

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

HB0016	Second Reading	6
HB0032	Second Reading	5
HB0051	Recalled	13
HB0051	Second Reading	6
HB0079	Second Reading	6
HB0092	Second Reading	6
HB0120	Recalled	58
HB0184	Second Reading	7
HB0206	Second Reading	7
HB0218	Second Reading	7
HB0231	Second Reading	8
HB0235	Second Reading	8
HB0259	Second Reading	8
HB0310	Second Reading	9
HB0333	Second Reading	9
HB0362	Second Reading	9
HB0429	Second Reading	9
HB0463	Second Reading	10
HB0469	Second Reading	10
HB0499	Second Reading	11
HB0532	Second Reading	11
HB0536	Second Reading	11
HB0538	Recalled	59
HB0539	Second Reading	12
HB0547	Second Reading	13
HB0553	Recalled	60
HB0556	Recalled	60
HB0561	Recalled	61
HB0562	Recalled	62
HB0567	Recalled	63
HB0579	Recalled	64
HB0703	Recalled	64
HB0714	Second Reading	14
HB0741	Second Reading	14
HB0761	Recalled	67
HB0771	Recalled	65
HB0865	Recalled	66
HB0914	Second Reading	15
HB0983	Recalled	66
HB1031	Recalled	68
HB1044	Recalled	67
HB1118	Recalled	69
HB1180	Second Reading	15
HB1195	Recalled	69
HB1281	Second Reading	15
HB1338	Second Reading	16
HB1353	Second Reading	16
HB1385	Second Reading	16
HB1389	Second Reading	17
HB1447	Second Reading	17
HB1457	Second Reading	17
HB1516	Second Reading	17
HB1529	Second Reading	18
HB1532	Second Reading	18
HB1543	Second Reading	18
HB1843	Second Reading	18
HB2188	Second Reading	19

STATE OF ILLINOIS  
 93rd GENERAL ASSEMBLY  
 REGULAR SESSION  
 SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

HB2234	Second Reading	19
HB2330	Second Reading	19
HB2339	Second Reading	19
HB2352	Second Reading	20
HB2354	Second Reading	20
HB2379	Second Reading	21
HB2481	First Reading	4
HB2486	Second Reading	21
HB2493	Recalled	70
HB2545	Recalled	71
HB2784	Second Reading	21
HB2797	Recalled	70
HB2836	Second Reading	21
HB2950	Second Reading	22
HB3072	Second Reading	22
HB3086	Second Reading	22
HB3229	Second Reading	22
HB3313	Second Reading	23
HB3387	Second Reading	23
HB3405	Second Reading	24
HB3440	Second Reading	24
HB3455	Second Reading	24
HB3486	Second Reading	24
HB3507	Second Reading	25
HB3530	Second Reading	25
HB3553	Second Reading	25
HB3587	Second Reading	25
HB3589	Second Reading	26
HB3608	Second Reading	27
HB3618	Second Reading	27
SB0885	Concurrence	27
SB1400	Second Reading	5
SR0143	Resolution Offered	3
SR0144	Resolution Offered	3
HJR0019	Resolution Offered	4
Senate to Order-President Jones		1
Prayer-Rabbi Barry Marks		1
Pledge of Allegiance		1
Journals-Approved		1
Committee Reports		1
Message from the President		2
Committee Reports		2
Messages from the House		3
Committee Reports		13
Adjournment		72

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDENT JONES:

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our -- will our guests in the gallery please rise? The invocation today will be given by Rabbi Barry Marks, Temple Israel, Springfield, Illinois. Rabbi Marks.

RABBI BARRY MARKS:

(Prayer by Rabbi Barry Marks)

PRESIDENT JONES:

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Please be seated. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Tuesday, May 6, and Wednesday, May 7, 2003.

PRESIDENT JONES:

Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the Journals just read should be approved by this Body, unless there are some additions or deletions that need to be -- come from the Senate Body.

PRESIDENT JONES:

Senator Woolard moves for the -- to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

The following correction was made on the Report from Senate Rules Committee, which on May 7, 2003, referred Senate Floor Amendment No. 1 to House Bill 3630 to the Committee on Agriculture and Conservation, which should have referred Senate Floor Amendment No. 1 to House Bill 3036 to the Committee on Agriculture and Conservation.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 1 to House Bill 184, Senate Amendment No. 1 to House Bill 703, Senate Amendment No. 2

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

to House Bill 741, Senate Amendment No. 1 to House Bill 865, Senate Amendment No. 2 to House Bill 1044, Senate Amendment No. 1 to House Bill 1118, Senate Amendment No. 2 to House Bill 1373 and Senate Amendment No. 3 to House Bill 2370, all Be Approved for Consideration.

Senator Haine, Chairperson of the Committee on Local Government, reports Senate Amendment No. 1 to House Bill 120, Senate Amendment No. 3 to House Bill 1195, Senate Amendment No. 1 to House Bill 1385 and Senate Amendment No. 2 to House Bill 2317, all Be Adopted.

Senator del Valle, Chairperson of the Committee on Education, reports Senate Amendment No. 3 to Senate Bill 1400, Senate Amendment No. 1 to House Bill 761, Senate Amendment No. 1 to House Bill 2352, Senate Amendment No. 3 to House Bill 2797, Senate Amendment No. 1 to House Bill 3587, all Be Adopted.

PRESIDENT JONES:

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, May 8, 2003.

Dear Madam Secretary - Pursuant to Rule 3-5(c), I hereby reappoint Senator Louis Viverito to replace Senator Rickey Hendon as a member of the Rules Committee. This appointment is effective immediately.

Very truly yours, Emil Jones, Jr., President.

PRESIDENT JONES:

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendment No. 4 to House Bill 463 and Senate Amendment No. 1 to House Bill 3106, all Be Adopted.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 1 to House Bill 51, Senate Amendment No. 1 to House Bill 223, Senate Amendment No. 1 to House Bill 361, Senate Amendment 2 to House Bill 536, Senate Amendment 1 to House Bill 538, Senate Amendment 1 to House Bill 553, Senate Amendment No. 1 to House Bill 561, Senate Amendment No. 1 to House Bill 562, Senate Amendment No. 1 to House Bill 567, Senate Amendment No. 1 to House Bill 579, Senate Amendment No. 1 to House Bill 2493, Senate Amendment No.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

1 to House Bill 2545, Senate Amendment No. 1 to House Bill 3215 and Senate Amendment No. 1 to House Bill 3387, all Be Approved for Consideration.

Senator Walsh, Chairperson of the Committee on Agriculture and Conservation, reports Senate Amendment No. 1 to House Bill 983 and Senate Amendment No. 1 to House Bill 3036, all Be Adopted.

Senator Obama, Chairperson of the Committee on Health and Human Services, reports House Bill -- pardon me, Senate Amendment No. 1 to House Bill 429, Senate Amendment No. 1 to House Bill 556, Senate Amendment No. 1 to House Bill 691, Senate Amendment No. 1 to House Bill 771 and Senate Amendment No. 1 to House Bill 1031, all Be Adopted.

Senator Link, Chairperson of the Committee on Revenue, reports Senate Amendment No. 1 to House Bill 858 Be Adopted.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Amendment No. 1 to House Bill 2839 and -- and a Motion to Concur with House Amendment No. 1 to Senate Bill 885, all Be Adopted.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 143, offered by Senator Link and all Members.

And Senate Resolution 144, offered by Senator Jones -- pardon me, Senator Demuzio, President Jones and all Members. They're both death resolutions.

PRESIDENT JONES:

Resolutions Consent Calendar. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 105, together with House Amendment No. 1.

I have like Messages on Senate Bill 170, with House Amendment No. 1; Senate Bill 190, with House Amendment 1; Senate

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Bill 244, with House Amendment 1; Senate Bill 272, with House Amendment No. 1.

All passed the House, as amended, May 7th, 2003.

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

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

Senate Bill 332, with House Amendment No. 1 and Senate Bill 1458, with House Amendment No. 1.

Passed the House, as amended, May 8th, 2003.

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

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

House Joint Resolution 19.

That House Joint Resolution has been -- is being now offered by Senators John Sullivan, Shadid and Risinger.

PRESIDENT JONES:

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 2481, offered by Senator Martinez.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT JONES:

Senator Hunter, what purpose do you rise?

SENATOR HUNTER:

I rise for a point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR HUNTER:

I'd like to introduce to you some young men and women from the Council of -- Oak Montessori School. Today they're serving as Honorary Pages. They're names are Stephen Cobb, Ashley Black, Wanjiku Mathari and Melvin Cory. Please welcome them to the Senate.

PRESIDENT JONES:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Will our guests stand and be recognized and be welcomed by the Senate? On page 4 of the Calendar, on the Order of Senate Bills 2nd Reading, Senate Bill 1400. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1400.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted Committee Amendment No. 1.

PRESIDENT JONES:

Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator del Valle.

PRESIDENT JONES:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This amendment changes the number of school districts that would be required to comply with the school breakfast language, as well as makes the -- the summer lunch program line that would encourage school districts to do a summer lunch program, rather than require it.

PRESIDENT JONES:

Is there any discussion? Is there any discussion? Shall the amendment be adopted? All in favor, signify by saying Aye. Nays. Ayes have it. The amendment is adopted. Are there any further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd Reading. On page 74 of the Calendar, House Bills 2nd Reading. House Bill 6. Senator Obama. House Bill 16. Senator Cullerton. House Bill 32. Senator Meeks. Madam Secretary, read the bill. On House Bill 32. He's -- he's here.

SECRETARY HAWKER:

House Bill 32.

(Secretary reads title of bill)

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

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDENT JONES:

Is -- 3rd Reading. With leave to go back to House Bill 16. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 16.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 1.

PRESIDENT JONES:

Madam Secretary, are there any Floor amendments been filed?

SECRETARY HAWKER:

No further amendments reported.

