

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

HB0016	Third Reading	31
HB0043	Second Reading	11
HB0044	Second Reading	12
HB0076	Second Reading	146
HB0081	Third Reading	32
HB0088	Second Reading	13
HB0176	Third Reading	33
HB0186	Second Reading	2
HB0199	Third Reading	33
HB0200	Third Reading	41
HB0207	Third Reading	49
HB0209	Third Reading	50
HB0211	Recalled	51
HB0218	Third Reading	52
HB0223	Third Reading	54
HB0231	Third Reading	54
HB0235	Recalled	56
HB0259	Recalled	57
HB0264	Second Reading	2
HB0276	Second Reading	15
HB0294	Second Reading	16
HB0310	Third Reading	57
HB0336	Third Reading	59
HB0361	Third Reading	60
HB0362	Third Reading	60
HB0405	Third Reading	63
HB0414	Recalled	65
HB0430	Recalled	66
HB0496	Third Reading	67
HB0497	Third Reading	75
HB0514	Third Reading	77
HB0515	Third Reading	78
HB0531	Third Reading	94
HB0558	Recalled	96
HB0560	Recalled	97
HB0564	Recalled	97
HB0567	Third Reading	98
HB0570	Recalled	141
HB0572	Recalled	98
HB0579	Third Reading	99
HB0690	Recalled	101
HB0691	Recalled	142
HB0696	Recalled	101
HB0702	Recalled	102
HB0714	Out Of Record	103
HB0714	Third Reading	103
HB0715	Recalled	100
HB0764	Recalled	103
HB0784	Recalled	152
HB0816	Recalled	104
HB0858	Third Reading	142
HB0860	Recalled	104
HB0865	Third Reading	105
HB0876	Recalled	143
HB0891	Out Of Record	107
HB0891	Third Reading	106
HB0910	Recalled	107

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

HB0954	Third Reading	108
HB0986	Recalled	108
HB0988	Recalled	109
HB0992	Recalled	110
HB1032	Recalled	110
HB1074	Recalled	111
HB1088	Second Reading	147
HB1161	Recalled	112
HB1165	Third Reading	112
HB1180	Third Reading	115
HB1191	Second Reading	147
HB1281	Out Of Record	153
HB1281	Third Reading	153
HB1313	Out Of Record	116
HB1313	Third Reading	116
HB1353	Third Reading	116
HB1373	Second Reading	3
HB1382	Second Reading	156
HB1387	Third Reading	117
HB1434	Second Reading	147
HB1458	Out Of Record	118
HB1458	Third Reading	118
HB1462	Second Reading	147
HB1475	Recalled	118
HB1480	Second Reading	4
HB1487	Out Of Record	120
HB1487	Recalled	120
HB1487	Recalled	154
HB1514	Second Reading	4
HB1543	Out Of Record	121
HB1543	Third Reading	120
HB1632	Recalled	121
HB1751	Third Reading	121
HB2188	Recalled	122
HB2221	Second Reading	157
HB2265	Third Reading	123
HB2329	Second Reading	17
HB2332	Second Reading	17
HB2345	Second Reading	157
HB2352	Recalled	125
HB2370	Third Reading	135
HB2391	Second Reading	158
HB2425	Third Reading	125
HB2446	Third Reading	126
HB2477	Third Reading	127
HB2493	Third Reading	128
HB2524	Second Reading	5
HB2545	Third Reading	129
HB2549	Second Reading	6
HB2567	Third Reading	130
HB2572	Recalled	135
HB2579	Recalled	155
HB2685	Recalled	144
HB2730	Recalled	119
HB2805	Third Reading	136
HB2843	Recalled	137
HB2855	Recalled	138
HB2860	Recalled	138

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

HB2864	Recalled	139
HB2902	Second Reading	7
HB2950	Third Reading	140
HB3023	Recalled	148
HB3048	Second Reading	9
HB3053	Third Reading	18
HB3080	Third Reading	19
HB3091	Recalled	22
HB3101	Third Reading	22
HB3142	Recalled	23
HB3298	Third Reading	24
HB3321	Third Reading	24
HB3398	Second Reading	9
HB3402	Recalled	149
HB3411	Recalled	25
HB3513	First Reading	163
HB3514	First Reading	163
HB3528	Recalled	26
HB3556	Recalled	27
HB3582	Third Reading	28
HB3608	Third Reading	29
HB3661	Recalled	29
HB3743	First Reading	164
HB3744	First Reading	164
HB3745	First Reading	164
HB3746	First Reading	164
HB3747	First Reading	164
HB3748	First Reading	164
HB3751	First Reading	164
HB3753	First Reading	164
HB3754	First Reading	164
HB3766	First Reading	164
HB3767	First Reading	164
HB3768	First Reading	164
HB3770	First Reading	164
HB3771	First Reading	164
HB3774	First Reading	164
HB3775	First Reading	164
HB3776	First Reading	164
HB3780	First Reading	164
HB3781	First Reading	165
HB3782	First Reading	165
HB3783	First Reading	165
HB3784	First Reading	165
HB3785	First Reading	165
HB3786	First Reading	165
HB3789	First Reading	165
HB3791	First Reading	165
HB3792	First Reading	165
HB3793	First Reading	165
HB3795	First Reading	165
HB3796	First Reading	165
SR0094	Adopted	146
SR0154	Resolution Offered	1
SR0155	Resolution Offered	1
SR0156	Resolution Offered	166
SR0157	Resolution Offered	166
HJR0024	Resolution Offered	163

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

HJR0030	Adopted	145
SJR0016	Adopted	145
SJR0034	Resolution Offered	166

Senate to Order-Senator DeLeo	1
Prayer-Pastor Ray McJunkins	1
Pledge of Allegiance	1
Journal-Postponed	1
Messages from the House	1
Senate Stands in Recess/Reconvenes	162
Committee Reports	162
Senate Stands in Recess/Reconvenes	163
Messages from the House	163
Message from the Senate President	165
Committee Reports	165
Committee Reports	166
Adjournment	167

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Ray McJunkins of the United Baptist Church of Springfield, Illinois. Pastor McJunkins.

PASTOR RAY McJUNKINS:

(Prayer by Pastor Ray McJunkins)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Reading and Approval of the Journal. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the reading and approval of the Journal of Wednesday, May 14th, in the year 2003, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Woolard moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, please read the resolutions.

SECRETARY HAWKER:

Senate Resolution 154, offered by Senator Geo-Karis and all Members.

And Senate Resolution 155, offered by Senator Jacobs and all Members.

They are both death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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

Senate Bill 922, together with House Amendment No. 1.
Passed the House, as amended, May 14, 2003.

I have like Messages on Senate Bill 946, with House Amendment 1; Senate Bill 1044, with House Amendment 1; Senate Bill 1053, with House Amendment 1; Senate Bill 1098, with House Amendment 1.

All passed the House, as amended, May 14, 2004 -- 3, pardon me.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, if I could have your attention, please. We're going to -- on page 71 of the Calendar. House Bills 2nd Reading. House Bills 2nd Reading on page 71 of the Calendar. Bottom of page 71. House Bill 43. Senator Crotty. Senator Crotty, on House Bill 43. Out of the record. House Bills -- 44. Senator Schoenberg. Senator Schoenberg, on House Bill 44. Out of the record. House Bill 2nd Readings. House Bill 76. Senator Wojcik. Senator Kay Wojcik, on House Bill 76. We're waiting for an amendment come out of Rules? Okay. Ladies and Gentlemen, on the top of page 72, continuing on House Bills 2nd Reading. House Bill 88. Senator Don Trotter. House Bills 2nd Reading. House Bill 186. Senator Dillard, on House Bill 186, sir. What is your desire? Madam Secretary, read the bill. House Bill 186.

SECRETARY HAWKER:

House Bill 186.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bills 2nd Reading. House Bill 264. Senator Larry Walsh. Read the bill, Madam Secretary.

SECRETARY HAWKER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

House Bill 264.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 276. Senator Schoenberg. Out of the record. House Bill 294. Senator Trotter. Senator Don Trotter. House Bill 416. Senator Obama. Senator Obama. House Bill 1088. Senator Emil Jones. Out of the record. House Bill 1191. Senator Haine. Out of the record. House Bill 1251. Senator Haine. Out of the record. House Bill 1373. Senator Dillard, on 1373, sir. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1373.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This adds to the bill the option - and it's optional - of the State and any of its law enforcement departments to use what forty-two other states and the federal government do, and that's something called the voice stress analyzer, as an additional option to the polygraph. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The -- 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 DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR ALTHOFF:

I have Members of the Apple Tree home school group in attendance, and I'd like to ask the Members of the Senate to give them a warm welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Would the -- will our guests in the gallery please rise? And welcome to Springfield, Illinois. Okay. Continuing back on page 72 of the Calendar. House Bills 2nd Reading. House Bill 1382. Senator Garrett. Senator Garrett, on House Bill 1382. Out of the record. House Bill 1434. Senator Haine, on House Bill 1434. Out of the record. House Bill 1462. Senator Link, on House Bill 1462. What is your desire, sir? Out of the record. House Bill 1482 {sic}. Senator Trotter. Senator Donne Trotter, on 1482 {sic}. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1480.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Moving to page 73 of the Calendar, continuing on House Bills 2nd Reading. Top of page 73. House Bill 1514. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1514.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments {sic}.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1 {sic} (2), offered by Senator Link.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. The amendment just changes it into a forest preserve. I ask for your concurrence.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say 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 DeLEO)

3rd Reading. House Bill 2221. Senator Carol Ronen. House Bill 2221. Senator Carol Ronen. Out of the record. House Bill 2268. Senator Obama, on House Bill 2268. Out of the record. House Bill 2329. Senator Lightford. Senator Lightford, on House Bill -- out of the record. 2332. Senator Lightford. Out of the record. House Bill 2345. Senator Schoenberg. Out -- Senator Schoenberg, what is your desire, sir? Out of the record. House Bill 2391. Senator Trotter. Senator Don Trotter. Out of the record. House Bill 2524. Senator Dillard. Senator Kirk Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2524.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading.

SECRETARY HAWKER:

My apologies. There was a Floor Amendment No. 1, on Senator -- by -- offered by Senator Dillard on House Bill 2549 {sic} (2524).

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Madam Secretary. This amendment was worked on and is agreed upon by the Cook County

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

State's Attorney's Office, and it just clears up potential problems with some statutory interpretation of the original legislation, and still accomplishes the goal of simplifying proof issues for violation of an order of protection. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Dillard. Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 2549. Senator Maloney. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2549.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, on the amendment, sir.

SENATOR MALONEY:

Thank you, Mr. President. The amendment would create two existing mosquito abatement districts from the current four. The North Shore would be folded into the Northwest, and the South Mosquito Abatement District into the Des Plaines Valley.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will 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.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, 3rd Reading. House Bill 2902. Senator Dillard. Senator Kirk Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2902.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BOMKE:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BOMKE:

Behind you, behind the President, we have with us today Russ Benning and -- Trinity Lutheran High School kids, about twenty-four of 'em, sitting directly behind you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise? We'd like to welcome you to Springfield, Illinois. Senator Lauzen, what purpose do you rise, sir?

SENATOR LAUZEN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR LAUZEN:

Thank you, Mr. President. I would like to introduce my Page for today, Michael Gilleran, and also his mom and his brother, Christina and Matt Gilleran, who are in the President's Gallery. If we could..

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the gallery please rise and be welcomed? Welcome to Springfield. And we welcome our Honorary Page today. Senator Sullivan, for what purpose do you rise, sir?

SENATOR J. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Please state your point.

SENATOR J. SULLIVAN:

Like to introduce my Page for the day, Austin Wright, from Rushville. He's a -- I'm going to try to get -- get him around and introduce him to everybody. But he's a very bright young man and I'm very honored to have him here with me today.

PRESIDING OFFICER: (SENATOR DeLEO)

Possible candidate?

SENATOR J. JONES:

Absolutely.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to Springfield. Senator Luechtefeld, what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR LUECHTEFELD:

Behind me here are two young ladies from my district, who will be Pages today, Lori Dirks in the seventh grade from Trico High School, and Chelsea Miller, sixth grade from Murphysboro Middle School. So if they'd rise and if you'd give them a welcome, I would appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Would you please rise and be welcomed by the Illinois Senate? Welcome to Springfield. Senator Wojcik. Senator Wojcik? Could you turn on Senator Wojcik's mike, please? See if it's operable.

SENATOR WOJCIK:

At this time of the year, I -- I have a short fuse, but it's not me, it's the little switches here.

PRESIDING OFFICER: (SENATOR DeLEO)

And what purpose do you rise?

SENATOR WOJCIK:

I rise for a -- a personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR WOJCIK:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Next to me, I have young Jack Wilbright, and he is my Page for the day. And I'd like to have him welcomed. He's a fine young man and he's very anxious to be a part of this operation.

