZYNSKI:

Senator Lightford.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lightford is in the aisle.

SENATOR BURZYNSKI:

Senator Link.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link is by the phone booth.

SENATOR BURZYNSKI:

Where? May I see him? I can't see. There -- okay. Thank you. Senator Cullerton. Is he by the phone booth?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton is at his chair.

SENATOR BURZYNSKI:

Oh, thank you. Senator Dillard.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard. Senator Dillard. Senator Dillard. Strike his name, Mr. Secretary. Does Senator Burzynski question the presence of any other Member voting in the affirmative? On a verified roll call, there are 29 Ayes, 6 Nays and 17 voting Present. The -- Senate Bill 1750, having failed to receive the required constitutional majority, is hereby declared failed. Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

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Mr. President, I request Postponed Consideration on Senate Bill 1750.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz requests Postponed Consideration of Senate Bill 1750. On that motion, the motion is granted, and Senate Bill 1750 will be placed on the Order of Postponed Consideration. Senate Bill 1751. Senator Clayborne. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 1751.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. Senate Bill 1751 amends the Civil Code of Procedure and authorizes an attachment against the property of a debtor -- I can't hear. I can't hear, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

You are absolutely right, Senator. I can't either. Will the Chamber be in order? Will the Chamber be in order? Thank you. Could you please take your conferences off the Floor, out to the side venue? Senator Clayborne, please proceed.

SENATOR CLAYBORNE:

Thank you, Mr. President. I think we have too many Members over from the House. They forgot this is the Senate. But anyway, Senate Bill 1751 authorizes an attachment to the property of a debtor who has been referred to the Department of Corrections to the Attorney General. Basically what this does is, there are individuals who once they serve their time - they're sex offenders - and they are referred to the Attorney General for further incarceration, on occasion these individuals have money, and it allows the Attorney General to proceed to attach whatever assets or attachment of their property to collect on the debt for their incarceration. I'm open for any questions, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? Seeing that no Member is seeking recognition, the question is, shall Senate Bill 1751 pass. All those in favor will vote Aye. Opposed, Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays and no Members voting Present. Senate Bill 1751, having received the required constitutional majority, is hereby declared passed. One moment, please. Mr. Secretary, Resolutions. Resolutions.

SECRETARY HAWKER:

Senate Resolution No. 90, offered by Senator Demuzio, Emil Jones and all Members.

Senate Resolution 91, offered by Senators Emil Jones, Schoenberg and all Members.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar.

ACTING SECRETARY HARRY:

Senate Resolution 92, offered by Senators Watson, Emil Jones and all Members.

(Secretary reads SR No. 92)

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio. Senator Demuzio, for a motion to suspend the rules.

SENATOR DEMUZIO:

Well, Mr. President, I would move to suspend the rules for the immediate consideration and adoption of Senate Resolution 92.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 92. Those in favor will say Aye. Opposed, Nay. The Ayes have it and the rules are suspended. Senator -- Senator Watson, on the resolution.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I don't know if you've had the opportunity to go back into your office or see a TV today, but -- to see what's going on. It's war on TV. It's amazing to be -- be able to see that and what is happening. We

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have some forty-five hundred Illinois citizens, either reservists or regulars, that are over there representing, obviously, our country and the concern that we have for the freedom of the people of Iraq and the whole Middle East situation. You know, we've gone through a very tumultuous time here, even the United States, over the last several months, of considerable concern and opposition and support for -- for what we're doing. The fact that that could even take place says something, obviously, about our country and what these people are fighting for. We didn't see that, obviously, in Iraq. There weren't demonstrations in support of what we were doing or against their government, as we saw here. And I just -- I -- we should take time, I believe, and we -- today we -- we discussed a lot of different pieces of legislation and -- and a lot of us feel that this is obviously very important to the people that we represent and to the people of this State, but when you look at the magnitude of -- of what we've done here today or what we do in comparison to what the men and women are doing for us and the Free World in Iraq, I think speaks volumes. We're -- our Marines are now going north into -- into Iraq, so we are now engaged or will be in a very short period of time. Bombing, obviously, has -- been taking place. And we put our young men and women in harm's way, and we here in Illinois should be very proud of the fact that we have sent so many there to -- to do their duty. And they are doing their duty. So, Mr. President, that's -- that's why I -- I ask for consideration on -- immediate consideration in regard to this resolution, and I appreciate the President of the Senate, Senator Jones, in -- in cooperating with us and obviously supporting us in our effort. And all of us, as a matter of fact, are sponsors of this resolution, and we all share the concern and -- for the safety of -- of the young men and women not only here from Illinois, but that we've sent in harm's way. So, thank you, and I think we should, at the appropriate time, have a moment of silence in hopes that as many as can, can come back safely.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, I just want to commend the sponsor of this resolution. As some of you may know, I've certainly had questions with respect to the administration's foreign policy, but I absolutely agree that the minute that the President makes a decision and that we have our Armed Service men and women in harm's way, that we all have to unify immediately and make sure that they come back as safely and as quickly as possible. I think, at this point, we now close ranks and make sure that they have absolutely every available means of supporting them as they move forward. You know, I shop, usually with my daughters, on Sunday at the supermarket, and I can't tell you how many parents - mothers, fathers, aunts, uncles - have come up to me while I'm pushing my shopping cart, wanting to tell me about their nephew or son or daughter who are now stationed in the Middle East, their concerns, their worries, asking me if I know anything. I think that every community in Illinois is touched by these events. And although there will be room for discussion in terms of long-term policy implications and abstract notions of what needs to happen, at this moment it's -- the battle's joined, it's very real, and I think Senator Watson's absolutely right that we need to make sure that we're mindful that those are priorities that are so much higher and pale -- and the work we do pales in comparison to the sacrifices that are being made there. So, I appreciate the resolution.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. It's -- it's an honor to join with my colleague, the Minority Leader, and all Members of the Senate in strong support of this resolution. I wish it -- it could have been another way. I wish our young men and women would not have to be placed in harm's way. I wish that we could have waited a little longer. But now that the decision has been made, we must unify and support them, support the young men and women who have been placed in harm's way in the fight for freedom. Many are Illinoisans, and I know that the country is divided. I don't want to see this country divided as it was divided after the Vietnam War, when the -- when the men and