PRESIDENT JONES:

3rd Reading. House Bill 43. Senator Crotty. House Bill 44. Senator Schoenberg. House Bill 51. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 51.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 76. Senator Wojcik. House Bill 79. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 79.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 81. Senator Trotter. House Bill 88. Senator Trotter. House Bill 92. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 92.

(Secretary reads title of bill)

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

PRESIDENT JONES:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. House Bill 184. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 184.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT JONES:

Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The -- the amendment makes some modest changes to clarify some concerns raised in committee the first time. I'd ask for a -- an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? All those in favor of the amendment, signify by saying Aye. No Nays. Ayes have it. Amendment is adopted. Are there any further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd Reading. House Bill 186. Senator Dillard. House Bill 199. Senator Obama. House Bill 200. Senator Obama. House Bill 206. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 206.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 207. Senator Trotter. House Bill 218. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 218.

(Secretary reads title of bill)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 1.

PRESIDENT JONES:

Has there -- has there been any Floor -- amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd Reading. House Bill 223. Senator Obama. House Bill 231. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 231.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd -- 3rd Reading. House Bill 235. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 235.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Labor and Commerce adopted Committee Amendment No. 1.

PRESIDENT JONES:

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd -- 3rd Reading. House Bill 259. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 259.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 264. Senator Walsh. House Bill 276. Senator Schoenberg. House Bill 294. Senator Trotter.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

House Bill 310. Senator del Valle. House Bill -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 310.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 333. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 333.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 361. Senator Obama. House Bill 362. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 362.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 405. Senator Clayborne. House Bill 416. Senator Obama. House Bill 429. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 429.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT JONES:

Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDENT JONES:

Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Thank you, Mr. Chairman. Amendment No. 1 just simply satisfies some of the questions we had in committee regarding -- it clarifies that the 211 non-emergency telephone number may also include -- include a referral to a website and requires the 211 non-emergency telephone number to be accessible to the deaf and hard of hearing, and providers of the 211 system must submit evidence of their ability to furnish funding for the system.

PRESIDENT JONES:

Is there any discussion? All those in favor of the amendment, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading. House Bill 463. Senator Garrett. 463. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 463.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted Committee Amendments 1, 2 and 3.

PRESIDENT JONES:

Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 4, offered by Senator Garrett.

PRESIDENT JONES:

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Really -- what this amendment does is add to the Task Force two mayors and two members from counties of the City -- of northeastern Illinois, and each of those members will have voting rights.

PRESIDENT JONES:

Is there any discussion? Seeing none, all those in favor of the amendment, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. 3rd Reading. House Bill 467. Senator Obama. House Bill 469. Senator Cullerton. House Bill 469. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 469.

(Secretary reads title of bill)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

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

PRESIDENT JONES:

3rd Reading. House Bill 496. Senator Walsh. House --  
House Bill 497. Senator Trotter. House Bill 499. Senator  
Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 499.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 532. Senator Munoz. Madam  
Secretary, read the bill.

SECRETARY HAWKER:

House Bill 532.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. House Bill 596 {sic}. Senator Ronen. Madam  
Secretary, read the bill.

SECRETARY HAWKER:

House Bill 536.

(Secretary reads title of bill)

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

PRESIDENT JONES:

3rd Reading. Senator Demuzio in the -- in the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, it's my understanding that on page 77, at the top, we need to return House Bill 536 to the Order of -- of 2nd Reading for the purpose of adopting an amendment. Madam Secretary. Bill is on 2nd Reading. House Bill 536.

SECRETARY HAWKER:

Yes. Floor Amendment No. 1 {sic}, offered by Senator Ronen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ronen.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This amendment changes the statute of limitations. It changes it to - - down to two years for threats and to seven years for all other batteries. I would urge adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ronen moves the adoption of Amendment No..

SENATOR RONEN:

2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...1. House Bill 536. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported -- pardon me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If we just hold on a minute, we'll see where we're at here. All right. Ladies and Gentlemen, it's my understanding that there is only one amendment to this bill. The amendment that the Chair indicated was Amendment No. 2, it is Floor Amendment No. 1. It is Floor Amendment No. 2. I made a -- made a mistake by indicating it was Floor Amendment No. 1. So, all... Senator... So, Senator Ronen has moved the adoption of Amendment No. 1. Those in favor, indicate by saying Aye -- Amendment No. 2. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further -- further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 539. Senator Cullerton. Madam Secretary, read the bill. 539.

SECRETARY HAWKER:

House Bill 539.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. 547. Senator Silverstein. All right. With leave of the Body, while we're trying to catch up here, we'll go to the Order of Committee Reports. Madam Secretary.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Executive Orders 9, 10, 11 and 12; refer to Local Government Committee - Floor Amendment No. 1 to House Bill 3402; and re-refer to Rules - Floor Amendment No. 1 to House Bill 1073, Floor Amendment No. 2 to House Bill 3183.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, with leave of the Body, we'll return to the Order of House Bills 2nd Reading and we'll return to page 74. House Bill 51. The paperwork has not been keeping up with the -- the Secretary's Office, and so there was a reason for us to return to this order of business. On the Order of House Bills 2nd Reading is House Bill 51. Leave of the Body, we will -- we will return House Bill 51 to the Order of 2nd Reading for the purposes of the adoption of an amendment. Is leave granted? Leave is granted. House Bills 2nd Reading is House Bill 51, Madam Secretary. Any amendments?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Silverstein has moved the adoption of -- of the amendment. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Now, with leave of the Body, Ladies and Gentlemen, we will go back on page 77. Top of page 77 is House Bill 547. ...Secretary, read the bill.

SECRETARY HAWKER:

House Bill 547.

(Secretary reads title of bill)

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

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill -- I'm sorry. House Bill 714. Senator Shadid. 714? Top of page 77. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 714.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any amendments approved from the Floor?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 741. Senator Walsh. Madam Secretary, 741, read the bill.

SECRETARY HAWKER:

House Bill 741.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Madam Secretary, there been any amendments from the Floor been approved?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. -- or, Floor Amendment No. 2 to Senate -- or, House Bill No. 741 amends the Liquor Control Act and allows the importing -- distributor to be issued a supplemental storage permit upon the filling {sic} of a supplemental application with the State Liquor Commissioner. Distributors will be able to use the supplemental storage for the storage of alcoholic beverages at locations other than the importing distributor's licensed premises.

PRESIDING OFFICER: (SENATOR DEMUZIO)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Is there discussion? If not, Senator Walsh has moved the adoption of Amendment No. 2 to -- House Bill 741. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 764. Senator Jones? 836. Senator Jones. 914. Senator Link. Madam Secretary, House Bill 914. Read the bill.

SECRETARY HAWKER:

House Bill 914.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1079. Senator Jones? 1165. Senator Trotter. 1178. Senator Walsh. 1179. Senator Walsh. 1180. Senator Woolard. Madam Secretary, House Bills 2nd Reading, is House Bill 1180. Read the bill.

SECRETARY HAWKER:

House Bill 1180.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1191. Senator Haine. Senator Haine. Page 78. 1270 -- I'm sorry. 1251. Senator Haine. 1254. Senator Obama. 1281. Senator Cullerton. House Bill -- page 78. Top of page 78 is House Bill 1281. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1281.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any amendments approved from the Floor?

SECRETARY HAWKER:

No further amendments reported.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1338. Senator Clayborne. Madam Secretary, House Bill 1338, please.

SECRETARY HAWKER:

House Bill 1338.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1353. Senator Trotter. Madam Secretary, 1353, please.

SECRETARY HAWKER:

House Bill 1353.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 1373. Senator Dillard? 1382. Senator Garrett? 1385. Senator Walsh? On the Order of House Bills 2nd Reading, Madam Secretary, is House Bill 1385. Read the bill.

SECRETARY HAWKER:

House Bill 1385.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Floor Amendment No. 1 to House Bill 1385 basically changes the threshold. The original bill was going to increase the threshold from two hundred to five thousand dollars. The amendment makes that threshold from two hundred to twenty-five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Is there discussion? If not, Senator Walsh has moved the adoption of Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1389. Senator Viverito. Senator Viverito. Senator Viverito. 1389. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1389.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1434. Senator Haine. Senator Haine. 1434? 1447. Senator Sandoval? 1457. Senator Ronen? Madam Secretary, read the bill. 1457.

SECRETARY HAWKER:

House Bill 1457.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Ladies and Gentlemen, Senator Sandoval was here in the well. I did not see him. With leave of the Body, we'll go back to the order of 1447. Madam Secretary, 1447. Read the bill.

SECRETARY HAWKER:

House Bill 1447.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1458. Senator Walsh. 1462. Senator Link. 1480. Senator Trotter. Madam Secretary, 1480. Bottom of page -- take it out of the record. Turn to page 79. 1482. Senator Link? 1514. Link. 1516. Senator Lightford. Madam Secretary, 1516, please. Read the bill.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

SECRETARY HAWKER:

House Bill 1516.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1529. Senator Hendon. Madam Secretary, read the bill. 1529.

SECRETARY HAWKER:

House Bill 1529.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1532. Senator Obama. Madam Secretary, read the bill, 1532, please.

SECRETARY HAWKER:

House Bill 1532.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1543. Senator del Valle? Madam Secretary, 1543. Read the bill.

SECRETARY HAWKER:

House Bill 1543.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1729. Senator Clayborne. 1843. Senator Ronen. Madam Secretary, 1843. Read the bill.

SECRETARY HAWKER:

House Bill 1843.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. 2188. Senator Schoenberg. Madam Secretary, 2188, please.

SECRETARY HAWKER:

House Bill 2188.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2200. Senator Clayborne. 2221. Senator Ronen. 2234. Senator Schoenberg. Madam Secretary, House Bill 2234, please.