PRESIDING OFFICER: (SENATOR DeLEO)

We welcome you very much to Springfield. Senator Schoenberg, what purpose do you rise, sir?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SCHOENBERG:

I would like to inform the Members of the Body that the -- my parish school, St. Athanasius, Evanston - if I had a parish, this would be my parish - St. Athanasius is in the gallery, the eighth grade. I'd like to extend our welcome and a round of applause.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise? Welcome to Springfield, Illinois. Okay. Going back to page 73 of the Calendar. House Bills 2nd Reading. House Bill 3048. Senator Walsh. Larry Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3048.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 3398. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3398.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Have there -- been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Walsh, on the amendment, sir.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment on 3398 basically just takes away some of the redundant language that we passed on this same issue in Senate Bill 1212. Just sort of a cleanup and that's all it amounts to.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Senator -- Senator Walsh. Senator Walsh.

SENATOR WALSH:

We were just -- we were just clarifying that it should be Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct. No. We just adopted Floor Amendment No. 1, sir. Now we're going to Floor Amendment No. 2. Are -- are there any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh, on Floor Amendment No. 2, sir.

SENATOR WALSH:

Well, for clarification, I -- I thought we had already adopted Amendment No. 1. All right. Well, the -- the issue that I just talked about was Floor Amendment No. 2. Floor Amendment -- Floor Amendment No. 2 is the language that clears up a lot of the verbiage, redundant language that was in the bill that -- that we had already passed in Senate Bill 1212, and this was just a cleanup.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for -- I'm sorry. Senator Righter, what purpose do you rise, sir?

SENATOR RIGHTER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Just point of inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR RIGHTER:

We adopted -- before Amendment 2 on House Bill 3398, Amendment 1. Did we -- if we did, what -- what did it do, because I think the Senator said that Amendment 2 was what he had described previously. What -- what was Amendment 1?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh, for a clarification on Senate Amendment No. 1, sir. Senator Walsh.

SENATOR WALSH:

On -- Senate Amendment No. 1 to 3398 basically makes the -- numerous changes and additions concerning: the definition of public works, fixed works and public bodies; matters to be included in contracts, subcontracts and project specifications; posting of a current copy of the prevailing wage -- or, rate of wages; maintenance and contents of records; objections to determinations of the prevailing wage; furnishing records. Senate Amendment No. 1 is an agreement between the proponents and the Associated General Contractors. The prevailing wage governs the wages that construction contractors must pay workers when working on State or locally funded construction projects.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That was Senator Walsh for a clarification on Floor Amendment No. 1 and No. 2. They've both been adopted. Are there any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Ladies and Gentlemen, with leave to the -- with leave of the Body, we've just completed the 2nd Readings. Members have come to the Floor. We're going to ask -- we're going to go through 2nd Readings one more time for Members that were -- missed the early call. Okay. We're on page 71 of the Calendar. House Bills 2nd Reading. House Bill 43. Senator Crotty. House Bill 43, ma'am. Madam Secretary, read the bill.

SECRETARY HAWKER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

House Bill 43.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, on Amendment No. 2.

SENATOR CROTTY:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 will really become the bill. So I want to make sure that that's understood. But we've made major changes -- some changes to the bill in this amendment. When I first brought the bill to committee, these are changes that I've worked very, very hard with Members of the committee along with the park district, school boards, just to -- to -- clear up some of the issues. So, I would like to debate this as I put it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed, say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are -- are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 44. Senator Schoenberg -- what is your desire, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 44.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator... House Bills 2nd Reading, House Bill 76. Senator Wojcik. Kay Wojcik. Okay. On page -- top of page 72. Continuing with House Bills 2nd Reading. House Bill 88. Senator Don Trotter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 88.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Oh! I'm sorry. Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, on Amendment No. 2.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Senate Amendment No. 2 -- Floor Amendment No. 2 retains all the -- the tenets of the original bill, but at the request of the Members of the committee, we did pass this amendment which will say that this bill is subject to appropriations.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? If not, the question is -- all those in favor will vote Aye. All those opposed will vote Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DEMUZIO:

I have an announcement, but I -- I can't hear myself.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Ladies and Gentlemen, could you give the speaker your attention, please? Ladies and Gentlemen.

SENATOR DEMUZIO:

Ladies and Gentlemen. Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Today is really a happy occasion. Senator Shadid is having his ninety-second birthday. You know, the reason that he's late is because there's a cake up there. I guess he didn't want to start. He figured he could eat it all himself, I guess. But the fact of the matter is, happy birthday, George. And the cake is in the Well, and we don't want to hear from you. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid -- Senator Shadid, what purpose do you rise, sir?

SENATOR SHADID:

I tried -- I tried to get Bill Shaw's wig, but -- but he said that his brother was using it. So I'm trying to look a little younger. How do I look, fellas? I look younger? Did you -- did you ever see a blonde Arab? Well, you saw one now. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

On behalf of all the Members of the Illinois Senate, a very happy birthday to you, Senator. Senator Brady, for what purpose do your rise, sir?

SENATOR BRADY:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BRADY:

You know, it's interesting. In the House, I shared my birthday with the oldest Member there as well, Ron Lawfer. And it happens to be my birthday, as well. And while you're getting a piece of cake, rather than bring another cake, I wanted to recognize my favorite snack food, and that is a snack food that's made in Bloomington, Illinois, BEER NUTS. So, I've brought BEER NUTS for you all to enjoy with your cake today.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady, on behalf of all the Members of the Illinois Senate, a very happy birthday to you, sir. Continuing on House

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Bills 2nd -- sorry. Senator Luechtefeld, for what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LUECHTEFELD:

This goes along with Senator Brady's birthday. Senator Brady is -- I -- I was somewhat surprised; he -- he looks a lot older than he really is. And he's forty-two years old. Looks a lot older, as -- as most anybody realizes. There is a -- there's a problem he's had and his secretary and several people around him want to solve that problem. Senator Brady runs out of gas -- ran out of gas the other day, two weeks from the -- or, two blocks from the Capitol. Was -- we had to go pull his car in, and so we've gotten together and here's a -- gas can, Senator. So if you'd use this, we'd appreciate it. Thank you. Just put it in your trunk.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I don't agree with the prior speaker. I think Senator Brady is a very good looking, young looking man, and I would say that Senator Luechtefeld should speak for himself.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, continuing on House Bills 2nd Reading. House Bill 276. Senator Schoenberg. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 276.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Are there any Floor -- further -- Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Schoenberg, on Floor Amendment No. 1, sir.

SENATOR SCHOENBERG:

Thank you. Floor -- Floor Amendment No. 1 for this becomes the bill. It's an initiative of the Attorney General's. It is -- drafted on -- it incorporates model legislation drafted by the National Association of Attorneys General to execute the Master Settlement on the tobacco litigation. I'd be happy to debate this in committee, and I urge its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 294. Senator Trotter. Senator Don Trotter, on House Bill 294, sir. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 294.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Amendment No. 4 is a compromise between the Department of Human Services, the Bureau of the Budget, the Day Care Action Council, but it retains the principal elements of the original Bill 294, as passed by the House. It does add a provision which, in effect, would adjust the child care co-payment scale

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

in order to prevent working families from paying higher co-payments.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no other discussion, all those in favor will say Aye. All those opposed will say 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 DeLEO)

3rd Reading. House Bill 416. Senator Obama. Out of the record. House Bill 1088. Senator Jones. Emil Jones. Out of the record. House Bills -- 1191. Senator Haine. Out of the record. House Bill 1251. Senator Haine. Out of the record. House Bill 1373. Senator Dillard. It's already been moved. House Bill 1382. Senator Garrett, on House Bill 1382. What is your desire, ma'am? Out of the record. House Bill 1434. Senator Haine. Out of the record. House Bill 1462. Senator Link. House Bill 2221. Senator Carol Ronen. Out of the record. House Bill 2268. Senator Obama. Out of the record. House Bill 2329. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2329.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 2332. Senator Lightford. Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2332.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 2345. Senator Schoenberg. On 2345, sir, what is your desire? Out of the record. House Bill

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

2391. Senator Trotter. Do you wish to proceed with 2391, sir? Out of the record. Okay. Ladies and Gentlemen, that is -- we've gone through 2nd Readings twice. We will now go to the order of business, House Bills 3rd Reading, on page 24 of the Calendar. On page 24. Okay. Ladies and Gentlemen, we're going to start where we left off yesterday on 3rd Readings. That's page 67 of the Calendar. Page 67 of the Calendar, where we left off last night. Let me remind the Members, this is final action. 3rd Readings. Final action. I ask all Members please to be in their seats. Everybody come to the Floor. House Bill 3rd Reading. House Bill -- 3023. Senator Martinez. Senator Martinez. House Bill 3047. Senator Munoz. Continuing on page 68 of the Calendar, House Bills 3rd Reading. House Bill 3053. Senator Welch. Senator Welch, on 3053. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3053.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Could -- could we have some order, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, could you give the speaker your attention, please? These are final action, 3rd Readings. Would you give the speaker your attention, please?

SENATOR WELCH:

Thank you, Mr. President. What this bill does is create two new felony crimes of misdemeanor conduct -- of -- misconduct by a corporate official and fraud in insolvency. This is a reaction to all of the problems we've had after the Enron situation. Misconduct occurs when, being the director of a corporation, individual knowingly and with a purpose to defraud concurs in any vote or act of the directors which has purposes of making a -- a dividend not provided -- for by law; paying a stockholder in manner not provided for law, and -- several other acts a director could take to basically misappropriate money or

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

take actions to hurt stockholders. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3053 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 3053, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 3080. Senator Halvorson. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 3080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you -- thank you, Mr. President, Members of the Senate. House Bill 3080 amends the Property Tax Code. It provides additional criteria to use in the determination of the number of inhabitants in a county for the purpose of deciding whether additional compensation to assessors will be given based on performance.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question.

SENATOR ROSKAM:

Senator Halvorson, what are the additional criterion? Are we going to be raising the stipend for assessors under this proposed change or -- or lowering that or how -- you said that we're -- we're coming up with a new way to -- to count

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

individuals within the county. Could you just explain that a little more clearly?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Sure. Senator Roskam, currently, the coefficient of dispersion, which they call COD, is used if the population of the assessor's county is over fifty thousand inhabitants. The - - the coefficient of dispersion could not be greater than fifteen percent. It's kind of a technical thing. We are not giving them more money. It's just, in order for them to get a bonus, we've just added more criteria in order to get that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Senator, what is a coefficient of dispersion? I couldn't spot one if it were on my desk.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Basically, it's a comparison of actual real estate sales to assessed values and the difference between the two amounts.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Senator, this seems a little esoteric and I'm sure it's technical. The bottom line -- and -- and, you know, there's sort of fifty-eight Senators that I think are looking to you. You've got the brake lights in front of us and we -- we're not sure if we're going down the highway or if we're following your brake lights over a cliff. So, are -- is the amount of money that's going to be paid to assessors from the State, is it going to go up or is it going to go down?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Neither. It doesn't go up. It says -- House Bill 3080 establishes that when the Department of Revenue determines what that coefficient of dispersion is, which I just explained to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

you, for the particular year, the following criteria must be used. Now, it's just adding another one. It says the number of inhabitants of a county are determined by the latest federal census, and the assessment year used to compute that COD must be the same year that is used to determine a county's population. That's just the extra criteria that's been added. Nothing changes. We've just added another piece of criterion to how we debate and how they get their stipend.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Last question. Why do we need to do this, Senator, if nothing's going to change?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson. Once again, can we ask the Members to please be in their seats? This is final passage, 3rd Reading. Senator Halvorson.

SENATOR HALVORSON:

Okay. Senator, it's just been clarified that we needed to clarify it, because sometimes they're getting a stipend when they should not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dave Sullivan, for what purpose you rise, sir?

SENATOR D. SULLIVAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question. Senator Sullivan.

SENATOR D. SULLIVAN:

Senator, is -- is this a pay raise for our friend, Jim Houlihan, in Cook County?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

This is for the Township Officials.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HALVORSON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 3080 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all -- who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 3080, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 3886. Senator Meeks. Out of -- out of the record. House Bill 3091. Senator Roskam. Senator Roskam seeks leave of the Body to return House Bill 3091 to the Order of 2nd Reading. Leave is granted. On that Order, House -- on the Order of 2nd Reading, House Bill 3091. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 becomes the bill and what we're doing is we're creating an offense for arson at a -- of a place of worship, and we're also enhancing the ability of fire departments to seek -- compensation. I urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, all those in favor will vote Aye. All those opposed will vote 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 DeLEO)

3rd Reading. House Bills 3rd Reading. 3101. Senator Link. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3101.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically this amends the Property Tax Code in reference to extension of taxes for additional or supplemental budget for school districts. This is similar to Senate Bill 1498, which passed out of here 55 to nothing. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The -- the question is, shall House Bill 3101 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 3101, having received the required constitutional majority, is declared passed. House Bill 3142. Senator Harmon, do you wish to proceed with this, sir? Okay. Senator Harmon seeks leave of the Body to return House Bill 3142 to the Order of 2nd Reading. Leave is granted. On that Order, 2nd Reading, is House Bill 3142. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, on the amendment.