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women who came back to the states were scorned, which left indelible marks in their minds and many have never recovered since. But we must throw everything we have behind the men and women who are in the Middle East, and this country should not do to them what happened to the Vietnam veterans. We should support them as a united front and pray that they return home safely. United. And, Reverend Meeks, I know you're praying hard for all of us, but pray for those young men and women who are obeying orders. Even some of them probably did not want to go, but they are soldiers, they are professional soldiers, and they follow the Commander in Chief. And so we join with them in wishing them the best.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, as -- as General Sherman said in the Civil War, "War is hell", but sometimes it's inevitable. We've had terrorists threaten our freedoms, not only to America, but all -- all over the world. And I remember an adage that said, "United we stand, divided we fall." I am glad to see this resolution come through because I know of two people very close to me in this -- in this House. One is our secretary to Minority Leader Watson, Nancy Beaty. Her son is in Afghanistan. My own secretary's son is a young Marine captain, Scott Huesing, who I've known since he was a little boy, and he's on an aircraft carrier going into the Red Sea. He's right there. So, we have it very close to us here. There's nothing better than being united. Let me say this further: I'm an ex-servicewoman. I have two bad legs, but if my country needs me, I'll be glad to go, because nothing is better than freedom. We have it but we -- we cherish it, we should support it, and we should be united, not divided. No matter how we feel or think, we've got to back the President of this country. They know more of what really is going on over there than we do. They can't reveal all their secrets, and it's unfortunate that some of us think that, "Oh, well, we have no business", "We should give more time." Time to a murderer who's raped and plundered his own country? No. I think it's time that we went in. I'm glad the President went in. And hopefully

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we will have a quick ending to this situation, and may God help all of our service people and bring them home safely.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, Senator Watson has requested that we have a moment of silence, and we will do so at this time, before voting. (Moment of silence observed) Senator Meeks has requested a chance to speak on this issue. Senator Meeks.

SENATOR MEEKS:

Mr. President, just as it is appropriate every day that we start this Session off with prayer, I think a subject matter of this magnitude, in addition to a silent prayer, we also should have a -- a prayer out loud, and I would request to lead the prayer if everybody in the Body would stand at this time.

PRESIDING OFFICER: (SENATOR WELCH)

Would you like to come up here, Senator Meeks?

SENATOR MEEKS:

Let us bow our heads in prayer. Lord, we look to You this evening because we recognize that You are the Maker, the Creator and the Sustainer of this whole world. We come to You as Senators here in the State of Illinois, but our hearts and our minds are all turned in one direction and that is the safety of the young men and women from all over the United States and the world who are on foreign battlefields following a command of our Commander in Chief. And so now, God, we pray for them. We pray for their safety. We pray for their return back to their homes. We're mindful that there are mothers and fathers and sisters and brothers who are now in a state of confusion, but we pray for those homes. We thank You for this Body, who cared enough to stop, to take time and to recognize that there is pain in our land. And so, God, we pray that You would bless, continually, this Body, that we will not only be sensitive about the issues that come before us directly, but those that affect our country. And now we pray for our President and for our military advisers, that they would have wisdom and knowledge. But not only that, we pray for the people of Iraq, and we pray that You would keep those individuals from hurt, harm and danger, as well. Give us wisdom as we go forward. We thank You for the resolution, for the hearts of our leaders, and it's in Your name we pray. Amen.

PRESIDING OFFICER: (SENATOR WELCH)

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Thank you, Senator. Senator Watson moves for the adoption of Senate Resolution 92. All those in favor will signify by saying Aye. Opposed, Nay. The Ayes have it and the resolution is adopted. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 o'clock a.m. on Friday, March 21, 2003. The Senate stands adjourned.