SECRETARY HAWKER:

House Bill 2234.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 2265. Senator Clayborne? Ladies and Gentlemen, turn your page. Page 80. I'm trying to pick up the pace. 2268. Senator Obama? 2280. House Bill... Senator Obama. 2268? No. 2280. Senator Ronen. 2239 {sic}. Senator Lightford. 2330. Senator Harmon. Madam Secretary, House Bill 2330, please. Read the bill.

SECRETARY HAWKER:

House Bill 2330.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 2332. Senator Lightford. 2339. Senator Ronen. Madam Secretary, 2339, please.

SECRETARY HAWKER:

House Bill 2339.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. 2345. Senator Schoenberg. 2350. Senator Meeks. 2352. Senator del Valle. del Valle. Madam Secretary, House Bill 2352, please.

SECRETARY HAWKER:

House Bill 2352.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2354 -- I beg your pardon. There is, in fact -- have there -- have there been any amendments from the Floor been approved?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If we could break up the caucus in front of Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Yes. This is an amendment that was put together with -- ISBE and the IEA establishing a minimum hour -- number of hours for testing, reducing it from forty to thirty-eight, and also encouraging school districts to eliminate the local testing once the statewide assessment system is fully implemented.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator del Valle has moved the adoption of Amendment No. 1 to House Bill 2352. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2354. Senator Schoenberg. Madam Secretary, House Bill 2354, please.

SECRETARY HAWKER:

House Bill 2354.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2379. Senator Trotter. Madam Secretary, House Bill 2379. Read the bill.

SECRETARY HAWKER:

House Bill 2379.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2391. Senator Trotter. 2478. Senator Hendon. 2486. Senator Schoenberg. Madam Secretary, House Bill 2486. Read the bill.

SECRETARY HAWKER:

House Bill 2486.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Turn the page. Page 81. Senator Dillard. 2524? 2526. Senator Welch. 2549. Senator Maloney? All right. We're going to skip the appropriation bills, so if you'd turn to page 83. The bottom of page 83 is House Bill 2784. Senator Cullerton. Madam Secretary, 2784. Read the bill.

SECRETARY HAWKER:

House Bill 2784.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 84, Ladies and Gentlemen. Page 84, at the top, is 2836. Senator Righter? Madam Secretary, 2836, please.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

SECRETARY HAWKER:

House Bill 2386 {sic} (2836).

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2839. Senator Clayborne. 2902. Senator Dillard. 2950. Senator Walsh. Madam Secretary, House Bill 2950. Read the bill.

SECRETARY HAWKER:

House Bill 2950.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3048. Senator Walsh. Take your time. 3072. Senator del Valle. Madam Secretary, 3072. Read the bill.

SECRETARY HAWKER:

House Bill 3072.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3086. Senator Meeks. 3142. Senator Harmon. Oh, wait a minute. Beg your pardon. Senator Meeks is in the back of the Chamber. 3086, Madam Secretary.

SECRETARY HAWKER:

House Bill 3086.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3142. Senator Harmon. 3183. Clayborne. 3229. Ronen. Senator Ronen on the Floor? Ladies and Gentlemen, we're going to read House Bill 3229. Please, Madam Secretary.

SECRETARY HAWKER:

House Bill 3229.

(Secretary reads title of bill)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3313. Senator Schoenberg. Madam Secretary, read the bill. 3313.

SECRETARY HAWKER:

House -- House Bill 3313.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3387. Senator Obama. Madam Secretary, read the bill. 3387.

SECRETARY HAWKER:

House Bill 3387.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a technical amendment. Just correcting some language on the bill. I'll be happy to debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Obama moves the adoption of Amendment No. 1 to House Bill 3387. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. 3398. Senator Walsh. 3402. Senator Harmon. 3405. Senator Meeks. Madam Secretary, House Bill 3405. Read the bill.

SECRETARY HAWKER:

House Bill 3405.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Labor and Commerce adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd Reading. Page 85, Ladies and Gentlemen. Turn the page. 3411. Senator Haine. 3440. Senator Obama. Madam Secretary, 3440. Read the bill.

SECRETARY HAWKER:

House Bill 3440.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3455. Senator Obama. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3455.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3486. Senator Obama. Madam Secretary, 3486.

SECRETARY HAWKER:

House Bill 3486.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. 3507. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3507.

(Secretary reads title of bill)

House Bill 3507.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I believe that's a technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch, it was a committee amendment. Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3rd Reading. 3530. Senator Sandoval. Senator Sandoval. Sandoval. On the Order -- is House Bills 2nd Reading, for the third time, is House Bill 3530. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3530.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3553. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3553.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3587. Madam Secretary, read the bill.

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

House Bill 3587.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President and Members of the Assembly. This amendment will address a concern that many have regarding removing citizenship requirements for teachers. It requires that the teacher must sign and file with the State Board of Ed a letter of intent indicating that they will, within a ten-year period, file for citizenship or as early as they're able to. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Ladies and Gentlemen, Senator -- Senator Jones, we don't mind you coming over on our side. Could you hold it down a little bit? Can't hear -- I can't -- I -- all right. Thank you. All right. Senator Lightford has moved the adoption of Amendment No. 1. Those in favor, indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further -- further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 3589. Senator Schoenberg. On the Order of House Bills 2nd Reading is House Bill 3589. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3589.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

3rd Reading. 3608. Senator Obama? Madam Secretary, House Bill 3608, please.

SECRETARY HAWKER:

House Bill 3608.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3618, for the first time. Senator Sandoval. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3618.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Ladies and Gentlemen, it's my understanding that Supplemental Calendar 1, Secretary's Desk, Concurrence, is being distributed, and momentarily, when that distribution has been finalized, we will be moving to that order of business. All right. With leave of the Body, Ladies and Gentlemen, we will be moving to Supplemental Calendar No. 1. Madam Secretary. Senate Bill 885. Senator Clayborne. Okay. On the Order -- read the bill, Senate Bill 885, Madam Secretary.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 885.

Motion filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President. This is a motion for concurrence and this bill, Senate Bill 885, is all about jobs. It's about Illinois investment and Illinois technology. We need to reform a policy that unfairly creates a serious problem for one of Illinois' largest private employers. Currently, the wholesale rates that the phone company SBC Illinois is allowed to charge its competitors for access to its networks are way below cost. SBC's wholesale rate in Illinois is an average of

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

twelve dollars and thirty-eight cents per month, but this costs -- it costs SBC twenty-seven dollars a month. I ask the question: How can any company be expected to operate with this business model? Like any company, such as newspaper publishers and insurance companies, when SBC suffers financially, it has to cut expenses. It's biggest expense is labor. SBC employs over twenty-one thousand workers in Illinois. The majority of those are union workers and over forty percent are people of color. These are our constituents, all of us. These are good people who buy houses, pay taxes, volunteer and contribute to society. We don't want them to lay off these people, particularly one of the main reasons why they have had to -- to -- unjust and unavoidable to take these actions. That's why this bill is supported by the AFL-CIO, IBEW, the Chicago Federation of Labor and the Communication Workers of America. As legislators, we should be doing what we can to save jobs in this State and to help boost the local economy. Right now, we're hearing that big, sucking sound as jobs and investments cross State lines. I don't like that sound. I'm -- it's deafening. Passage of this bill would encourage investment in Illinois. SBC contributes more than 3.5 billion dollars annual -- annually to the Illinois economy. The passage of this bill will encourage investment in Illinois. When SBC suffers financially, they invest less money in our network. None of -- none of SBC's competitors are investing in the network. There will be no increase as a result of this bill on business or residential services. We've been hearing that a lot -- that there will be increases from a lot of the competitors. This is not true. The only way a bill -- this bill will create an increase is that -- if MCI WorldCom and -- AT&T decide that they want to keep their profit margin at about fifty-six percent. This bill directs the ICC to adjust wholesale rates that are below costs based upon two factors - fill and accelerated depreciation - which will be better reflect -- which will better reflect changes as our economy continues to change in terms of technology and improvements made to the network. The methods I propose are used in other states and recognized by the ICC. While -- while the company is committed to maintaining its level of service as mandated, when you can't recoup your costs, there's little room to invest in new

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

technologies, in urban or rural areas. This bill will restore the ability and incentive for SBC and the incentives for all competing companies to invest in infrastructure and new technologies in the State of Illinois. This bill also, as it relates to the -- the -- the smaller companies, this bill also freezes current wholesale prices for all competitors for two years, including AT&T and MCI WorldCom, for their first thirty-five thousand lines per competitor. Therefore, this amendment will have no impact on the vast majority of some odd eighty carriers in Illinois. With all this compelling information, I ask you to support this amendment and vote Yes for jobs, for investment and, overall, for the economy in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rutherford. All right. Senator Dillard.

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Dillard.