SENATOR HARMON:

Thank you, Mr. President. The -- the bill itself creates the Accountability for the Investment of Public Funds Act. We are amending it. The -- the amendment was negotiated with the State Treasurer's Office to clear up some of the language. And I'd urge its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will 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 DeLEO)

3rd Reading. House Bill 3298. Senator Welch. Senator Pat Welch, on House Bill 3298. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 3298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill 3298 takes advantage of health insurance benefits provided by the federal Trade Adjustment Act of 2002. These benefits, which include an income tax credit, would be extended to Illinois workers who lose their jobs because of foreign trade competition and to people who are receiving benefits from the Pension Benefit Guarantee Corporation. The federal government's estimate is that about twelve thousand people would be eligible. This will have no impact on the General Revenue Fund. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, to close, sir. The question is, shall House Bill 3298 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 3298, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading. House Bill 3321. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3321.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is establish a procedure for the imposition and collection of penalties with respect to public utilities other than telecommunication carriers. Civil penalties related to the filing of reports, taxes and other filings shall be paid into the Public Utility Fund. And it establishes penalties for knowing misrepresentation in testimony before the Illinois Commerce Commission. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, the question -- the question is, shall House Bill 3321 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 3321, having received the required constitutional majority, is declared passed. House Bill 3402. Senator Harmon. Out of the record. House Bill 3411. Senator Haine, on House Bill 3411. Senator Haine, do...to proceed? Senator Haine seeks leave of the Body to return House Bill 3411 to the Order of 2nd Reading. Leave is granted. On the -- the Order of 2nd Reading is House Bill 3311 -- excuse me, 3411. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on the amendment, sir.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment to the House bill is the result of a compromise here and we are deferring to Senator Luechtefeld, as well as to the chairmen of the two county boards in the Metro East. And what this does, in essence, is to appoint the members

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

of the Bi-State Board of -- of Commissioners, which are five from Illinois, five from Missouri. The County Board Chairmen of Madison and St. Clair County, in alternating years, will appoint these members of this Bi-State Board. If and when Monroe County adopts the transit tax of one quarter cent, their chairman will also appoint. And that's what the amendment entails. We'd ask the Body to consider that. Returns local control to the board chairmen.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on the top of page 69. House Bill 3455. Senator Obama. Senator Obama. Out of the record. House Bill 3486. Senator Obama. Out -- out of the record. House Bill 3528. Senator Cullerton, do you wish to proceed, sir? Okay. Senator Cullerton seeks leave of the Body to return House Bill 3528 to the Order of 2nd Reading. Leave is granted. On that Order, 2nd Reading, is House Bill 3528. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, on Floor Amendment No. 3, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an amendment that delays the effective date till October 1st.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will -- Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are -- are there any further Floor amendments approved for -- for consideration?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bills 3rd Reading. 3530. Senator Sandoval. Senator Sandoval, on 3530. 3543. Senator Munoz. Out of the record. Senator -- House Bill 3553. Senator Welch, on House Bill -- out of the record. House Bill 3556. Senator Collins. Senator Collins, do you wish to proceed? Senator Collins seeks leave of the Body to return House Bill 3556 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3556. Madam Secretary, are there any Floor amendments approved for consideration? Senator Collins, just -- we have a -- we're -- have a technical problem. With leave of the Body, we will come back to that. Just give us a couple minutes. Okay. Going back to House Bill 3556. On that order is -- is -- is -- House Bill 3556 is on 2nd Reading. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, on Floor Amendment No. 2.

SENATOR COLLINS:

Thank you, Mr. President. The -- Senate Amendment No. 2 replaces all and becomes the bill. It restores the language of the bill as amended by Senate Amendment No. 1 and makes technical corrections. It increases the sex offender initial registration fee from ten dollars to twenty dollars and the annual renewal fee from five dollars to ten dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading. House Bills 3rd Reading. 3582. Senator Cullerton. John Cullerton. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is the Structured Settlement Protection Act. It's -- a little background. Legislation was introduced in Congress, federal tax legislation, on the transfer or -- or assignment of structured settlement payments. The trade associations - there's a National Structured Settlement Trade Association - agreed on a model State law providing for the transfer of structured settlement payment rights. The Association agreed to changes to the Internal Revenue Code with respect to the taxation of structural -- structured settlements. The goal of the federal law was to urge the enactment by states of structured settlement transfer laws. So this is what this is, here in Illinois, in response to that federal request. The Illinois law requires a court order before structured settlement payments can be made to anyone other than the beneficiary of the settlement. But the Illinois statute was enacted prior to these -- these federal Revenue Code changes. So, it -- it does not require the court to make the findings required by federal law. So, without this bill, the transfer is still subject to a forty-percent excise tax. And so the -- the need is for us to pass this model Act. It's patterned after the model Act that's been enacted in thirty-three states. It's been supported by the Illinois Insurance Association and the Illinois Trial Lawyers. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, Senator Cullerton, to close. The question is, shall House Bill 3582 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 3582, having received the required constitutional majority, is declared passed. House Bill 3589. Senator Schoenberg, what is your -- out of the record. House Bill 3608. Senator Obama. Senator Obama, on -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3608.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill simply forms a interagency committee concerning health care issues between DHS and DPA. This was to help coordinate TANF and related programs. I know of no opposition. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall House Bill 3608 pass. All those in favor, vote Aye. All those -- opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 3608, having received the required constitutional majority, is declared passed. Okay. On page 70, House Bills 3rd Reading, bottom of the page, House Bill 3661. It's -- Senator Jacobs, you seek leave of the Body to return House Bill 3661 to the Order of 2nd Reading, sir? Leave is granted. Okay. On that Order of 2nd Reading is House Bill 3661. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 5, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, on Floor Amendment No. 5.

SENATOR JACOBS:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Prior to discussion of Amendment No. 5, I would like to -- I would like to table Amendment No. 3.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Amendment No. 3 is -- leave of the Body, table -- Amendment No. -- 3 is tabled, with leave of the Body, and we'll proceed on Amendment No. 5. Floor Amendment No. 5. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senate Amendment No. 5 to 3661 is in regards to commercial policies only, that in the event that an insurance company is not going to renew a policy, if a nonrenewal notice is not sent to the insured at -- least sixty days before the expiration of the policy, the policy has to be renewed for an additional year on the same terms and condition. Further requires that if an insurance company intends to increase the premium on a policy by thirty percent or more, the company must extend the current policy under the same terms, conditions, and premium to allow sixty days' notice of renewal.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? All those in favor will say Aye. All those opposed will -- Nay. The Ayes have it, and the Amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 6, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, on Floor Amendment No. 6.

SENATOR JACOBS:

Thank you, Mr. President. On Senate Amendment No. 6 to House Bill 3661, this is a technical trailer amendment to House Bill 1640, which we have already passed out of here, which is in regard to the use of credit rating. It changes the requirement that the insurer must treat the consumer as otherwise to prove -- by the Department of Insurance to treating the consumer as otherwise "filed with" the Department.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further -- further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Ladies and Gentlemen, continuing on House Bills 3rd Reading, final passage. We'll go to page 71 of the Calendar. Middle of page 71. House Bill 3692. Senator Todd Sieben. Senator Sieben, do you wish to proceed, sir? House Bills 3rd Reading. House Bill 3711. Senator Collins. Out of the record. Okay. Ladies and Gentlemen, we're going back to page 24 of the Calendar. Page 24 of the Calendar. House Bills 3rd Reading. We're starting at the top of the Calendar. House Bills 3rd Reading. House Bill 6. Senator Obama, do you wish to proceed, sir? Out of the record. House Bill 16. Senator John Cullerton. Wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 16.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. House Bill 16 creates a comprehensive scheme for enforcing child support orders and preventing the fraudulent and willful failure to pay child support. The -- it allows State agencies to refuse to renew or issue licenses or certificates to persons found by court order to be in violation of a child support payment order. Also provides that both the Attorney General and the State's attorney may enforce child support orders. It allows the State to -- to catch individuals who are circumventing the system and avoiding child support payments as members of professions that require licensing and certification to be found and held accountable for their fraudulent acts. I would be happy to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

answer any questions. It's a very good bill. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, the question is, shall House Bill 16 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 16, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 81. Senator Don Trotter. Do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 81.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. House Bill 81 amends the Department of Public Health Powers and Duties Law and {sic} (of) the Civil Administrative Code. It requires that DPH should provide the public with certain information concerning different types of health care. Specifically amends the Emergency Medical Treatment Act to prevent a person, facility or entity from holding itself out to the public as an urgent, urgi-, emergi-, or emergent care center or from using any term that would give the impression, as defined by rule, that emergency medical services are furnished by the entity or the person or that facility. It is a issue that came to -- to myself and to other Members of this Body that was put out there by Pam Zekman, of Channel 2 News, and it -- it addresses a -- a serious problem going around this entire State.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Trotter, to close.

SENATOR TROTTER:

I just ask for a favorable roll call.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

The -- the question is, shall House Bill 81 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 81, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading. House Bill 176. Senator Radogno. Radogno. I'm sorry. Senator Radogno, on House -- do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill simply clarifies EPA policy. It amends the EPA Act to clarify that the cremains of deceased companion animals when delivered to a provider of companion animal cremation services are not considered waste under the EPA Act. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall House Bill 176 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 176, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading on the top of page 25. House Bill 199. Senator Obama, what is your desire, sir? Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 199.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill indicates that commencing on July 1st of next year, the prostate and testicular cancer program must include the development and dissemination, through print and broadcast media, of public service announcements that publicize the significance of prostate screening for men over the age of forty. Supported by the Medical Society, Planned Parenthood, the Cancer Society. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Senator Obama, we had a discussion about this in Health and Human Services Committee and largely related not to the -- to the goal, which I doubt that many people in here can argue with, the -- the goal, the proposal, but rather, again, with the cost of the proposal. It's our information from the Department that a print and media campaign, statewide, will cost the taxpayers about a million dollars per quarter. It'll cost another quarter million dollars for the development of the public service announcements for television, radio, and then about another ninety thousand dollars for design and production and evaluation of the effectiveness of the campaign. First, I want to ask you if -- if -- to your understanding, if those numbers are accurate.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

They apparently have provided you better information than me. They did not give me those details. I -- I would suggest that -- that given that they have not provided me with those,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

it's hard for me to evaluate the accuracy of those -- those statements.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator, I think that the -- the numbers I gave you with regards to the -- the design, the development of the -- of the campaign itself, our numbers were given to us -- to a department based on the previous experience. There is a fiscal note that was filed in the House, when this bill passed through the House, that does state a million dollars a quarter, and I've got it here if -- if you -- if you'd like a copy of that. Can I ask, is the money for this campaign in the Department's budget according to the Governor's proposed fiscal budget?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

The Department did not oppose the bill, and I -- they did not address to me the potential costs involved. What I do know is, is that this is a top priority of the Department. This is an area in which we have not been as aggressive as we need to be. I think that all of us are aware of the severe costs to our community of prostate cancer, and as -- as I understand it, it's the most common cancer in American men, excluding -- skin cancer is the second-leading cause of death for middle aged and older men, surpassed only by lung cancer. So, I know that this is a high priority for them. In conversations that I've had previously with them, this is something that they have prioritized. I have not obtained any resistance on the part of the Department about this bill when it came over from the House. So, my impression is that this is something that they, in fact, want to do.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, as you and I both know, Senator, in sitting through several hours of Health and Human Services hearings, sometimes the Department's there and sometimes they're not there. I know that they're still trying to get all four wheels under

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

themselves. But I guess the question is whether or not the money is in the Governor's budget or in their budget to pay the four million dollars this year and then whatever other production and design costs are available. I mean, do you know for -- for certain whether or not this is money that the Governor said he wants to spend?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Here's what I do know. I know that this is a priority for the Department. I know that this is something that should be a priority for us, and there's no mandate in the bill that suggests that they have to spend the sorts of money that you're discussing. My impression is, is that given the money that they already have in their budget for cancer prevention programs and public awareness programs, that this is a program that they can prioritize and accommodate within the budget that they're going to be presenting to the Governor. So, although they've provided you a fiscal note, you and I also know -- and again, I -- they did not provide me with a fiscal note, but you and I also know that the -- it's very hard to anticipate how exactly they are going to end up budgeting this program. If they end up spending half a million dollars this year within their existing budget, that's going to be an improvement over the kind of work that they're doing currently. So...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Ladies and Gentlemen of the Senate, we have many priorities. We have many good things that we'd like to do out there. There is a fiscal note on this bill. It's four million dollars per year. The language of the bill - I'm going to quote the bill - says, "Beginning July 1, 2004, the program must include the development and dissemination, through print and broadcast media, of public service announcements that publicize

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

the importance of prostate cancer screening for men over (age) 40." It's not a "may". It's, well, if you have the money you can do it, but if you don't have the money, don't worry about it. It's a must. The Department's fiscal note says four million dollars a year. It is not in the Governor's budget. As we start to see the appropriation bills roll through the House and roll through the Senate, we're going to have to decide, with the revenue we have, what we're willing to spend money on this year and what we're not willing to spend money on this year. This is another cost that -- gets to go to the Governor's desk and he decides where he finds the four million to squeeze out. I would urge a No vote. I appreciate the sponsor's intent on this. It's a -- it's a good idea, but we don't have the money this year and we've got to set some priorities in that regard. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, what purpose do you rise, sir?