SENATOR DILLARD:

I'm sure you're going to hear from Senator Sullivan, our Minority Spokesman, on a lot of topics, but one question I do have of the sponsor is, why are we rushing this thing through here tonight, and is there some type of national labor settlement that is about to be signed early next week that we are rushing this thing through for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Dillard, I don't see us rushing this process through. We -- we -- we had a hearing on Monday and some of the colleagues on that committee didn't come to the hearing. So, I guess maybe if you didn't show up, you'd assume we were rushing this through. We had about a -- over three-hour hearing on Monday and we had an over two-hour hearing today. That's five hours. Now, as my colleagues on the other side will say -- will -- can testify to, I came here eight years ago. Senator Dillard, we got a budget at 9 o'clock and we voted and debated

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

that budget at 11. So, I'm not saying two wrongs make a right, but obviously there's some precedent in -- in the process that -- that has taken place in the past. But we've had five hours of testimony on this issue. And to answer your second question, I'm not aware of any labor agreement -- federal labor agreement that's going to be signed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In -- in an effort to move quickly, 'cause I -- I know there's a lot of people who'd like to talk and I know Denny Jacobs is -- at this time of night, grows impatient, I'd like to ask you three quick questions for the record and maybe you can answer them with yes or noes. I think you can anyway. And before I do that, I would mention, though, that when we passed a budget that we got at 9 o'clock and it passed at 11, it was on adjournment day after the budget had been before us for four full months. But I guess there are some similarities. Does this bill, in its body, specify that the costing model that must be used by the Illinois Commerce Commission in determining the rates is the costing model submitted by SBC to the Commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

It -- it is not the same model.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Can you -- can you clarify that? It specifies in the bill that they're required to use the costing model submitted in the docket.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Well, as I understand it, they're changing two -- two factors -- two -- two things that they're considering -- consider - the fill factor and the -- and depreciation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, then -- then let me clarify for you, the costing model is the equation. The variables are changing by the bill. But the bill does -- does specify that the Commission shall use the costing model submitted by SBC, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. And to the best of your knowledge, aren't we the first State in the nation to raise TELRIC wholesale prices legislatively?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

That is not -- accurate. I mean, in -- in other states, they have used the method by which we're using to consider how the rates should be formulated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Let me restate the question for the record. I -- my question is, aren't we the first State in the nation to be legislatively raising TELRIC phone prices, in the legislative Chambers. I'm not talking about the inputs or their suggested. To the best of my knowledge, we're the first State in the nation to do this. I'm just confirming that we understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

I have the same answer: The -- the ICC will set the rates.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Okay. Then maybe -- this one's maybe a little different. You can -- can -- can you refer to the Section in the bill that guarantees either jobs or union jobs or good-paying wages or that there won't be any further layoffs by SBC? There's been a lot of assertions out there brooded about, about how this bill prevents layoffs or prevents job loss. Can you -- you refer us to the Section of the bill where we've written in a guarantee that there'll be no reduction in workforce, or is there a Section like that that I've missed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

No, that Section's not in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Just to close, briefly. I think the Senator's worked very hard on this bill. I appreciated the Monday hearing. I think there are people who honestly believe we need to work with SBC on making sure that we're a focus of their effort in their fourteen-state network. I just think this bill goes too far. This bill dictates to the Commerce Commission the costing model they have to use. This bill removes discretion from the oversight agency. It overrides an existing case. I just would hope the General Assembly tonight were to -- to encourage the Senator to change his motion to a nonconcur 'cause I'd like to work with he and other people in this Chamber, Senator Sullivan and others, seeing if we can find out a reasonable compromise. But I appreciate his patience in answering my questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Munoz.

SENATOR MUNOZ:

Move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

All right. Senator Munoz has moved the previous question. I believe there are additional twelve speakers. One, two -- thereabouts. Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The bill we have before us tonight is one that doesn't specifically tell the Illinois Commerce Commission to raise rates, but it sets up requirements that they consider factors that can only lead to higher rates. An accelerated depreciation, over what they're using now, obviously means that's a change in what the Illinois Commerce Commission can do. They have to consider that, not the system they have been using and what has been agreed to in the past. So, that's going to lead to higher rates and that's why we're saying tonight that these rates are going to be going up. The -- the staff of the Illinois Commerce Commission itself issued a report specifically alerting us that there would be a massive rate increase. Downtown Chicago rates go from two dollars and fifty-nine cents to eleven dollars and sixty-four cents, a three-hundred-and-forty-nine-percent increase in rates. Suburban/downstate rates rises from eleven dollars and forty cents to twenty-six eighty-five cents, a hundred-and-thirty-five-percent increase. Just phenomenal increases. But what did they say they -- the staff did conclude? They said that the SBC data doesn't support these proposed rates, but what it does support is this: A downstate/suburban rate decrease from eleven dollars and forty cents to nine dollars and thirty-nine cents -- a decrease. So, how is voting for this bill not only not voting for an increase, it's also voting against a decrease, if you're from the suburbs or downstate. It's a double whammy. Two ads against you when you run for election, in fact, is what can be done. But the interesting thing here is that the -- what's happening now in the Illinois Commerce Commission without this bill is something that was agreed to by SBC when they took over Ameritech. That was the agreement. They agreed to those rates at that time. Now, all of a sudden, even though we're going to have a rewrite in two years, they're here before the Legislature trying to change the rules of the game, trying to change the agreement that they made with the people of Illinois. And instead of Illinois having our own phone company, having our own

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Ameritech, instead we're led and serviced by a company out of Texas. And SBC is here to tell us, "Oh, don't worry. Those Texans, they'll take care of us. They're on our side. Those Texans, they're good guys. They're good Texans, not the bad Texans." That's who's hired at SBC. What this does is try to return the State of Illinois to a monopoly when it comes to phone service because what it's going to do is drive smaller companies out of business. The fewer smaller companies, the less competition, the more you can perform like a monopoly and you can do what you want. That's what we're returning to here in Illinois. In spite of other states going towards deregulation, we are going in reverse. There's testimony by the Citizens Utility Board which indicated that this bill would lead to residential consumer rates going up. You know, we had a big fight here not too long ago - a few weeks ago - about how we're helping poor people with that minimum wage increase. We're helping them all. And now we're going to vote for an increase in their phone bill. Well, goodbye minimum wage increase. Send it to SBC to pay your phone bill, because that's what's going to happen to a good part of that money. People can't live without a phone nowadays and that's where part of that minimum wage increase goes. So, I don't want to hear anymore arguments about how we're helping the poor people here and we've got to do something for them, and then the same people vote for this bill, raising phone rates. Let's cut the hypocrisy. Let's vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is obviously a very complicated issue, and I -- I need to run through a little bit of history. I was reminded by our former colleague, Senator Dudycz, just the other day when he was down here that he's -- he has not been in the Senate for ten months, and yet he looked around the Senate and found twenty Senators that he has not served with. Some of them obviously came over from the House. So, there is a little history that needs to be revealed here. When we did the telecommunications rewrite in 2001, we took eighteen months to look over that topic - eighteen months. Now, we don't need eighteen months to do

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

this, but we had a three-hour meeting Monday and an hour-and-a-half meeting today. As the Minority Spokesman, I was allowed to ask the President of SBC Illinois one question. This is not the way the process should work. There are many items within this agenda that are faulty, and you need to be aware of what the truth is. This bill is about jobs. And I've told my -- my friend who's in the gallery up here, Dennis Gannon, the President of the Chicago Federation of Labor, he knows that I have a great labor voting record. He knows that I would not be standing up against a bill if it was going to be bad for jobs. This is about jobs, but it's about two other individuals in this gallery and many others. Mike Ward is over there. There is a paragraph - the last paragraph of this bill, if you want to look it up - that I call the "Mike Ward paragraph". It puts the payphone industry and his company out of business. Some might speculate that's because he spent the telecommunications rewrite time objecting to some of the items that SBC wanted, but his industry is closed down. His job -- his company will be out of business. There's a gentleman in the gallery behind me, Lance Honea, from Access One, who, in committee, told us that this temporary freeze, this two-year freeze to help out the little guys, this thirty-five-thousand-line item you might hear about, if that were valid and if that were really there to protect the little guys, the little guys would be okay with this. All the little guys are against this. Do not fall for this. This is just SBC against AT&T and MCI. That is not valid. All of the little guys, who are supposedly protected here, are against this package. And why are they against this package? They are against this package because, as Lance told us in committee, that temporary freeze will nullify investment. How are these small business men and women going to survive if they can have no investment, if they can't get any loans and any capital? He was asked by Senator Rauschenberger in committee, Lance was: How does this affect the morale of the little guys? How are -- how are your employees dealing with this, that they may have this new law? And he said he literally has employees in tears. These people are going to lose their jobs. It is about jobs. And I also told my friend, Mr. Gannon, in the committee, we took care of the jobs issue in the telecom rewrite of 2001. We

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

mandated by statute eighty-percent deployment because we were led to believe that there may not be deployment, there may not be investment. So, we mandated it in that law. There will be investment, which means there will be jobs, union jobs, at SBC to make sure that deployment happens. And we heard about the -- the quality control issues that SBC Ameritech had years ago. We mandated that they have huge fines if they don't keep up their quality control, which means they will keep up their system. That means that people will be employed to make sure that that system stays. For Members of the other side of the aisle, particularly the -- the stop -- the top law -- law enforcement official of this State, our former colleague, Lisa Madigan, the Attorney General, said just the other day in a -- in a briefing to the Illinois Commerce Commission on this issue, this bill, as Senator Rauschenberger pointed out, mandates - mandates - that the ICC must use the cost models and methodology of SBC. What did our Attorney General say about this? She said those same cost models and methodologies - that if you vote Yes, you are saying the ICC has to use those - our Attorney General said that those are not credible. Her words. Those are not credible. And yet, we -- if -- well, not me, but some people, if you vote for this, are going to be saying we should use those not credible items. What has happened -- what is happening in the State of Texas, the home state for SBC? Talking about a UNE-P price case, same case that we're trying to get rid of here in Illinois with this bill, it -- SBC Texas - same company, different state - said, and I quote, "It is no surprise that one might find lower UNE rates in states..." - I will add, like Illinois - back to it - "...that are so much more dense than Texas." I am assured that the word "dense" doesn't mean stupid, in this case. Illinois, and especially Ameritech's portion of Illinois -- SBC's portion of Illinois, is much more dense than Texas. They're saying that you would have lower UNE rates in -- in other states than you would in Texas. Other states like Illinois. Their rate's at twenty dollars and forty-seven cents. This bill takes you over that, to twenty-one, twenty-three - somewhere over that - and yet, they say it should be lower, but they're saying that in a different state.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Senator Sullivan, could you bring...

SENATOR D. SULLIVAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...your remarks to a close, please? We don't have the timer on. I'm doing the best I can to make sure everybody is heard.