SENATOR HENDON:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HENDON:

I -- I rise in strong support of this legislation. I heard the previous speaker. I understand his concerns about the budget, but we also have to prioritize what's important. Prostate cancer killed my father and my uncle. It is very, very serious. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld, what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield, sir.

SENATOR LUECHTEFELD:

Senator, I -- I certainly don't question what you're trying to do. You know, and -- and -- and -- and a big issue has been made about the cost of this. An issue that occurs to me that, you know, I guess I would like to -- to answer and that is, you know, there are a lot of very serious things that can happen to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

people, a lot of very serious illnesses. You know, where do -- is there a point where -- where we stop doing this? You know, we -- we could -- you know, we could warn people about a lot of things that kill people and spend a lot of money doing that, and we do some of that already. But I guess there -- is there a point where we -- where we don't do this? Do you -- do you know where that -- where that level is? You understand what I'm saying or not? You don't understand what I'm saying? I mean, we could spend lots of millions of dollars warning people about what could happen to them and mandate that, for our government to spend all of that money. I guess my point is, where do you stop doing that? Where -- where's the limit? Obviously, you don't think this is the limit, but where do we do -- isn't -- isn't that a concern of yours?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

If -- if I understand your question, and -- and I'm saying this will all sincerity 'cause I'm not completely clear on it, but -- but I guess my understanding is your concern is, is that we're being paternalistic by providing people with information that would potentially prevent them from contracting cancer. And I guess my impression would be, philosophically, that if there are preventable diseases that, with appropriate knowledge, people can act on and avoid, then one of the most important functions of our government is to assist people in preventing these diseases. If we knew -- if we know that folic acid reduces the percentage of children born with birth defects, then it makes sense for us to provide mothers with information saying, "You know, you take this little tablet. It has folic acid in it. It'll reduce the likelihood of birth defects." If we know that prostate cancer if caught early, with early detection, in fact, ends up not being a fatal disease and we know that men are less prone to get checkups on a regular basis with respect to prostate cancer and we can advertise that and encourage a certain percentage, strikes me that's a -- a perfectly appropriate function of government. It's not going to solve -- it doesn't mean that everybody's going to follow the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

advice, but it does seem to me that that's something that is well within the purview of the Department of Public Health.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, and again, the money part of it, there's a lot of things we're not going to be able to do with the schools and whatever this year that we'd like to do. Is this a priority over that? You know, I -- don't know. And I don't disagree with what you're -- what you're trying to do. I -- I just look at the philosophy -- you know, you said "preventable diseases". Almost all diseases are preventable if you get at them early enough. I mean, and -- and if -- if you have enough awareness. Awareness is not just the government's job. You know, it's the job of -- for instance, even people who make the drugs make people aware of the fact that if they do this it will -- doctors make people aware of that fact, too. And I -- and I -- I just have a philosophical, maybe, disagreement with you, that where do we draw the line, that, you know, if -- if you do this, then what do we warn people about next year. You see? And where do we stop spending that kind of money? And -- and -- and I don't disagree with what you're trying to do. I just have a problem philosophically with it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I rise in strong support of this legislation. In 1999, this General Assembly actually established a prostate screening program. It was legislation that the Department of Public Health said was necessary. It was needed because of the -- the number of deaths that -- can be prevented because -- necessarily, prostate cancer and testicular cancer cannot be prevented by not eating something. But this is just so that we can get treatment so we can prevent deaths, not necessarily the contraction of the disease itself. At that time, we had sister legislation in which this General Assembly passed where we have a tax checkoff for prostate cancer. So when you ask, "Where's the money come from," we do have revenue streams that are coming

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

forth that will pay for this program. Within the Illinois Department of Public Health's budget, they do have a cancer program which, though not line itemed specifically for prostate cancer, nor is it line itemed specifically as breast and cervical cancer is, but they do have an -- an appropriation in which they can use to disseminate information and awareness, which is a big part of the Illinois Department of Public Health's mission. They don't treat patients. Their job is to give information to the citizens so we can live a quality of life. Their job is to ensure that each and every one of us know what kinds of -- of treatments, what kind of -- of risk factors will affect -- negatively affect our population. That is in their budget. That is their mission. We do have a funding stream, and we will find more dollars. The Department of Public Health, I know, will take care of their job. We just need to do our job and pass this much needed and important legislation. And once again, I rise in strong support.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LIGHTFORD:

Thank you, Mr. President, Members of the Body. I rise in support of this legislation. I'd just like to speak to the bill. My great-grandfather passed away from prostate cancer. My grandfather passed away from prostate cancer, and I saw death on my father's face last year when he was diagnosed with prostate cancer. He lost forty pounds in a two-month period. And I'm just so grateful that he had a family that supported him and allowed him to have a surgery procedure that saved him and is allowing him to go through the healing process. I understand some of the concerns that you may have, but I truly believe that it is our responsibility to educate those who aren't sure about serious health issues. And when you mention where do we draw the line, I sure hope the line isn't drawn right here on this very important and critical legislation that has saved my father. And I truly believe if my great-grandfather or my grandfather had information and was well-informed, perhaps they would have lived a lot longer as well. So, I rise in strong support of this legislation, and I'd ask for an Aye vote.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Obama, to close, seeing no further discussion.

SENATOR OBAMA:

Thank you -- thank you very much. You know, obviously, you know, we've had the debate. There are concerns about cost. There's -- philosophical issues. Here's what I know, and some others have already stated: My grandfather died of prostate cancer. Prostate cancer, unlike many other cancers, is, in fact, detectable at an early stage. If it is detected at an early state, eighty-five -- eighty percent of men who are diagnosed survive at least five years; sixty-three survive at least ten years; fifty-eight percent of all prostate cancers are found while localized, and the five-year survival rate for men with localized prostate cancer is ninety-nine percent. There is a significant resistance on the part of many men to get regular screenings and checkups with respect to prostate cancer. That is why this particular type of cancer is one that if we have appropriate information can, in fact, prevent disease. I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 199 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 37 Ayes, 14 Nays, 5 voting Present. House Bill 199, having received the required constitutional majority, is declared passed. Senator Obama, do you wish to proceed on -- House Bill 200, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. This is a second bill related to the Department of Public Health and involves the need to provide

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

additional information regarding AIDS. The -- and promoting necessary measures to reduce the incidence of AIDS across the State. Program will include a statewide hotline, AIDS? information clearinghouse. And it is supported by the Department of Public Health -- or, I'm sorry, the Illinois Public Health Association, the AIDS Foundation, the ACLU, Illinois Planned Parenthood, American Red Cross and the Illinois State Medical Society. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

The sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Senator, this is the same song, second verse for us. This bill is -- in terms of its fiscal impact, is almost identical to the legislation that we just voted on. It's -- according to the Department, it's another approximately million dollars a quarter in order to do the campaign that they believe that this bill would require. Senator, in 1998, the Department enacted or implemented a statewide public awareness campaign involving radio and print with regards to - thank -- thank you, Mr. President - with regards to encouraging people to get screened if they believe that there may be an issue. Do we -- do you have any information at all about how -- how valuable that may have been, whether or not that did us any good at all?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Actually, there has been a substantial reduction in the incidence of AIDS in -- and -- and HIV transmission in targeted communities that were reached through those programs. I think we've seen that being the case nationwide in the -- the gay community. The -- the problem that we have now is that we're seeing an increase in the incidents of AIDS within low-income communities and minority communities, and particularly among women. And so, there's no doubt that there's been significant

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

success in some of these previous programs. They need to reach two different audiences, in terms of making it effective.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Would you quarrel, Senator, with the number that I gave you, which was the same as the bill last time, neighborhood of a million dollars a quarter?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

I -- I wouldn't quarrel, but I -- but I don't know. Again, as you and I both know, since we've been in these hearings, the Department is still getting itself organized. It's got new staff. I know that -- and -- and I'll just give you an example from another issue. I -- there was a bill that I passed that originally had a two-million-dollar fiscal note. After we discussed it with the Department, they reduced it to two hundred and fifty thousand dollars. This is on a separate bill, a separate issue. So, I -- I don't know how realistic these fiscal notes are. As you and I both know, they're barely keeping up and keeping track with this legislation. And I think that they tend to err in preparing this information, just to say, "Well, we're going to put together sort of a Cadillac program, not anticipating that we're going to shift resources from existing programs." So, do I quarrel with you? No. Can I -- do I think definitively that these notes are appropriate? I would say not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, the -- the number I'm giving you comes off their fiscal note, and that's -- based on their previous experience from the 1998 campaign. I -- I want to ask you, I -- according to the Department, there are already a number of initiatives in place with regards to these issues, and I want to touch on a few of those and ask you if you can tell me if these been effective and -- and is it your intent to go well beyond what the State is already doing. Based on

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

primarily federal funding to sponsor at least -- they have targeted at least three campaigns to promote testing of persons at risk for AIDS, including the National HIV/AIDS Counseling and Testing Day, the I Know to encourage African-American women at risk for infection to learn their status in an HIV testing campaign in conjunction with World AIDS Day. In addition, last year the Department had a series of pamphlets developed, printed and distributed over -- an amount of over one hundred and fifty thousand at a cost of approximately twenty thousand, entitled "HIV, What you need to Know", "HIV, Know the Facts", and "HIV, Should you be tested", and "Age is No Protection against HIV/AIDS". What men and women fifty and older need to know also was a subject of these pamphlets. These pamphlets are currently being translated into Spanish and will be distributed in 2003. So it seems to be that there are a -- number of ongoing efforts already. Is it your position, then, with these -- all these different areas that the Department appears to be trying to move on this issue, that that's not enough and that's the reason we have this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

You know, it's my understanding, in discussing this with the House sponsor, that -- that the information that's currently being provided is limited with respect to the need and is not targeted at the appropriate at-risk communities. That's why I would suggest that some of the fiscal note may be overblown because we're not suggesting necessarily that they completely recreate the wheel. Part of what the -- the objective here is, is to make sure that they're moving resources that they already have into the right directions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Those efforts are -- I think you said, limited by their need. I don't -- am I quoting you wrong, Senator, what you just said? And I'm not sure what that means.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR OBAMA:

I -- I -- I'm sorry, I -- I didn't hear the question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

In -- in your previous answer, you said that the programs that I just listed that are already active and ongoing were limited, I think you said, by their need, or maybe by available funding. I'm not sure what you said.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

What I indicated was is that they -- those targeted initiatives, there's nothing wrong with them; they're inadequate to the need, I said. And my suggestion, though, is also that the -- there's nothing that requires the Department to create entirely new programs that don't take into account some of the targeted initiatives that they already have in place.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Well, Ladies and Gentlemen, it's -- it's a rerun of the legislation that we just voted on a little bit earlier, and again, I'll quote from this bill, "Beginning July 1, 2004, the Department shall develop and disseminate, through print and broadcast media, public service announcements that publicize the importance of AIDS/HIV screening." We all appreciate the importance of this, but the bottom line is, this bill will require the Department to go far beyond what they already do in their targeted campaigns. On the legislation that we just voted on, House Bill 199, there were a -- couple speakers who got up and referenced maybe new revenue streams or new money may be coming in. I think the Members on our side of the aisle would be very interested in learning a -- few more details about what that might be, if we're going to have money to spend outside of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

the Governor's budget. I hope that that information can be forthcoming, and maybe these issues would be a little bit easier to deal with. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. My friend and colleague, Senator Hendon, what purpose do you rise?

SENATOR HENDON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HENDON:

You know, with all these -- we have all these medical problems and issues going on in America right now, and in Illinois. It just blows my mind that anyone would vote against these commonsense legislation that's attempting to save lives. So, what are we going to do when SARS gets here from China? Are we going to, "Oh, how much is it going to cost to alert the American people, or alert the people of Illinois? How much is it going to cost to save some lives?" It -- it -- it's as if AIDS or prostate cancer doesn't exist in Senator Righter's district. We know it exists. We know this is serious. AIDS takes lives. I read in the "Capitol Fax" today where you were running ads against some Democrats for a vote. Well, what about this vote? Are you going to continue to vote against saving lives in Illinois and think that's not going to come back to get you? Well, it will, my friend. I ask for an Aye vote. This is very good legislation, just like the last one. Since you want to reference it, I'll reference it. You don't want to be on record as consistently voting against saving lives of your constituents. I urge for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

You know, I wasn't going to say anything, but in defense of Senator Righter, the previous argument was absolutely absurd.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

What we're doing today is we're making choices. I mean, theoretically, you can imagine Rules Committee putting out a bill to this Body that says it's about public safety. And what we're going to do, in this amendment that you're all going to be -- forced to vote on, is to have a law enforcement officer on every street corner. Would that make Illinois safe? You bet it would. It would be the safest place around. It would be so safe that this would be a magnet for forty-nine other states, and they'd all be coming in here. So, let's not act like this is about people who stand up and are making a fiscal argument at a time when there's a five-billion - with a B - dollar budget crisis. Don't set this up as a framework that says you're either for this and you're for healthy people or you're against this and you don't know what you're talking about. That is absolutely absurd. You're creating a false choice. So to say that Senator Righter, because he's taken the time to read the bill, doesn't care about the constituents in his district is absurd. The business that we're in, men and women, is the business of making choices. We have to make a choice and we have to choose right now between programs whose efficacy has been challenged by Senator Righter. And with all due respect to the advocates, we really haven't heard good data that underpins these decisions that we're making. We have to choose between that and funding, for example, for children with developmental disabilities. We have to choose between that and highway money. We have to choose between that and other public safety money. We have to choose between that and money that's going to go to our schools. So, to say that Senator Righter doesn't care about the people in his district is an argument that should be wholeheartedly rejected. I mean, the man -- for him to stand up and to make cost-benefit analysis decisions, we do that every day. We reject the idea that you have a police officer on every corner. Why? Because it's absurd. We make cost-benefit analysis in this Chamber every day of our lives. So don't be fooled by emotional rhetoric that sets up false choices. Make a good decision. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Hendon, for the second time.

SENATOR HENDON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Thank you, Mr. President. Why, at the risk of killing Senator Obama's great bill, I do want to make this very, very clear. You heard previous speakers get up and talk about -- on the prostate cancer, how it had killed members of our family. Well, I didn't want to bring this up, Senator Roskam, but my brother succumbed to AIDS. So this is very serious. And to say that this compares to some doggone road, that that's a choice, I'd rather have my brother alive and a doggone bumpy highway, my friend. So, it is emotional and it is for real. And we have to make these choices, not just the Governor. If you take offense to it, well too doggone bad.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld, what purpose do you rise, sir?

SENATOR LUECHTEFELD:

I guess just a comment to the previous speaker. I -- you know, I -- I guess I take offense if you say I don't care about people's lives as much as you care about people's lives. You know, there are people in this Chamber probably who've had very close friends and relatives killed in a car crash. We could make a bill, if we really cared enough, of let's stop driving. We could -- we could save a lot of people's lives that way. So, what -- what -- you know, what Senator Obama's trying to do, I -- I -- I -- I compliment him for caring, but other people care, too. And to -- to argue that people don't care about people's lives is simply wrong. This is a -- you know, there are -- I can give you -- if you want to come over, I can give you a long list of things that we could do to keep a lot of people alive. One of 'em is to quit driving. You know, then we wouldn't have any car crashes. So, please don't get that emotional and -- and -- and make other people sound as if they don't care. We do care. It's -- it's a matter of money, first of all, and decisions. But it's also a philosophical argument of just how far should we go in this Chamber and how much money should we spend to make people aware of or -- or to stop people from doing things that they want to do. And so, you know, I understand Senator Obama's argument. I can -- I can go along with a lot of what he says, but to say that we don't care about lives, I'm really disappointed that you would say that. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Obama, to close.

SENATOR OBAMA:

Thank you, Mr. President. I -- I feel like we got a little off track here. I -- I did not -- I don't take offense to Senator Righter's questions, and I do think that there are priorities that have to be set. I -- I think Senator Hendon is correct, though, that we do have a role in setting those priorities, that we shouldn't just leave it up to the Department. I happen to think that this is an important priority. Some of you may disagree, and I -- feel free, please, to vote No. But, you know, I -- I do think that given the rising incidence of AIDS, particularly in low-income communities around the State, that we need to do a more effective job in outreach. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall House Bill 200 pass. All those in favor, vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 35 Ayes, 14 voting Nay, 7 voting Present. House Bill 200, having received the required constitutional majority, is declared passed. Senator Demuzio, what purpose do you rise, sir?

SENATOR DEMUZIO:

Well, I -- I just wanted to point out for the Membership, there's a hundred and thirty-nine bills on 3rd Reading. The other day we had a good day and we -- we managed to do eighty. Tomorrow's the deadline. Now, I really don't care. I'll be home tonight sleeping in my bed, and I'll come back tomorrow. But if we don't move with some dispatch, we'll be here till, you know, late tomorrow night. So, we need to get moving.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. The Majority Leader has just mentioned if we do not finish these bills tonight, we're all staying at his house. Okay. Moving right ahead here. House Bill 205. Senator Trotter. Do you wish to proceed? Out of the record, sir. House Bill 207. Senator Trotter. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

House Bill 207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. House Bill 207 amends the Lead Poisoning Prevention Act, providing that physicians and health care providers may screen children for lead poisoning in conjunction with their school health exam. It also provides that advanced practice nurses who have a written collaboration agreement with physicians can do the same. We know that lead poisoning causes retardation of the development of the respiratory system, brain damage, high blood pressure, and this will certainly address that.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, Senator Trotter, to close.

SENATOR TROTTER:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 207 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 207, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 209. Senator Halvorson. Do you wish to proceed, ma'am? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 209.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 209 is the prescription drug bill that we passed out of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

here, I believe almost unanimously, which was Senate Bill 3. This is the identical bill, the one that sets up for twenty-five-dollar administrative costs, and I'll answer any questions, if need be.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Seeing no discussion, Senator Halvorson, to close. The question is, shall House Bill 209 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 -- 1 voting Present. House Bill 209, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 211. Senator Martinez. Senator Martinez, do you wish to -- wish to proceed? Senator Martinez seeks leave of the Body to return House Bill 211 to the Order of 2nd Reading. Leave is granted. On that Order, 2nd Reading, House Bill 211. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, on the amendment.

SENATOR MARTINEZ:

Thank you, Mr. President. This amendment does -- nothing in this Section shall be construed to require an insurance company to cover services related to an abortion as the term "abortion" is defined in the Illinois Abortion Law of 1975, and nothing in this Section shall be construed to require an insurance company to cover services related to permanent sterilization that require a surgical procedure.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? All those in favor will say Aye. All those 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 DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading. Okay. Continuing on House Bills 3rd Reading, House Bill 218. Senator Cullerton. Senator John Cullerton. Do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. We -- we passed a bill earlier in the Session that dealt with seatbelts, the primary enforcement of seatbelts, and at that time, I indicated that I was aware of the fact that there -- if we passed the bill, there would be some federal dollars available to us. And I -- I've since verified that by talking to Jeff Runge, who is the head of NHTSA, the National Highway Traffic Safety Administration. Turns out that we may be eligible for thirty-one million dollars if we pass this bill. It was suggested, though, that there might be kind of a -- a race to get the money through other states. It's an incentive grant that will be passed in the federal budget and the sooner we pass the bill, the better chance we have of obtaining that money. So, what I've done is, I've taken the House Bill, which is -- was identical to -- to mine, and ours, and I've added an immediate effective date. So, it'll help us and assist us in obtaining this thirty-one million dollars in federal dollars. Other than that, it's identical to the bill that we've already passed, and of course, this bill has already passed the House, the primary seatbelt law. So, again, I would ask for an Aye vote. Want to make you aware of what the bill does, but really the -- the intent of this is to facilitate us getting money for our State from the state -- from the federal government. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Watson, for what purpose do you rise, sir?

SENATOR WATSON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Yes, thank you. This is the primary seatbelt bill that we passed earlier. Just so you know this. This means that you can be now arrested and pulled over based on a seatbelt violation. Right now that violation is a secondary offense, and when the legislation passed many years ago, I was the sponsor of the legislation that said that it would be secondary. In other words, probable cause could not include a seatbelt violation to pull you over; it had to be a secondary offense. You had to be pulled over for something else. So, this bill is as bad as it was when it passed with thirty-three votes on it a month -- two months ago, but I do understand and appreciate the fact that the sponsor, by putting an immediate effective date on it, could have a fiscal impact -- a greater fiscal impact for us. So, it was a bad bill then; it's a bad bill now, but at least he's attempting to try to secure some additional funds by putting the immediate effective date. So, those of you that voted No or Present or -- or absent, I would -- I would suggest you do that again.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I concur with what Senator Watson says 'cause I was here when the first seatbelt bill passed, and it was of secondary, not primary. And I think it should stay secondary because, my word, we've had cases right in my area where a seatbelt didn't function well and the person was strapped into it while the car burned. So, I'm just telling you right now, I don't think it should be a primary thing at all. I think it should stay secondary, and I will vote against this bill accordingly.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Hendon. Seeing no further discussion, Senator Cullerton, to close, sir.

SENATOR CULLERTON:

Yes. I think the -- the comments of the Republican Leader are that it's a bad bill but it's -- it's a better bad bill, and as a result, I would ask that those of you that can vote for it, please do so 'cause this bill will bring in thirty-one

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

million dollars, which is not in the Governor's budget. But it will be added if we pass it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 218 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 36 Ayes, 20 voting Nay, 1 voting Present. House Bill 218, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, on the middle of page 25. House Bill 223 -- 223. Senator Obama. Do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 223.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President. This is identical to the bill that we passed almost a month ago now. As a courtesy to the House sponsor, I'd like to pass this out as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Obama, to close. The question is, shall House Bill 223 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 223, having received the required constitutional majority, is declared passed. House Bill 231. Senator Walsh, Larry Walsh. Do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 231 creates the Local Legacy Act, creates the Local Legacy Board and establishes its membership, powers and duties. Creates the Local Legacy Program to fund county-municipal partnerships for the purposes of inventorying and protecting natural areas, farmland and cultural resources. Requires counties interested in the Program funds to form a Local Steering Committee and provides procedures for Committee oversight and grant requests. Authorizes the Committee to develop the criteria and a Resource Protection Plan for prioritizing resources and the use of grant monies under the Act. Allows a local municipality to object in writing to all or some of the Resource Protection Plan. This issue was brought up last week -- or, earlier this week, and I took it out of the record 'cause there was some questions. And as you can see, they are putting together a -- a plan that brings all parties together to discuss growth and how growth affects the areas in which we live in. Many of us are hearing from constituents that talk to us about, "Well, you know, the school board wasn't consulted when they were developing a new subdivision," and "Roads weren't talked about." And so, what we're hoping to do here is to actually put a plan together that will accomplish that. So, I would ask -- or -- for a favorable vote, answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator John Jones, for what purpose do you rise, sir?

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR J. JONES:

I -- the Majority Leader was just over here a few minutes ago, and I -- I thought maybe he was over here because I was going to speak and he asked for us to speed it up. But there's some of these things we just can't speed up, you know. There's a -- there's a spending train around Springfield right now, and --

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

and it's moving very fast. And for many, many years the Senate was the -- was the -- was the engineer that stopped that spending train, but it seems as though we've lost our engineer right now. I would say, you know, that each and every one in this General Assembly should -- should give this very strong consideration because this is a -- an appropriations out of the General Revenue Fund, and we've had several of those already this -- this morning and we'll probably have many, many more throughout the day. I'm not sure that Senator Cullerton's bill that he just said would bring in thirty-one million dollars of new money to the State of Illinois -- I don't think he's raised enough yet to -- to cover everything that we spent this morning. And this here is -- is a continuing appropriations out of the General Revenue Fund, and -- and I would just encourage a No vote on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. No further discussion, the question is, shall House Bill 231 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 33 Ayes, 20 voting Nay, 2 voting Present. House Bill 231, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, House Bill 235. Senator Clayborne, do you wish to proceed, sir? Madam Secretary, read the bill. I'm sorry. It's a recall. Senator Clayborne seeks leave of the Body to return House Bill 235 to the Order of 2nd Reading. Leave is granted. On that Order, 2nd Reading, House Bill 235. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, on Floor Amendment No. 3, sir.

SENATOR CLAYBORNE:

Thank you. Amendment -- Amendment No. 3 -- Senate Floor Amendment No. 3 is basically to deal with some drafting errors. Doesn't change the substance of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will - say -- opposed vote Nay. The Ayes have it, and the amendment's adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 259. Senator Silverstein. Do you wish to proceed, sir? Senator Silverstein wishes to proceed. Senator Silverstein seeks leave of the Body to return House Bill 259 to the Order of 2nd Reading. Leave -- leave is granted. On that Order, 2nd Reading, is House Bill 259. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein, on Floor Amendment No. 1, sir.

SENATOR SILVERSTEIN:

Thank you, Mr. President. What the amendment does, it prohibits the display of any part of the credit card or debit card number that -- that ends in the last four digits. It also makes it a violation of any unlawful practice within the meaning of the Act.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 310. Senator del Valle. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 310.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President and Members of the Senate. This bill is an initiative of the day labor industry. The purpose of it is to ensure that employers are doing business with day labor agencies that are registered with the State, the Department of Labor, as required by law. So, it's a -- it's a -- for the purpose of ensuring that we can get rid of all the bad apples that are out there.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for questions.

SENATOR RIGHTER:

Senator, is this the -- the same bill as we passed out of the Senate, maybe several weeks ago, with regards to prohibiting people who may have signed up with a temporary agency to go to work in the situation where there's a strike pending? Is that...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle.