SENATOR D. SULLIVAN:

I will -- I will try, Mr. President. The -- in -- at that -- that hearing that the Chairman was so kind to let us have on Monday, SBC's own expert witness, Dr. Conn, came in and said that this process should be before the Illinois Commerce Commission. That's not what SBC wanted him to say, but under cross-examination, under Senator Rauschenberger and I, he said it should not be in the Legislature. It's got appropriate amount of time there. Now, AARP and CUB are against this concurrence motion. They know it's not good for consumers. They know it's not good for consumers. We have offered to SBC -- Senator Rauschenberger and I have offered a compromise, to have discussions, to make sure it's not just an hour-and-a-half and a three-hour discussion, but to make sure we can all get together, bring everyone to the table. We have offered a compromise. AARP and CUB are in favor of our compromise. We are trying to work. There is a solution. To get to a proper solution, we need to vote No right now. I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Ladies and Gentlemen, again, you know, we -- we don't have the timer on. We want to try to be fair, and the Chair would like to exercise some fairness to this and move us along without having to do the timer. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it's not always that I concur with Senator Welch, but what he said earlier was absolutely true. How in the dickens are you going to control costs when this bill says that the Illinois Commerce Commission must use the cost models of SBC? You won't be able to control the cost. And I think it's a poor excuse that they say, "Oh, well, don't worry about it. We'll do the best we can." That's fine, but the costs are going up. And then -- and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

I -- I don't have anything bad to say about SBC. I'm willing to support it, but what they've taken out of this bill, in this bill, they've taken out the position of the ICC over them. All of our other public utilities go under the Illinois Commerce Commission. They're subject to them. But this bill will make the SBC not subject to the Illinois Commerce Commission. For the very reasons that Senator Sullivan spoke about and also for the very reasons that Senator Welch spoke about. I'm willing to vote for it if they'd have a compromise amendment that would be fairer to all. But when there's no overview by the Illinois Commerce Commission and yet all the other public utilities are subject to it, but this is an exception, I think this is wrong, wrong, wrong and bad -- bad law. And therefore, I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. You know, about an hour ago I was in my office and I had CNN on, and one of these ads came on. And I thought, boy, up until the last minute, I have to watch these ads. And coming here today, I felt like sometimes voters feel on election day when they've been bombarded for months with negative campaigning and you walk into the polling booth on election day and you say, "Well, both of these guys are bad. Who should I vote for?" But you have to, of course, make a decision or you can decide not to -- not to participate in the process. We've heard a lot of mudslinging from both sides, and it really does beg the question: Why is it that we, as legislators, have to be in this position? And I would hope that when we do the rewrite of the Public Utilities Act, we will address the issue of process in such a way that we can prevent, in the future, from being put in this position. You know, I've had people ask me, "With all the money that has been spent on television and radio, why don't the -- why don't the phone companies put that money into reducing rates or improving services? Why is all this money spent on these kinds of things?" I -- I really can't give people an honest answer. I can't respond. What I do know is that we did establish a Commerce Commission. I do know that we have a Public Utilities



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Act, and in the Public Utilities Act, it says that we must make sure that the application of rates is based on public understandability and acceptance of the reasonableness of the rate structure and level and that the rates for utility services are affordable and therefore preserve the availability of such services to all citizens. Now, can we honestly decide here today or tomorrow or in a month whether this bill does this or does not do it? We're not sure. We're hearing different arguments. We're not sure. But we've got to make a decision. Promises of jobs. You know, I am so tired of hearing that promise. Every time a major piece of legislation comes to this Floor, people like me are told, "You're going to have jobs." Well, I want to say to Dennis Gannon and the AFL-CIO that the track record is not there, particularly - particularly - in this area, when we talk about construction and -- and the trades -- the building trades. As far as I'm concerned, we have been locked out. Minorities have been locked out. We'll probably continue to be locked out to a great extent. And so, I'm hoping that at some point, that is going to change, and I think maybe this is the year when it's going to change. But we want the promise of employment to be fully realized, not to be articulated every now and then when a major piece of legislation comes up. I'm at the point where I consider it an insult to my intelligence when people come to me, at the last minute, to talk about how this is going to save jobs or this is going to create opportunities. Let's get real about this and let's do some work in between major pieces of legislation. But, lastly, we want competition. We want competition in the State of Illinois. It's the best thing for our consumers. We want competition in high-speed internet service. We want competition in long distance. And there are structural problems right now, and the ICC should be addressing those problems. That's what they were created for. That's what they were created for. And if they're not doing their job to the satisfaction of this Body, then when we do the rewrite, we have to address that. But let's please let this be the last time that we, as legislators, responding to pressures from different groups and ads on TV -- and let me tell you one more thing: I didn't get not one call from one constituent saying, "I'm calling because I saw an ad on TV that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

says, 'Call your legislator and let him know. And let him know that the Texan is trying to do this to you.'" I didn't get an ad like that. I didn't get an ad -- I didn't get a call on any of these ads. And so I say, in closing, to these companies: Stop spending that money that way and put that money into the communities, create jobs in my neighborhood and in other neighborhoods where we desperately need that kind of assistance. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jones.

SENATOR W. JONES:

Thank you very much. Senator Clayborne, I'd like to know if the following groups are opposed to this bill or in favor of the bill: CUB, AARP, Citizens Action and Attorney General Lisa Madigan and Lieutenant Governor Patrick Quinn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator, yes, all of your constituents are -- are opposed to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you. Clearly, Ladies and Gentlemen, this is a rate increase and SBC tonight means Start Billing Customers. This, as Senator Welch said, is a double bang. It will raise phone rates. Let's reach a compromise. Let's put Rauschenberger and Sullivan back to work. Let's vote this down, go back to the negotiating table and do the right thing. Thank you very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. You know, I've listened to this argument and it blows my mind when I hear people screaming about

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

jobs and high-paying jobs, but when they had the opportunity to vote on increasing the minimum wage, they voted No. Didn't care about no jobs then. Didn't care about people making a living then. So, why now? Also, I've heard all this criticism of the way Chairman Clayborne chaired the meeting. I heard my good friend, Senator Sullivan, say he only had a chance to ask one question. Well, the man is not a liar, but that's a lie. That's not true. We sat through hearings on Monday, all day Monday. We allowed every Senator and every Representative the opportunity to ask any question they wanted, and Senator Sullivan asked question after question after question. And today he was allowed to ask all the questions that he wanted. In all due respect, my good friend, know he had ample opportunity to ask these questions. So what do we have here? This not a rate increase. I've asked that question myself. I've got it on record. This is not a rate increase for mother and father and the little grandmother back in Chicago and in your districts in southern Illinois, northern Illinois. This is between two giants. The rich and the richer. So, what difference does it make to you whether they make fifty-six-percent profit or twenty-five-percent profit? How many of you would like to make ten-percent profit? You'd stay in business. They want to tell you, "Oh, my God, if I don't make fifty-percent profit, I'm going to go out of business." Cocky-pock. On the west side, they have another word for that, but I'll use cocky-pock here today. It's simply not -- does not make sense. If you can make ten- or fifteen-percent profit, all those companies that are up there crying will be doing fine. And we're not talking ten or fifteen percent on a little twenty or thirty thousand; we're talking multi-million-dollar profits. So, if SBC and some of their rivals have a disagreement and the wholesale price goes up, all they have to do to not raise rates is just take less profits. So, what are they saying to you? They're saying they're not going to take less profits, oh no. They're going to shift it to the consumer. Well, that's them being bad companies. That's them not being good citizens, good corporate citizens. Why can't they take less of a profit? Certainly we know they can. And I sure wish, as Senator Sandoval said today in committee, that that same passion, that same rage that you-

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

all showed when he was defending this institution, this -- what we do as a living as elected officials, and you got all upset. "Oh, my God, how dare he." I wish you'd show that same compassion when it came to prescription drugs for senior citizens. I wish you'd have showed that same compassion when it comes to minimum wage. And what about the union workers here in Illinois? And you talk about Texas as if it's just -- as if it's Iraq or Afghanistan, but it's not. It's not my favorite state. Illinois is my favorite state. But I have people who are down there in Texas and it's all right. It's got nothing to do with it. At least SBC is investing in Illinois. At least SBC has twenty-one thousand employees in Illinois and forty percent of those are minorities. I asked some of those other companies: How many minorities do you have? "None, but I want you to protect me." How many Hispanics you have? "None, but protect me." How much investment you doing in Illinois? "None, but protect me." I say, let's protect Illinois jobs. Let's protect a company that invests in this company -- this -- this State. Let's vote Aye and support our Chairman, who's done a great job with this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Let me indicate for the record, that it -- it sounded like forever, but it was within the time frame. Further discussion? Senator Lauzen. Senator Lauzen, your clock's running.

SENATOR LAUZEN:

Thank you, Mr. President, fellow Senators. You know, I've received -- some very useful analysis on both sides and I'd like to appreciate -- I'd like to express my appreciation for everyone who's working so hard on this legislation. You know, Senator del Valle, I think that you made another good point when you said that you didn't get any calls based on the ads, and I didn't either. But I did get a lot of calls on both sides of this issue from employees who really do seem like they're petrified and panicked about their jobs. I have great affection and respect for my constituents who work for SBC. SBC is a corporate citizen of great stature in the State of Illinois. I do think that we need to help with these relatively low SBC rates and I would like to vote on that bill that moves us in

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

that direction, but it seems that this bill may be going too far too quickly. For example, on the loop charges, one of the newer smaller competitors currently pays two dollars per unit of what they're receiving. In the ICC case that was filed, I believe it was in May -- or, excuse me, in November, they're paying four dollars per unit. Under this proposal, by the calculation that seems to have been accepted by both sides, they would pay eleven dollars wholesale for that unit, but what SBC sells it for is seven dollars per unit. So, I have a question for the sponsor. Will he yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

It's just one question. I -- if I sell you something for eleven dollars wholesale and then you turn around and try to sell it, and I can continue to sell something for seven dollars, won't you just put me out of business in a matter of time? How can -- how can I sell you -- or, excuse me, how can I sell you something for eleven dollars, sell it for seven dollars and not drive you out of business because I can sell it for seven dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR LAUZEN:

No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a second. Wait a second. Is -- is that the end of your question?