SENATOR DEL VALLE:

This bill is totally unrelated to that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I apologize, Senator. Can you just very briefly walk through the nuts and bolts of it again, then? Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle.

SENATOR DEL VALLE:

This bill indicates that employers are prohibited from entering into contracts for the employment of day or temporary laborers with any day or temporary labor agency that is not registered as required by law. That is it.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I apologize for the misunderstanding. Thank you for the clarification.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 310 pass. All those in favor will vote Aye. All those in favor will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 310, having received the required constitutional majority, is declared passed. House Bills -- on the bottom of page 25. House Bill 336. Senator Haine. Do you wish to proceed, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 336.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Currently, Illinois labor -- the Labor Relations Act requires local governments with thirty-five or more employees to engage in collective bargaining with unions after they've been duly certified. Under current law, when that number of employees drops below thirty-five, the employer no longer has an obligation to collectively bargain, and this Act simply says that if it does drop below thirty-five, the bargaining unit remains in -- in effect. It -- otherwise it raises questions of fairness and causes disruption, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, the question is, shall House Bill 336 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 52 Ayes, 5 voting Nay, 0 voting Present.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

House Bill 336, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on the top of page 26, House Bills 3rd Reading. House Bill 336 -- 361. I'm sorry. Senator Obama, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 361.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you very -- thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is identical to the racial profiling bill that we passed out unanimously, and I -- I'm calling it just as a courtesy to the House sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Seeing no discussion, the question is, shall House Bill 361 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 361, having received the required constitutional majority, is declared passed. House Bill 362. Senator Clayborne, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 362.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. This is an initiative of the Capital Development Board. In consultation with the Department of Commerce and Community Affairs, shall adopt rules by January 1st, 2004, to implement a statewide energy code for the construction or repair of State facilities.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

The energy code adopted by the Board shall incorporate standards promulgated by the American Society of Heating, Refrigerating and Air -- Air-conditioning Engineers. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, what purpose do you rise, sir?

SENATOR RISINGER:

Would the Senator yield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RISINGER:

As I understand it, Senator, the -- there are already standards in place by the Capital Development Board that addresses this issue. Does this just codify the issue?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Not to my knowledge. I'm not aware of that, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Do you have any idea what the cost to this would be?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

No, I don't. This is -- will be implemented between the two departments to make sure that there is some consistency regarding the statewide energy code.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Well, we need to talk a little bit about the intent of the bill anyway -- at least in my view.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RISINGER:

If the -- if the roof is leaking, does this bill mean that we have to put insulation in the walls and replace the heating system and -- and those kind of things? And if that's the case,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

would it prohibit us from taking care of the immediate needs and maintenance on buildings?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- I don't think, in terms of current problems, no, but obviously after the rules have been -- been drafted and adopted by January 1st, then those rules would go into effect on how we repair our State facilities.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

I understand that, but if we're -- if we're putting this into law, should we not at least explain the intent of what we're trying to do?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Clayborne.

SENATOR CLAYBORNE:

Can you repeat your question?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Yeah, I'm a -- I'm a little concerned that we at least give some direction to the Capital Development Board about what our intent is. I don't think our intent is to put something into law that's going to cause us to not be able to repair State buildings whenever we have immediate needs just because there's a code that's going to be very expensive to enforce. And -- that code ought to revolve around the issue that we're trying to deal with at the time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, Senator, but this -- these rules will be adopted by the Board, so I assume that they would be in compliance so that if there are needs that we need to address in regards to State facilities, then I'm sure they're not going to burden themselves and put themselves in the position where they cannot repair State facilities.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Risinger.

SENATOR RISINGER:

I understand what you're trying to do; I just have some concerns on what those rules may end up being. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 362 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 362, having received the required constitutional majority, is declared passed. Senator Clayborne, on House Bill 405. Senator Clayborne, do you wish to proceed with this, sir? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 405.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. This bill creates -- House Bill 405 creates civil liability for a lessee of personal property who fails to return or pay full value for the property to the lessor in violation of a contract provision within ten days after the owner has provided written demand for the property's return. Basically, if you lease property and you fail to return it or pay full value of it after a ten-day demand by the individual or company who leased the property -- by the company who leased you the property, then they have a cause of action and come to -- to -- to sue you for value of that property. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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

SENATOR ROSKAM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR ROSKAM:

Senator, are we creating -- does this create a criminal penalty or is this a civil penalty? And then, the -- the second question you can answer as well: Does -- does -- I assume that in some of these cases there's a dispute about, you know, who owns the -- or, I mean, who has the right to the property and this wouldn't -- this wouldn't -- how is this triggered? That's my question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

To answer the first part of your question, is this is only dealing with civil liability. The second part of your question is, obviously, if -- if the person, I guess, is in default of the lease agreement and they don't return the property, then at some point in time, the person who leased them the property will make a ten-day demand. If they continue not to either return the property or pay full value of it, then at that point in time, the lessor has the ability to sue them, I assume in small claims court or whatever civil court it is, for the value of the property.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Doesn't a -- somebody in that situation, the lessor, already have a remedy? Don't they have a civil remedy already?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I assume they don't. That's why we're here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Who -- who's idea was this, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

It's the Illinois Retail Merchants Association's idea. I get your support now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Since you're drawing me out, I have to defend myself, and I can do that either by asking about five minutes' more questions or I can just urge you -- let's all vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Seeing no further discussion, Senator Clayborne, to close.

SENATOR CLAYBORNE:

I just ask for your favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 405 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 405, having received the required constitutional majority, is declared passed. House Bill 414. Senator Schoenberg. Do you wish to proceed, sir? Madam Secretary, read the bill. I believe this is a recall. Senator Schoenberg seeks leave of the Body to return House Bill 414 to the Order of 2nd Reading. Leave is granted. On that Order of 2nd -- 2nd Reading is House Bill 414. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, on Senate Floor Amendment No. 1, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 codifies into law the thirty-percent threshold for -- in the definition of "developmental

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

delay". It also changes the term of office for the Early Intervention Legislative Advisory Committee. This is a negotiated agreement between the advocates and the Department of Human Services. There's no known opposition. I urge an...

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, all those in favor, vote Aye. All those opposed, vote 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, Madam {sic} President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senate {sic} Bill 430. Senator Welch. Senator Welch, do you wish to proceed, sir? Senator Welch, do you wish to proceed? Senator Welch seeks leave to -- leave of the Body to return House Bill 430 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 430. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment clarifies -- the previous amendment. It -- it does so because the amendment that we had given us by the State Board did not reflect the payouts that they had in their printout. So what this amendment does is just change the previous amendment to reflect the amounts the State Board thought were going to go to each school under this supplemental State aid grant.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, all those in favor will say Aye. All those opposed, vote Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading. House Bills 3rd Reading. 463. Senator Garrett, do you wish to proceed? Out of the record. Senate Bill -- House Bill 467. Senator Obama. Do you wish to proceed with that, sir? Out of the record. House Bill 469. Senator John Cullerton. Senator John Cullerton, on House Bill 469. Out of the record. House Bill 495. Senator Garrett. Out of the record. House Bill 496. Senator Larry Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 496.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 496 amends the Secretary of State's Merit Employment Code in regards to personnel rankings for vacancies. It does -- increases to ten, now three, the number of persons ranking highest on the appropriate eligibility list who must be considered for an appointment to fill a vacancy. I would answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, what purpose do you rise, sir?

SENATOR RISINGER:

Yeah. Will the Senator yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates he'll yield for a question, sir.

SENATOR RISINGER:

Yeah. Senator, why is this bill necessary? Aren't we interested in picking the most qualified candidates and -- and can't we pick a qualified candidate out of -- out of three? Why do we need to go to ten?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Well, thank you for that question, Senator. As -- yes, we are. We are always looking to pick the -- the best and most -- qualified individual, but as many of us know, that some people,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

when it comes to testing, get -- get all nervous and -- and they just don't perform well and that if we are allowing -- or, committing ourselves to only look at three, that we possibly could be overlooking somebody that -- maybe has a -- a great personality, that has the -- the opportunity that works well with people but just doesn't test well. And if we -- if we open the door to bring in a few more people, that that possibility of finding somebody that maybe would fit into the program would be available. This piece of legislation basically is only in regards to about eleven entry-level positions in the Office of Secretary of State - entry level, bottom of the rung. So, all we're trying to do is to -- to open the door a little wider to bring in a few more people that we can pick and choose from.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Well, are you saying that the top three aren't in that category, that tests well and will perform well in the job and so forth? I know that we may be overlooking somebody, but isn't that part of the process, to be able to test well to get on the list?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

No, absolutely not, Senator. As -- as -- as I just said, that there are other attributes that a person has that makes them maybe more qualified for a position, especially a position when we're dealing with people dealing with people. And -- and so, somebody that goes there and takes a test and gets a high mark on the test maybe just doesn't have any person traits and -- and would be bad for the position. And if we limit ourselves to three, that the possibility that we -- we -- we put somebody in there that actually will be more of a deterrent to the position than what -- what somebody else may be. All we're asking is, just give us a wider window of -- of applicants in order to pick from.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Well, then why don't we make it twenty-five and give the -- and give them a real range to pick from? I mean, you know, I think the list is so that we narrow down the applicants to the most qualified so that the most qualified are selected, and it seems to me like if the list is ten, now we're -- we're opening up so that maybe the most qualified is not going to be selected.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Well, that surely is not our desire and that I'm sure that the most qualified probably will be -- be hired. And I guess what we are asking is that we look at more than just that testing that CMS makes everybody take; we look at more than that as a -- as a -- an attribute to having that position.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam. Oh, I'm... Do you have an additional question, Senator? Senator Risinger.

SENATOR RISINGER:

Senator, how does this affect the veteran's preference?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

The veteran's preference has absolutely nothing to do with this piece of legislation. The -- the veteran's preference is still intact, just as it is with any other position.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, what purpose you rise, sir?

SENATOR ROSKAM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR ROSKAM:

Senator, who -- who are we trying to help here? I assume there's somebody that you know of that got caught in a situation, and who is that person?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Personally, I'm not trying to help anybody with this situation. All this is, is this has been brought to me by the Secretary of State's Office, that we are looking at approximately eleven entry-level titles, the lowest rung of the ladder for people that work for the -- for the Secretary of State, that -- that we have clients -- or, we have applicants go take the tests and some people just have very difficult times in taking tests and -- and that their -- their score does not really reflect what possible position job they could do in dealing with the public.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Senator, if they're having a hard time taking the test -- and I assume this is not -- this test is not particularly sophisticated, is it? I mean, it's -- it's a fairly straightforward deal. If they're having a hard time passing the test, why do we want 'em working for the State of Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

It's my understanding that the test is a time element test. You have X amount of seconds or minutes in order to answer as many possible questions as you can, and -- and, you know, I've -- I've actually known attorneys that had a hard time passing their bar exam but they still ended up being very good attorneys, you know. So -- so, for some reason, some people just have a very difficult time. When they have to sit down, they get nervous, they cannot perform as well as they would like to on the test, and all we are asking is that we just don't use the test scores as the sole and only criteria for picking somebody to fill these positions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, your example with attorneys, all those attorneys had to ultimately pass the test. So, let's set that example aside. It seems to me that what we do want in the Secretary of State's Office - I'm sure you've gotten the same

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

complaints and calls over the years as I have - they want highly motivated people that can multitask, that can handle time pressure. People are coming in lines. They move 'em here, they move 'em there, and they're not confused, they're not befuddled, they're not perplexed when that happens, but they perform well under that. And it seems to me that if we want the best and the brightest, we want people who have had the opportunity to prove themselves under time pressure. You know, I'm not accusing you, Senator, of doing anything untoward - and we all sort of have to do around here what we have to do - but if I didn't know you and your own personal virtue, this would look like an attempt to get a particular individual who did not perform, who is a friend of someone in the Secretary of State's Office to somehow come down to the General Assembly, change the standard because that individual couldn't meet the standard, couldn't perform that everybody -- the standard to which everybody else is expected to do and -- and now they're coming to the Senate and asking for help. So, I would just urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger, what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RAUSCHENBERGER:

Senator Walsh, I just want to know how you think this bill relates to the firefighters' promotion bill that's been kind of a raging debate down here for at least four or five years. Fundamentally, in the course of that bill, what the firefighters argued was too much discretion leads to favoritism in the selection and they wanted, in fact, to strengthen the role of testing in selecting command officers for life-threatening situations. So, I -- I just am real uncomfortable having supported the firefighters in -- in narrowing the discretion, saying that test scores do matter, and now coming along and saying in the Secretary of State's Office, where there -- there's no, you know, life-threatening risk command responsibilities, that you ought to take the qualified applicants who succeed with the test and tell 'em, "I'm sorry,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

we're going to pass you by and select somebody else." Did -- do you -- I mean, do you think this is diametrically opposed to where we've moved on firefighters' promotion?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Senator, in all due respect, I think this has absolutely nothing to do with what we just passed with the firefighters' promotion bill. Firefighters' promotion bill dealt with people that had served many, many, many years in the fire -- in their fire departments and they were moving up the ladder and -- and possibly looking at the -- the peak, the top jobs. We're talking about -- we're talking about bringing people in that maybe are looking at their very first jobs, young people. We're talking about entry-level positions. We're talking about people that are probably making eighteen thousand dollars a year as an entry-level person that sits behind a desk and deals with people that come in every day to the Secretary of State's Office. We're not asking anything about putting some nincompoop to work that can't pass a test. We're talking about a situation where there may be no more than three points on a scoring of a test that -- that differentiates {sic} between the high score and somebody that's number four or number five. We are asking that it gives us the opportunity to look at more of the attributes of an individual than just the -- using the test scores as the sole criteria of hiring somebody.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, maybe the Senator could just clarify two things and I'll turn off my mike and wait for his answer. One, are you saying this bill only applies to first-time employees? That seemed to be what you're implying. So, we -- we can be assured that someone who's already in State government or already in Secretary of State applying for a promotion this wouldn't apply to. That's question number one. And question number two, could you tell us how long this rule, the current statute, has been in effect and what Secretary of State instituted it?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator -- Senator Larry Walsh.

SENATOR WALSH:

To answer the second question first, no, I do not have any idea how long this rule has been in effect, and -- and -- and your first -- your first question is, is my understanding is this -- this amendatory change generally affects eleven entry-level titles - not eleven positions, but eleven different titles - in the Office of Secretary of State that, in general, are -- in nature, used by almost all the departments. We're talking about first-time -- basically, first-time employees in the Secretary of State's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To the bill, I -- I stand...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR JACOBS:

I stand in strong support. I -- I think there's some confusion here. Number one, I -- I think that whenever we take tests and they take tests for employees, Senator Walsh is not saying that -- that if you got an F and somebody got an A, that the Fs going to get to the top of the list. What -- what this bill does, everyone has to receive an A. They have certain numbers - high As, middle As, low As, whatever you want to call it - and what we're saying is let us pick from the A candidates. So, it's not as if we're -- we're not still picking from some of the brightest, but there are other alternatives. In relationship to the discussion about the attorneys. The attorneys pass at an entry level. They just don't take the best and brightest of the attorneys and let them go to work. If you have passed that minimum requirement to -- to get into the Bar, then you become an attorney. It's the same with this bill. They're all As. Just that the high A gets preference and things such as personality and availability to work with people is long forgotten. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Walsh, to close.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR WALSH:

Well, thank you, Senator Jacobs. You did a -- you did a great job and -- and that's exactly why. We're not asking -- we're not asking, with this piece of legislation, that somebody that absolutely bombed the test, that had -- couldn't answer five questions in the time allotted. We're asking that if there were as many as six or five people that all come within a point of one another, that -- that we were allowed to go to ten - to ten - to pick and choose of those A recipients of who may fill this -- this entry-level position. I -- I thank you for the dialogue and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 496 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 30 Ayes, 25 Nays, 1 voting Present. House Bill 496, having received the required constitutional majority, is declared passed. Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

Thank you, Mr. President. I'd request a verification on the previous roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Roskam has requested a verification. Will all the Members please be in their seats? Madam Secretary, please read the affirmative votes.

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Does Senator Roskam question the presence of any Member voting in the affirmative? Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Thank you, Mr. President. I withdraw the request.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Madam Secretary, on a verified roll call, there are 30 Ayes, 25 Nays, 1 Present. House Bill 496, receiving the required constitutional majority, is declared passed. Senator Welch in the Chair.

PRESIDING OFFICER: (SENATOR WELCH)

House Bill 497. Senator Trotter. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 497.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 497, I believe, is a noncontroversial Secretary of State initiative, raising the amount -- the annual amount that the Secretary of State may retain in the Special Services Fund to twenty-two million dollars from nineteen million dollars. It provides that starting on August 15th, 2003, money in excess of twenty-two million shall be transferred to the Statistical Services Revolving Fund. The rationale is that the enhancement of the 2002 law allowing on-line access to driver abstracts has increased tremendously and these dollars would help deal with those costs.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, isn't this a reversal of the agreement we had with Secretary of State in the past?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR RAUSCHENBERGER:

Doesn't this represent a departure?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

If you'll please repeat your question. I'm sorry.

PRESIDING OFFICER: (SENATOR WELCH)

Please repeat the question.

SENATOR RAUSCHENBERGER:

Doesn't this represent a departure from the understanding we had with the Secretary of State in the past? Has he given a reason that he needs this additional authority?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

The rationale that he gave that I have is that due to additional purchase of using the online access, this enhancement has increased the revenue from driver abstracts by over three million dollars, and he needs this dollars to continue those services.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter. I mean Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

If -- if this bill were not to be approved, instead of getting -- what would happen -- what happens if this bill is not approved? He retains seventeen or nineteen million?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

That's correct, Senator. It'd be nineteen million dollars. This asks for additional three million, taking it up to twenty-two.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

And if -- if we were not to approve the bill and it were to stay at the lower number, where does the additional money go?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

It goes into the Special Services Fund. Let me verify this. Excuse me. The Statistical Services Revolving Fund.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Rauschenberger, anymore? No? Senator Trotter, to close.

SENATOR TROTTER:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 497 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Members voting Yes, 2 {sic} (4) Members voted No, and no Member is recorded as voting Present. House Bill 497, having received the required constitutional majority, is declared passed. House Bill 514. Senator Emil Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 514.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. House Bill 14 {sic} is legislation initiated by the Coalition of Illinois Counselors which seeks to address the severe shortage of school counselors in Illinois. Under current law, the school counselor is defined as a qualified guidance specialist who holds or is qualified for elementary and secondary or special K through 12 certificate issued by the State Teacher Certification Board and a School Service Personnel certificate endorsed in guidance issued by the State Teacher Certification Board. This legislation will allow the State Board of Education and the State Teacher Certification Board to set other requirements by rule in lieu of a person holding a qualifying -- holding or is -- qualifying for a teaching certificate. Furthermore, it allow the State Board and the State Teacher Certification Board to establish rules to allow certified school counselors from other states who have experience as school counselors and equivalent and greater educational experience as Illinois requires to be certified in Illinois. That's what the bill does, and I ask for a favorable vote.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I just yield -- or, I just rise in strong support of the Senate President's bill and wanted that reflected.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 514 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members are voting Yes, no Member voted No, and none are recorded as voting Present. House Bill -- 514, having received the required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President and -- point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR LUECHTEFELD:

With me today is a man that many of you might remember. Even though this -- this Body has changed an awful lot of faces, I'm sure there are many in this Body that remember a man who's been -- was here, I think, for twenty-two years in the House and the Senate. Would like to -- for you to welcome him back, if you would, and if you get a chance to say hello. Ralph Dunn. Ralph Dunn.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dunn, please wave to the crowd. Welcome back, Senator Dunn. Senator Luechtefeld.

SENATOR LUECHTEFELD:

With him is a friend of his, Jordan. She's eleven years old today. If she'd stand, please. Jordan.

PRESIDING OFFICER: (SENATOR WELCH)

Hi, Jordan. Welcome to Springfield. On page 26, House Bill 515. Senator Roskam. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 515.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. The sponsorship of this bill has been transferred this morning to Senator Petka, and so I would defer to Senator Petka, who's on his way.

PRESIDING OFFICER: (SENATOR WELCH)

On House Bill 515, the new sponsor is Senator Petka. Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the Senate. House Bill 515 would require that a law enforcement agency which initiates a firearm trace, that in the event that the investigation is unsuccessful, that they -- they would serve a notice upon the individual who was the subject of that investigation and then be required to post an inventory of information that they have received. Certain exemptions are placed within the Act, such as keeping of records under the federal Gun Control Act of 1968, the Criminal Code of 1961, the Firearm Owners Identification Act, or any records which might be subject -- or part of an open and -- criminal investigation or proceeding. The -- this legislation came out of the House with 113 votes. The -- the legislation basically protects a -- a right of privacy that exists under the Constitution, and I would certainly move for its passage. And, Mr. President, I'll accept any questions that may be tendered.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs moves the previous question. At this time, we have one, two, three, four, five, six individuals requesting the opportunity to speak. Senator Meeks.

SENATOR MEEKS:

Thank you so much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Indicates he'll yield.

SENATOR MEEKS:

Yeah. Senator Petka, does this bill actually notify an individual, a criminal, that they are in the process of being investigated?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Senator, under this legislation, which closely tracks our current eavesdrop statute -- and just for your edification, under our existing Illinois law, if there is an application that is made for a wiretap on a person who is a, quote, "criminal" and after the wiretap is obtained, it is a requirement, under current law, that within ninety days after we secure that wiretap, which must be based on probable cause that the person is committing a felony or may have committed a felony, under current law, a State's attorney and law enforcement agencies are required to notify the individual that they've wiretapped. However - however - in the event that there is an ongoing, active criminal investigation, the law enforcement agency or the State's attorney has the right to tell the judge that -- the active investigation remains open and, because of this, that those requirements of notification should be put off until such time as the investigation is either closed or there has been a criminal charge.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

That -- that will cover wiretapping, but in the case of handguns, are you saying now that your legislation, if passed, will give individuals who are being investigated for having a handgun that same privilege?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Senator, what I am saying is that the process that is being followed here is absolutely no different at all than the process that is followed currently by prosecutors throughout the State and police departments throughout the State. I was a State's

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

attorney for ten years. I made application for eavesdrops on people who were charged with -- who -- who were the subject of investigations for murders, drug deliveries, official misconduct. After ninety days, I was required, under existing law, to -- to give a notice to that individual and give him the opportunity to come to a -- before a judge and make application to see what it was that I was investigating.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

To the -- to the bill, Mr. President: I think this is an extremely bad bill, seeing as how we have so many problems with handguns, especially in our inner city, and I would urge all on this side to cast a No vote for this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR HARMON:

Thank you, Senator. I know that you are a -- a strong supporter of law enforcement and this bill is being opposed by law enforcement, at least in my district, and it appears to me that it protects illegal gun dealers and criminals who use guns. I hope that, in the course of our conversation, you can explain to me why I'm wrong. This bill does -- well, current law requires law enforcement, when they recover a gun that's been used in a crime, to try to trace that gun, and as I understand it, this bill would require that law enforcement agency to give notice to those people being investigated and permit those who have been investigated to have their criminal records destroyed. Let me -- let me give you a specific example to see if I'm -- if I'm misunderstanding. Let's say that the police recover a gun from an armed robber who would not have been legally permitted to own a gun, and -- and in the course of doing the tracing, they -- they trace it back to someone they suspect is a straw purchaser. The armed robber is guilty and knows he's guilty and he pleads guilty. Your bill would require the law enforcement

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

agency to notify the individual they suspect of being the straw purchaser and allow that straw purchaser to come into court to have his records destroyed, even before they could initiate an investigation. Am I -- am I wrong?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Unfortunately, Senator, you are wrong. The -- you used the term that it would "require" it. It does no such thing. The law enforcement community, the State's attorney has the opportunity -- in fact, has the right and the duty to appear before that -- that tribunal and state to that court that the gun can be -- that this gun is involved, as a result of this trace, in an active and open criminal investigation, and as a result, the notice that this statute indicates would simply not be operative. The -- and in terms of your law enforcement community being opposed to this legislation, I can offer you some very compelling reasons why that might be the case. My State's attorney is not opposed to this legislation, and I would bet that if I had an opportunity to speak to the sheriff of my county, he would not be opposed to this legislation for the simple reason, Senator, that the -- that this in no way, shape or form would -- interfere with any legitimate - and I underscore the word "legitimate" - investigation dealing with that firearm being used in a crime or used in a felony. It would -- it would have no effect whatsoever on the circumstance that you described simply because a couple of things could happen with that firearm. One of the things is it could be -- the firearm itself could be submitted to an order of destruction because it has been seized pursuant to law, but law enforcement currently has the ability to come in and ask that it not be destroyed and records not be destroyed in connection with that because it is an active, open investigation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Senator, I -- I appreciate your comments. I think we still may have a gap, and it may be a technical gap that is not intended. But as I read the bill, the law enforcement agency

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

that requests the trace must quickly give notice to the person who was subject to that -- that trace, and the exemption for existing investigations governs only the original criminal -- the investigation which triggered the trace. So, in case -- in the example I cited before, the armed robber who was investigated and pleaded guilty, that investigation is over. That triggers the obligation on behalf of law enforcement to notify the suspected straw purchaser or gun dealer before that investigation can even get under way. That's what it says in the bill. I would encourage you to take this out of the record and correct that gap.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Senator, I -- I respectfully but very forcefully disagree with you. The person who is notified of this trace is the person who, in fact, has just pled guilty to the offense. He's the person who is the subject to the criminal proceeding. That's what it says.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon. Senator Petka.

SENATOR PETKA:

We're talking about the trace. That is the person who is notified that the trace -- the -- the person who is the armed robber.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon, do you wish to continue?