SENATOR LAUZEN:

My question is, if I sell you something for eleven dollars that you turn around and try to sell for eleven dollars plus your margin, and I continue to sell at seven dollars retail, how can you stay in business?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- I think I understand your -- your -- your question, Senator Lauzen. And I think that's why we're here today, because it's a situation where SBC is making investments in

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

infrastructure, and they will continue, but they can't because they're losing money. You know -- and to answer -- further answer your question, what about maintenance, what about the investment from -- in the infrastructure from the other companies? And I agree: You can't stay in business. And that's why we have this bill here today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lauzen.

SENATOR LAUZEN:

The situation that -- that I described is the situation facing one of the smaller providers, Access One. So, it's not SBC. I agree that we need to move us -- to move those rates. We do need to do something. I would like to be on a vote to help move it in that direction, but my conclusion would be that we've -- we're going too far too quickly with this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, sir. Further discussion? Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Wojcik.

SENATOR WOJCIK:

I'd heard some debate, and I'm a little confused this evening regarding the small companies. I'm under the impression that they would not be involved in this because they -- the companies that would only be involved in this legislation would be those with thirty-five thousand lines or more. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

That's -- that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

So then, I have been visited by a few small companies today, and, I mean, their -- their comments are very compassionate, if I may put it that way, and I was very fearful

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

that they would, in fact, go under. But you're saying to me, no, they would not because they're not affected by this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

The only way that an individual would have to pay is if they were over thirty-five thousand plus one. That one, then, would incorporate the new rate. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

So, someone who has twenty-one thousand lines and has twenty-one thousand and one more would not have to pay the increased rate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

So, in our debate, Mr. President, we're hearing that the small companies might be hurt. It is my consensus this evening that they would not. I think what we are looking at is, as you say, the giants of the industry. I happen to have a district that is three miles from one of those giants. I happen to have three hundred and fifty phone calls on my desk. I also happen to represent Motorola. These are very trying times for these companies. The employees are losing their jobs, sales are going down, and I think anything that we can do to help this issue and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

to enhance the fact that we are not going to have more loss of jobs is something we should all look at. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. You know, I -- I don't rise a whole lot to talk about things, but -- and I -- and I don't think, probably, I'm going to change a whole lot of -- of minds. But I do think there are some -- there's some common sense here that hopefully everyone looks at. You know, not too many of us know a whole lot about -- this is a very complicated issue. I'm probably about where ninety percent of this group -- I think ninety percent of this group really doesn't know a whole lot about this issue, but I think I do know enough to -- to have watched those ads. And we've all seen those kinds of ads before, you know, in campaigns, and we all say to ourself, there's some truth in the middle. Both of them are exaggerating what's going on. And the only way that we're going to get to the truth in the middle is to vote this bill down today and do what's right and what's good government. We should not be telling the ICC what to do. We should not be doing that. That's not good government. And we should let this process take place that we can have some sort of compromise in the middle that makes sense. For instance, I -- I really believe that SBC has -- has a legitimate gripe, and I think if you've listened to their arguments, we all know enough about it, probably, to understand that they do have a legitimate gripe. But you can't do what -- and simply take the one side and what the one side wants and run with it and be fair to both sides. We have to have enough votes that we can, in the end, do what is good government and do what's right and bring this thing back and -- and try to help both sides and -- so that both sides can exist. You know, I -- I -- I sometimes don't agree with Senator Welch, but I think he made some good statements. One statement that Senator Hendon made was good statement - the one, remember, that you made - and -- and that was that, let's let 'em make -- let's let 'em make ten percent. And the only way we're going to make ten percent is to do this thing over and let both of them survive, and -- and let's hope that we do that. Again, I doubt



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

seriously if I've changed a lot of minds, but I think that makes sense. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President. Just a couple of questions for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Walsh.

SENATOR WALSH:

Senator Clayborne, taking up where Senator Wojcik was talking, in regards to the smaller consumer, can you give us in a brief statement actually what this bill will be -- will be doing or won't be doing to affect the small -- the -- not the small consumer, the small businesses -- companies, small phone companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, Senator Walsh. If you have, for instance -- and they've talked about Access One. We'll use Access One. Access One has ten thousand lines. And currently, if this bill passes, Access One will keep the same rate that exists now. They're not affected. As of the passage of this date {sic}, they are allowed to go up to twenty-five {sic} thousand lines in order to keep this same rate. If they go over, then any -- any lines over that thirty-five thousand they will have to pay the new rate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Is there a timeline on that, Senator Clayborne?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

It's two years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

And the -- any of the other -- I mean, is that twenty-five thousand -- that's -- that's the -- the only group?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR WALSH:

Thirty-five?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

It's -- it's actually thirty-five thousand, but also MCI and -- and WorldCom or anyone who has over thirty-five thousand lines will get a discount on that -- on the first thirty-five as of the date that this passes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

For the same two years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, for the same two years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

And -- and is there -- there is no restriction that new -- or, these existing companies have in regards to innovative ideas that they can use to -- to create a -- a more competitive arena out there for -- for their -- for their business then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Well, to the bill: SBC, who we know has had a difficult track record in the past, has, I think, been moving forward into trying to correct a lot of the misfortunes and unfortunate situations that they -- that they have incurred. In my area, I

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

truly believe that SBC has done a good job in becoming more -- consumer-oriented. SBC has just broke ground on a brand new five-million-dollar facility in my hometown, one that is going to be able to take care of the demand that is going to be coming from one of the world's largest intermodal systems in the old Joliet arsenal. SBC is recognizing the growth that is coming in the collar county area and up in our area to be able to provide services, to provide the lines that the other -- or, the other companies are looking for to use, the ones that they come and say that I need this line or that number of lines and SBC has to give them them, sell them to them or lease them to them at the -- at the price. We here in this Chamber many times have talked about initiatives to create jobs. DCCA has been involved in creating program after programs to create jobs. We have a company that hires twenty-one thousand employees. Fourteen thousand of them are union laborers and employees. So I think it's time that we take a stand to say let's keep the jobs that we have here and let's support this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Let me suggest that the next speaker will be Senator Jacobs. And then there's Senator Roskam, Senator Halvorson, and it's my understanding, Senator Sullivan for a second time. Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, it's really interesting to sit here and -- and hear of all the things we're doing with this bill and all the things we're not doing with this bill. But, you know, I've been involved now in three, and if you want to count this one as a rewrite, at least four rewrites since I've been in this Body. And -- and it has changed. Telecommunications has changed drastically from whenever Jim McPike and I did the first one - I think it was '87, '88, somewhere around there. Things have changed. We now have fiber optics really coming into its own. We have cellular phones, which at that time were just in their infancy. We have DSL. And a lot of the conversation has been -- been centered around, "Well, we shouldn't be telling the ICC what they should do." You know, in every rewrite that we do, we

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

tell the ICC what they should do. Of course, we should tell the ICC what to do. We should -- give them direction? They're still going to make the decision, just as in this case. The change we're making here, in fact, simply says we're going to update the cost model, which may include or which will include accelerated depreciation. That's something that should be done. I don't care who makes the money. I don't care whether it's the CLECS, whether it's SBC, AT&T. And incidentally AT&T and MCI, the other two giants, sure as hell aren't from Illinois either. But the point is, I don't care who makes the money. I just want to see good telephone service in Illinois. I want to see the investment in Illinois, not only in the infrastructure, but in good high-paying jobs. And that's something that I think is absolutely imperative. One of the other speakers said that the ICC said in their testimony that rates will increase. They didn't say that. They said in all candor, with the information they have available, they could not sit in front of us today and tell us that it would raise rates. So, I think what we're doing is blowing a -- a lot of hot air. And I just think that it is unfair, and I think that Senator Lauzen hit on it a little bit, it's unfair to ask any company - any company - in Illinois to sell their services for less than what it costs them. I think it's imperative, that everyone is entitled to make a profit. And I'm really sort of amazed, and it's something the other side of the aisle knows I hardly ever say. But I'm amazed that the other side of the aisle isn't for this bill en masse, because this doesn't hurt the little guy as was said. For two years, any small company under thirty-five thousand, their rates will be frozen. And some might say, why thirty-five thousand? Because, even in the first rewrite and the -- all other rewrites, we have always protected small companies, and this bill does the same. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Senator, like Senator Luechtefeld, I -- my knowledge of telecommunications sort of ends at the dial tone, and I'm, like I think a lot of other Senators, kind of perplexed by the -- the technicality and the finance issues that sort of whiz by us. But I keyed in on one of your opening statements, and that was, this was all about jobs. And if this is all about jobs, I'm sure that you've got in your file in front of you or your staff has it - we just haven't gotten a copy of it yet - but it's the written commitment that you have from Ameritech that says they're not going to do any layoffs and they're creating X amount of jobs. Do you have that in your file?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

No. But I -- I do want to respond. In January or February of this year, there was going to be a -- a -- a facility in -- in East St. Louis, one of our most -- our poorest -- one of our poorest communities - high unemployment - they were going to eliminate a hundred and ten jobs. And they were able to save and rework their organization, rearrange things, and they saved those hundred and ten jobs. And when I walked through there with the Governor to make that announcement, I -- I can't tell you how many men, women walked up to me and hugged me because of the fact that their jobs were being retained. So, no, there's nothing in the bill, but I can tell you what I've experienced based upon this year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Well, don't you think it's reasonable then to try and hope that that experience and that feeling and that goodwill and that generous warmth, Senator, would -- would be replicated over and over and over again, and that a company on who's behalf you're sponsoring a bill would make that same commitment to say we're not going to cut jobs and we're going to -- we're going to create certain jobs and -- and -- and these -- these good Texans, as they've been called, are not going to do any layoffs in Illinois? Wouldn't that be a reasonable thing to expect that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

they'd commit to in writing based on this legislation? Wouldn't that be fair?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Roskam, with all due respect, I think it may have been two years ago - I don't even remember the bill - and I said -- I asked the -- asked the same question that you're asking now, and I don't remember who it was, but it came from that other side of the aisle, they said, "How can you ask someone to guarantee jobs in a bill? How do you do that?" So, learning from my colleagues on the other side, I realize that that's not something that's feasible. But what is feasible, as I was told, if you put them in a competitive situation, if you allow them to make a profit, then there's no need to eliminate jobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Let's move on. What is it that's compelling you to move this tonight? Now I -- I didn't get the benefit, Senator, of the voluminous five hours of testimony, which just sounds overwhelming, but -- but why interject ourselves tonight in a pending case before the Illinois Commerce Commission? What is the urgency? Why not -- in the words of former Senator Hawkinson, why not defer to the -- the regulatory bodies that we've created? What's -- what's -- what's the trick? What's the pull? Why now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Roskam, we need to stop the bleeding. We need to step forward and do what's right for this Illinois company. I know you talk about Texas, but they have more of an investment here in Illinois than any of the other companies mentioned, in terms of MCI, AT&T or any other phone company in this State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

The little guys that we've talked about and you mentioned that they have, I think, universally filed witness slips and offered testimony in opposition to the bill. Isn't that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Clayborne.

SENATOR CLAYBORNE:

That's -- that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam, you're...

SENATOR ROSKAM:

Don't you suppose, Senator, that it's reasonable -- and -- and -- and this whole arena that we're in, it's all driven by enlightened self-interest. Don't you think they have the savvy, these entrepreneurs, to look out over the landscape and say, "This is something that we really need to be afraid of"? I don't understand all the subtleties of the machinations of lines and this and that and how it's all distributed, and all the, you know, all the initials and all that stuff, but when someone tells me, who's one of the big boys, when they say, "Trust in me", and the ones to whom they are extending that trust and benevolence say, "Oh, man, you've got to be kidding me. We don't want to trust in you", that speaks volumes in this process. You're the father of young kids, just like I am. You've seen Jungle Book. You know that -- that character, Kaa, who says to young Mowgli, "Trust in me." And what does young Mowgli do? He gets bug-eyed. Open up and soon he's swallowed up by the snake, and that is the problem here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

I think you've got people who have a competitive interest in this bill that are very concerned that they're going to be swallowed up...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Roskam, bring your remarks to a close, please.

SENATOR ROSKAM:

...and they're not going to be able to move forward. Thank you.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Member -- Members of the General Assembly. I don't know about all of you, but this just gets a little more confusing every time the next person speaks. And if we're confused, what do you think about our constituents and -- who has had to see and watch ad after ad after ad? And every -- they come on back to back. And like the previous speakers have said, it's like being in a campaign all over again, and you know nobody's telling the truth. It's about being misleading. And we're supposed to be the smart ones. We're the educated people in the State of Illinois who are making decisions, and I don't know of one person in this Body who wants to hurt the consumer. We all want to take care of our senior citizens. None of us want to pay an increase. This doesn't make it increase. This is about jobs. This is about protecting and investing in Illinois. And we've all seen -- and I know I've only been around seven years, but I'm tired of watching jobs and manufacturing companies and everybody not only leaving the State, but leaving the country. We can't even get steel made in America or Illinois. They're going to China. If we don't start standing up for our jobs here in Illinois and doing what we need to do, pretty soon who knows where we're going to be able to get our phone service. And I think we need to stand up and invest. We wouldn't be in this fiscal crisis if we had continued to invest in our State. We should not be letting our jobs leave the State. And I know it's been said over and over again: There's twenty-one thousand jobs here - and that's who we need to protect. We don't need to continue misleading information. And I know that everybody's saying about, "Oh, those Texans." Well, I don't know about you, but AT&T's based in New Jersey, MCI's based in Mississippi, I don't see anybody complaining about the Mississippians or the New Jerseyans. You know, let's protect the people that are here and do what we need to do before we start buying our phone service from China. Let's do what we need to do here for the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

All right. That concludes our speakers. Senator Sullivan, for a second time.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Because the motion for -- for previous question was made, I will only address how I was referenced in -- in debate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you.

SENATOR D. SULLIVAN:

There was a suggestion that I may have told a fib while I was speaking early. That is absolutely incorrect. My -- my comments were that in today's hearing I was allowed to ask the President of SBC Illinois one question, and that is a fact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further -- Senator Clayborne, you may close.

SENATOR CLAYBORNE:

Thank you, Mr. President. I do want to address some of the issues that have been raised. First of all, I think we talked about jobs and -- and maintaining jobs, and I told you my -- what my experience has been as it relates to retaining jobs here in Illinois, but I think it's a -- it's a bigger issue. We have companies that are using these lines that are not investing in the infrastructure, probably nor will they ever invest in the infrastructure because they're not willing to establish their own network. So what does AT&T do? AT&T stops using their facility 'cause they found it cheaper and more profitable just to use the lines. Well, you know, AT&T gets up and they talk about raising rates. And I want you to look at this chart, and I'll talk about this chart with AT&T. In New Jersey -- no, we'll start with Georgia. In New -- in Georgia, their lease line rate is nineteen dollars and sixteen cents. Now, they have a packet -- their premium packet of -- package of forty-nine ninety-five. In New York, their lease line rate is seventeen dollars and ninety cents. In New York, their premium package is forty-nine dollars and ninety-five cents. In Illinois, the rate is twelve dollars and thirty-eight cents. Their premium package in Illinois is forty-nine dollars and ninety-five cents. They don't care about the consumer. They're making as much profit as they can, because it's about money. That's what it's about.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

You know, if you talk to CUB or Citizens Action or AARP, they'll tell you that this packet -- package in Illinois should not be forty-nine ninety-five if they're truly concerned about the consumer. Look at WorldCom. Same thing. In Minnesota - they lease the lines in Minnesota for twenty-five dollars and twenty-five cents. Their premium package is forty-nine dollars and ninety-nine cents. In Nebraska, they lease the lines for twenty-six dollars and twenty cents. Their premium package is forty-nine dollars and ninety-nine cents. In Illinois, they lease the lines for twelve dollars and thirty-eight cents, and their premium package is forty-nine dollars and ninety-nine cents. It's about profit. If they are truly worried about the consumers and raising the rates, guess what? Their rate -- their rate in Illinois should probably be about twenty-nine dollars and ninety-nine cents. But it's about making money. That's all they're concerned about. They're not concerned about billing -- building facilities, building infrastructure here in Illinois, creating jobs. What they're concerned about is forty-nine dollars and ninety-nine cents. Now, let's talk about some of the concerns about the basic package. There was testimony in the committee that there's a basic package of sixteen dollars. Why would you ever want to sell a basic package of sixteen dollars when you can charge forty-nine dollars and ninety-nine cents? Now, they even testified that there's a add-on of about four dollars where they're making an additional profit. So when you get through, they're making, on that basic package, just over twenty-eight dollars. Now what's interesting is, the President of AT&T, President Betsy Bernard, in an AT&T earnings call on July 23rd, 2002 -- quote, "We're not going into states where we don't have a gross margin of forty-five percent of the local." It's about making money. It's not about the consumers. So what we're looking to do is to -- raise the wholesale rate. Now, if the companies choose to raise the retail rate, that's because it's about this statement that -- that the President of -- of AT&T made, that they're going into states to make at least a forty-five-percent profit. We talk about the small companies, and I received calls too today. And -- and there was one -- one lady who indicated in my district, she says, "We need an amendment, because if this goes into effect, it will put me out

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

of business." And I said, "How many lines do you have?" And she said, "I think we have about two hundred." I said, "Well, you still have a long way to go, because your rates will remain the same." And she thanked me. And she said, "Okay." She said, "I support it." Why does Access One have a problem? I do not know, because they only have ten thousand lines. Now, the rewrite takes place in 2005, so these rates are froze until 2005 for the smaller companies. No one can predict what's going to happen in 2005. But right now there is some prediction and you know that your rates will remain the same if you have less than thirty-five thousand lines. This is about jobs. This is about supporting a company that has twenty-one thousand employees, and over forty percent of them are people of color. You know, we're here today because last year SBC's revenue was down about nine and a half percent and their expenses increased at about eleven percent. We're here today because we need to stop the bleeding and we need to make sure that this company is supported, that we make sure that they remain viable so that they can increase and update their infrastructure and their network and so that they can continue to support the economy by maintaining, as well as increasing, jobs. I'm not going to go on because the real issue here is to make sure that the company that has invested in Illinois will continue to invest in the infrastructure, in the technology, and to make this a system that our consumers, our constituents can receive the best possible services at a good rate. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, this is final action. Senator Clayborne has moved that the Senate concur with House Amendment 1 to Senate Bill 885. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? ...all voted who wish? Did I say it was last call yet? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 26, 4 voting Present. The motion to concur, having failed to receive the required constitutional majority, is declared lost. Senator Clayborne.

SENATOR CLAYBORNE:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Make a motion for Postponed Consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Clayborne has requested Postponed Consideration. Postponed Consideration. Ladies and Gentlemen, it -- it's -- with leave of the Body, apparently we are going to go to the Order of 3rd -- Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

I'm sorry. For a point of order, Mr. President. I didn't think it was permissible under our rules to do a Postponed Consideration of a concurrence motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's always been under our rules, sir, as long as I've been here - twenty-nine years.

SENATOR RAUSCHENBERGER:

So, the ruling of the Chair is you can postpone a concurrence motion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes. As a matter of fact, you can -- you can file a motion as many times as you wish if it failed.

SENATOR RAUSCHENBERGER:

You file an additional motion, I thought.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We're going to go to the Order of 3rd Reading for recalls. If you turn your Calendar to page 24. Page 24 on your Calendar. We're just going to go to recalls now, it's my understanding. Ladies and Gentlemen, page 24 is House Bill 120. Senator Shadid. Let me repeat again for the Membership, that we are only going to go to the Order of Recalls, those bills that are on the Order of House Bills 3rd Reading that have amendments that are filed. Senator Shadid on the Floor? ...Shadid, you wish to proceed? All right. Senator Shadid seeks to -- leave of the Body, Senator Shadid seeks leave to return House Bill 120 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted. Leave is granted. Order of 2nd Reading. Madam Secretary. Madam Secretary, do you have any amendments on file?

SECRETARY HAWKER:

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

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Shadid.

SENATOR SHADID:

Thank -- thank you, Mr. President. The amendment, Senate Amendment 1, to House Bill 120 is that if a municipality chooses to provide emergency medical services outside of its corporate limits, the corporate authorities may fix, charge and collect emergency service fees not exceeding the actual cost of services rendered. What this amendment is, it just adds on medical services, because one community in the State wrote me a letter and said they do provide medical services also along with the services of fire protection. So I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Shadid has moved the adoption of Amendment No. 1. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Welch in the Chair. House Bill 538. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 538 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 538. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, to explain Floor Amendment No. 1.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This amendment removes the extension of the sunset date for the Capital Crimes Litigation Act. In another bill, we're going to eliminate the sunset of the Capital Crimes -- Litigation Act. So, this is necessary to remove this portion from the House bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senate {sic} Bill 556. Senator Hunter. House Bill 553. Senator Haine. Senator Haine seeks leave of the Body to return House Bill 553 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 553. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is a bill submitted by the Cook County State's Attorney, and the amendment sets forth factors that are to be used in determining whether a minor shall be sentenced to extended jurisdiction as a juvenile offender. And it has various things in the bill which does that. It was made necessary by some deficiencies in the Juvenile Court Act bill up -- up to date. It affects the criteria. It's a law enforcement bill. I know of no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? All in favor, say Aye. Opposed, say Nay. The Ayes have it. The amendment is adopted. Are -- are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 556. Senator Hunter. Senator Hunter seeks leave of the Body to return House Bill 556 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Reading is House Bill 556. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. Chairman and Members of the General Assembly. House Bill 556 makes changes in several Acts to address the issue of transitional housing for homeless minors. It allows a court to grant the partial emancipation of a homeless minor for the purpose of allowing the minor to consent to transitional housing services. And it adds an immediate effective date. I ask for an Aye vote, Mr...

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? All in favor, say Aye. Opposed, say Nay. The Ayes have it. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 561. Senator Jones. Madam Secretary, Senator Jones seeks leave of the Body to return House Bill 561 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 561. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, on Floor Amendment No. 1 to House Bill 561. Senator Shadid. Senator Shadid in the back. Senator Shadid, please -- Senator, please explain Amendment No. 1.

SENATOR SHADID:

Thank you, Mr. President - I think. Senate Amendment 1 to House Bill 561 deletes all, becomes the bill. It adds substantive -- substantive language and -- in the -- excuse me, one minute. No. It amends the Criminal Code regard meth. Okay. And what it does, it adds another chemical to what is manufactured in -- in the chemical. The bill was drafted and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

filed in response to testimony from firefighters that they're increasingly encountering dangerous meth lab fires. And this is intended to give prosecutors charging options above and beyond those found in the Controlled Substance Act. I'd appreciate an Aye.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Question of the sponsor. Senator Cullerton has a question, Senator Shadid. Senator indicates he'll yield.

SENATOR CULLERTON:

Would the sponsor yield? What kind of a device are we adding with this amendment?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Methamphetamine manufacturing chemical as defined in the Illinois Controlled Substance Act.

PRESIDING OFFICER: (SENATOR WELCH)

Any -- Senator Cullerton.

SENATOR CULLERTON:

I -- I think that's half of it, but there's another one. There's a device. There's a device. I think it starts with "I".

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

It's called an incendiary device. Thank you, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 562. Senator Harmon. Senator Harmon seeks leave of the Body to return House Bill 562 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Reading is House Bill 562. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. Chairman -- or, Mr. President. The -- the amendment to House Bill 562 amends the Criminal Code to eliminate the incest loophole in the criminal sexual assault provisions. I'd ask for an Aye vote and look forward to debating it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. Madam -- 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 WELCH)

3rd Reading. House Bill 567. Senator Haine. Senator Haine seeks leave of the Body to return House Bill 567 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 567. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this grants authority to the circuit court clerks so they may enter into agreements with the Attorney General pursuant to the Automatic Victim Notification Act. And this is a bill submitted by the -- the Attorney General with the support of the clerks. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 579. Senator Emil Jones. Senator Viverito. Senator -- Senator Viverito seeks leave of the Body to return House Bill 579 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 579. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito, to explain Floor Amendment No. 1.

SENATOR VIVERITO:

Thank you, Mr. President. With the amendment, the Attorney General may receive funds from the Capital Litigation Trust Fund when ordered by a presiding judge of the Criminal Division of Cook County to prosecute or supervise prosecution of a Cook County capital case. This is an Attorney General's recommendation. And it will only straighten out some of the litigation that was taking place.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave of the Body, we will go to page 34 of the Calendar. House Bill 696. Senator Harmon. House Bill 701. Senator Emil Jones. House Bill 703. Senator Crotty. Senator Crotty seeks leave of the Body to return House Bill 703 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 703. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, to explain.

SENATOR CROTTY:

Thank you. House Bill 703 adds anti-hemophiliac factor concentrates to a list of drugs that the Department of Public Aid shall not impose requirements for prior approval based on a preferred drug list until thirty days after it has conducted its study on the impact of such requirements on patient care and submitted that report to the Speaker of the House and the President of the Senate.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 760. Senator Crotty. House Bill 761. Senator Crotty. House Bill 771. Senator Halvorson. Senator Halvorson seeks leave of the Body to return House Bill 771 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 771. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. House Bill -- 771 basically amends the Illinois Act on Aging. Creates an Illinois Long-Term Care Council. So, that will comprise eighteen to twenty-five members.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. Madam Secretary, are there any further Floor amendments approved for adoption?

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senator Schoenberg. House Bill 784? With leave of the Body, we'll go to page 44. House Bill 865. Senator Demuzio seeks leave of the Body to return House Bill 865 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 865. Madam Secretary, are there any -- are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Oh, this is the -- creates a checkoff for the World War II Veterans Memorial Fund. I would move its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave of the Body, we go to page 51. House Bill 983. Senator Schoenberg. Senator Schoenberg seeks leave of the Body to return House Bill 983 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 983. Madam Secretary, are there any Floor amendments approved for adoption?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 addresses the issue of labeling for kosher food products and it's in response to a recent court

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

case in New York state. It strengthens our statute to protect it and there is no known opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave of the Body, we will return to page 38. Senator Crotty, on House Bill 761. Senator Crotty seeks leave of the Body to return to House Bill 761 -- to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 761. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, to explain.

SENATOR CROTTY:

Thank you, again. House Bill 761 amends various Acts prohibiting school districts, public universities, public community colleges from providing an -- student's name, address, phone number, social security number, e-mail address, or other personal identifying information to a business organization or a financial institution that issues credit or debit cards.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave of the Body, go to page 55. House Bill 1044. Senator Halvorson seeks leave of the Body to return House Bill 1044 to 2nd Reading. Leave is granted. On the Order

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

of 2nd Reading is House Bill 1044. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Senate Amendment -- or, Floor Amendment No. 2 just adds parcels of land from DuPage, Livingston, Champaign, Tazewell and Sangamon County into the annual land conveyance bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Page 57. Excuse me. We'll return to page 54. I skipped a bill. House Bill 1031. Senator Crotty seeks leave of the Body to return House Bill 1031 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1031. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, again. Senate -- House Bill 1031 amends the State Employees Group Insurance Act. It establishes that the program of health benefits may include hearing evaluations, hearing aids and dispensing and fitting of hearing aids.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. The bottom of page 58. House Bill 1118. Senator Maloney. Senator Maloney seeks leave of the Body to return House Bill 1118 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1118. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. The amendment to -- this is an amendment to what has been called the truth-in-tuition bill. The bill, of course, freezes the tuition costs at the freshman level. And the amendment to this bill is a result of consideration of those academic programs that typically require five years of academic attendance.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On page 59. House Bill 1195. Senator Link. Senator Link seeks leave of the Body to return House Bill 1195 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1195. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Link.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically, what this does is just some technical amendments on the firefighters promotion

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

bill to correct some errors. I don't know of any opposition to the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Page 64. House Bill 2370. Senator DeLeo. Senator DeLeo? On page 65, Senate -- House Bill 2493. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 2493 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2493. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. This amendment was requested by staff to clarify the bill. It just indicates that the waiver of rights under the Mechanics Lien Act is not a waiver of the rights under this Act unless it's specifically stated in the waiver. Be happy to answer...

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Page 66. Senator Demuzio seeks leave of the Body to return House Bill 2797 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

2797. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- the amendment to the speech-language pathology services where the school districts are afforded the opportunity to advertise. And there was some discussion with respect to what newspapers to advertise in. This is a technical amendment that met with everyone's support in the committee. And it's -- I would move its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in -- those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. We accidentally missed House Bill 2545. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 2545 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2545. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

...President, this bill deals with a program called Redeploy Illinois, and it limits the -- or, it basically says that it would not be allowed for offenses which are Class X forcible felonies. And it also adds to the Redeploy Illinois Oversight Board Cook -- Cook County State's Attorneys and State's Attorneys from other counties.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

41st Legislative Day

5/8/2003

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate will stand adjourned until the hour of 9 o'clock a.m. on Friday, May 9th, 2003. The Senate stands adjourned. 9 o'clock a.m. Be on time.