SENATOR HARMON:

Well, the -- the armed robber who was caught with the gun in his hand, we're not -- we're not trying to track down whether he owns the gun. We know he has the gun. We're trying to trace it back to the last legitimate owner, the last owner of record, the purchaser. That's what the trace goes to. That goes to the illegal gun dealer, the gunrunner, the gun dealer in -- in suburban Cook County that is selling guns to people who shouldn't have guns. Those are the people you're going to be notifying.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR PETKA:

Senator, once again, the -- the very last paragraph that deals with the exceptions, and just take a look at the very last clause in the last paragraph which says that those person -- those records pertaining to an open and active criminal investigation. If the person -- if -- if the police insist that there is an individual out there who knowingly transferred a firearm illegally to -- and there is an ongoing criminal investigation at that point in time, the State's attorney of the county has the right - in fact, the duty - to insist that notification not be given. There is nothing different -- there is nothing different than that, Senator, than what has been the practice in this State by prosecutors and police for twenty-five years. I did it as State's attorney for ten years. It never, ever, ever interfered with a legitimate ongoing investigation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Senator, in all due respect, the last paragraph which has the exemption for an active criminal investigation governs only the destruction of records. It does not speak to the notification of the suspected gunrunner.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

The first paragraph, also, of the insert contains basically the same language, and that is that this request can only be made, within a -- for -- after the termination of the investigation for which the trace was initiated.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon, could you wrap it up?

SENATOR HARMON:

Yes, sir. Senator Petka, again, in all due respect, the -- the trace was initiated in response to the investigation of the armed robber, not the gunrunner who sold him the gun. You are going to be tipping off gun dealers who are illegally selling straw purchasers. To the bill, Mr. President: This is a bad bill. This interferes with law enforcement. It is opposed actively by the Cook County State's Attorney's Office, the City

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

of Chicago. I urge all of my colleagues to vote No if the sponsor will not take it out of the record and correct this gap.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will, Senator.

SENATOR HENDON:

Thank you. Senator Petka, I -- I know you just got the bill. I wish you had left it with Senator Roskam so that we could question him as vigorously as he questions us, but you have the bill now, so I -- I have to question you. I'm reading this legislation, and as I look at the analysis, I see that the State's Attorneys are against it, the Illinois Citizens Against Handgun Violence are against it, City of Chicago is against it, Chicago Police are against it. All the law enforcement agencies are against this bill. And I know you're a former prosecutor of whom I have a great deal of respect, but this is a very dangerous bill. I'd like to ask you a -- a few questions. It says in page 2, section 4 that a list of the records requested and from whom, this is what the law enforcement community must release to that person subject to the trace within sixty days, a list of records and from whom. My question to you is, let's say the person who the trace was initiated against is not a criminal, but this, where they have to give that person a list of -- of everyone that they were after, what if one of those persons is a convicted felon? Would the State's attorneys have to let a convicted felon know that they were being traced, or would they have to let the person who was being traced know that those convicted felons' - that they're working with - name is also on the list?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

I'll -- I'll answer your question as soon as I refute something you said, that, quote, "all law enforcement people in the State are opposed to this legislation". Contrary to the way that the State's Attorney of Cook County may think, he's not the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

spokesman for the State's Attorneys Association of this State. There are State's attorneys who actually think that this is a piece of legislation which will not in any way interfere whatsoever with -- with a legitimate investigation. In terms of giving the notice, Senator, the only thing that it -- that I'm going to suggest to you is that in the event that you have, for lack of a better term, "rogues" out there who are pretending to be involved in investigations, who out of curiosity want to know how many firearms that you have, that are not part of any legitimate investigation, it seems to me that under the Illinois Constitution, which guarantees you, sir, a right to privacy in your own personal effects and privacy in terms of transactions which are not criminal, why in the world - why in the world - would you want anyone to accumulate very personal data on you if it was not part of a legitimate criminal investigation? If it was a legitimate criminal investigation that was ongoing, under the words and plain usage of this statute, law enforcement has a right to protect itself by simply telling the judge that this is inappropriate case for notification to be given. And if I may add, Senator, what I told a previous questioner, I did this. I was State's attorney of this county. As another Senator who sits in this Chamber, I had the -- the high opportunity and -- and privilege and honor to serve. We would be required, when there was a finding of probable cause - that is that we made application that said that we believed that the person under investigation probably committed either a murder or an arson or dealt drugs - had a judge sign a -- basically a warrant that gave us the right to eavesdrop that person, but if nothing came of that investigation, we would be required, under current law, to send that person a notice, or his lawyer a notice, that we had, in fact, initiated an eavesdrop against him. It was the thinking of the General Assembly then, and I believe properly so - and I was the State's attorney at the time that that legislation passed - that if the law enforcement aspect of the investigation is over, that at that time, sir, that if they request information about why they are -- they were investigated, they should be -- the information should be given to them. And -- and that applied to whether or not it was a public official, which, unfortunately, I was required to do, or

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

whether or not it was "Donny Dope Dealer". If it turned up dry, the law required us to do it. But I can tell you, Senator, it never, ever, under any circumstances, ever -- interfered with a legitimate law enforcement investigation.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, we are on the clock now. So, there's a five-minute debate limit per Member. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, Senator, you said that there -- other State's attorneys were supporting this bill. Can you name me one State's attorney who sponsored this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

There is not a question of it being -- there -- there's -- there was no opposition -- there was no opposition slips that were filed in either the House or the Senate. The House sponsor, Mary K. O'Brien, Democrat from Iroquois County. It got a 113 votes. I -- I don't understand, really, Senator. I mean...

PRESIDING OFFICER: (SENATOR WELCH)

Okay.

SENATOR PETKA:

...somebody's seeing ghosts in a graveyard on this one, because...

PRESIDING OFFICER: (SENATOR WELCH)

That answers the question. Senator Hendon.

SENATOR HENDON:

Often, Senator, we need to kill things that come over from the House, so just because it got 113 in the House, might be a good reason to vote against it. But, as I read it, the only proponent is the National Rifle Association. So, why would the National Rifle Association be sponsoring a bill that's a good bill in -- in a time when we have handguns everywhere? The question I asked you that you did not answer is: Will the State's attorneys have to notify convicted felons? Are we exempting convicted felons from the notification or are we not?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka, that's a yes or no question.

SENATOR PETKA:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator, every single person under current Illinois law, if they are the target of an -- of an eavesdrop application, no matter who they are - if it was John Wayne Gacy - we would have to give 'em that notice; however, if there was a legitimate ongoing criminal investigation, law enforcement could indefinitely postpone that notification.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Thank you -- thank you, Mr. President. I would just like to speak to the bill. Senator Petka, I, too, respect his background in law enforcement and have a great deal of admiration for him. And the questions that have been asked have been answered, but my interpretation of the answers is quite different. I would submit that this is not a matter of privacy but this is a matter of public safety. This is not a matter of privacy anymore than a driver's license number or license plate is a matter of privacy. This bill, there's no question in my mind, would aid gun traffickers when you have to tell them of an investigation. In the last couple years, there have been several documented crimes in the City of Chicago and throughout this State that -- including the murders of police officers, an Officer Ceriale, in an area where I work, and an Officer John Knight, a neighbor of mine, who have been killed by guns supplied by gun traffickers, and that's why I rise and urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Obama.

SENATOR OBAMA:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR OBAMA:

Senator Petka, you know, just to follow up on some of the comments that were made by Senator Harmon, because I confess that this bill sort of slipped by me during Judiciary hearings. I voted Aye to get it out of committee. I don't recall having any vigorous debate like this in committee, and obviously there wasn't vigorous debate over in the House because it passed out

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

113 to nothing. I don't think that any of us object to the principle that if law enforcement initiates an intrusive search or a trace on you or me or anybody, that at some point we should have some right to know that. We don't like the idea that Big Brother should be out there just snooping around in our business without us, at some point, knowing that that's the case. Senator Harmon, I think, raised a very narrow and particular point, and it seems to me that it's this narrow particular point that is the subject of dispute and that is that although it's clear that a criminal investigation would suspend the need to report the trace, as I read the bill -- and I must admit that, you know, I -- this not a -- I -- I know that Pete Baroni did not draft this because it's not as clear as I would like. It does seem that you could potentially have a situation in which the armed robber is -- is under arrest, a trace is initiated. You could interpret this bill fairly easily to say that you don't have to notify him that you're tracing the gun but the gun dealer or straw purchaser who potentially illegally sold him the gun would have to be notified before the criminal investigation was completed. Now, it strikes me that if that's not your intent - because that's the whole point of a trace; the whole point of the trace is to reach out and see is there some gun dealer or -- straw purchaser who is illegally funneling guns to criminals - if that's not your intent, I don't understand why we could potentially not amend this bill to simply say that the criminal investigation would encompass and include the possibility of somebody who had sold the gun illegally, and until that investigation was completed, notification would be not required. The minute you were completed with that trace and that investigation, then notification would be required. And that's a bill, it strikes me, that I could support, I suspect Senator Harmon would support, and we could find consensus on this. Do you have any interest or -- or willingness to work with us to -- to clarify what it sounds to me, at least, is your intent?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, your time is up. Senator Petka, would you answer that question?

SENATOR PETKA:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

I'll try to answer all the questions that are raised, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Briefly, please.

SENATOR PETKA:

Senator, the -- the opportunities for -- first of all, Senator, if you could pull out a shell bill that could be -- act as a trailer, we might consider talking about it. But what I'm suggesting to you, Senator, is this: The way that this operates is absolutely no different - none whatsoever - between the way that current Illinois law operates. I -- I'm saying it a dozen times. If a person walks before a -- a magistrate, or his lawyer walks before a magistrate, and said, "Hey, I got this notice, what is this all about", and law enforcement or the State's attorney comes in and says, "Judge" -- or, excuse me. Let me back up. A person who is not the subject of an investigation is a person that can utilize this -- in terms of -- of the process that's laid out in this legislation. A person who has been the target of a legitimate law enforcement investigation, not a fishing expedition, not a -- rogue cowboys going out and simply compiling a database on you for -- for whatever reason - and you know, we used to have those things done in the City of Chicago back in the sixties and the seventies; that's, you know, one of the things that causes me a little bit of pause - if, in fact, it's a -- it's a legitimate investigation, this Section will not apply.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Would the sponsor yield for a couple questions?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR HAINE:

Can we -- Senator Petka, may -- would you run through the process by which information is not given to someone who -- whom is the subject of the trace?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Thank you so much, Senator. It was not too long ago that you wore the hat of being a prosecutor. I -- I will analogize it to those times when you, unfortunately, were in a position where you had to make application for an eavesdrop, and the -- you had to show a judge probable cause to believe that the person that you wished to eavesdrop may have participated in a crime or evidence was going to be discovered that would indicate the person committed a crime. After a period of time - and I'll analogize that eavesdropped conversation to something along the lines of a trace - after a period of time, if you're investigation hit a stone wall, under -- current law that you and I've worked under, you'd have to give notice of that. If your investigation, however, was persisting and ongoing, you had the right to go along with the affiant on your complaint for the -- for the overheard and say, "Judge, we continue to be involved in a criminal investigation", and notice would not be required. And that could be extended, literally, indefinitely, as long as there was someone who came in and said this is a part of a legitimate investigation. However - however -- well, go ahead. Next question, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes, sir. I'm sorry, Mr. President. The statute says that this -- this is a -- a Section in the statute dealing with tracing, generally, and this Section to be added by this bill requests a trace under these -- these types of circumstances: sixty days after termination of the investigation for which a trace was initiated or records were requested, upon the initiation of criminal proceedings or immediately upon -- or -- or -- or, the third thing was, or records were requested. So, this is an inclusive prohibition on random tracings, right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

There's no question. It is a prohibition against random tracing to permit a person to maintain some form of privacy as far as his individual transactions, provided that he has a valid FOID Card and follows the other prerequisites of the statute.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

But it does not inhibit law enforcement from not divulging the evidence of a trace if an officer of the law or a State's attorney believes that this should remain closed because it's an active criminal investigation; for example, this could be a suspected straw purchaser or a gunrunner. Am I incorrect upon that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine, your time is up. Senator Petka, to close and answer the question.

SENATOR PETKA:

To answer that question or -- or to...

PRESIDING OFFICER: (SENATOR WELCH)

Yeah. Answer the question and then close.

SENATOR PETKA:

...to close? And close?

PRESIDING OFFICER: (SENATOR WELCH)

Yes.

SENATOR PETKA:

Okay. Senator, very candidly, I wish you would ask it again. There's a lot of noise in here. I didn't hear the last part of that question as well as I'd -- I'd like to hear it or...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine, please ask your question again.

SENATOR HAINE:

This proposed amendment to the tracing statute, in your opinion, would not inhibit law enforcement from making a determination that this should remain an open investigation and therefore not inform the person whose weapon was traced. They can make that determination internally that this may be a trafficker or a straw purchaser or someone else. Am I assuming that, for purposes of this statute? An officer could say, "This is an important investigation; we're not going to inform this person." Right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka, please answer the question, then give your closing statement.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR PETKA:

Senator, I will agree with you, with what you said, as far as that fact that as long as there's an open, ongoing investigation, that the requirements of this Section, in terms of notice, do not have to be met. For legislative intent, Senator, it is my intention that legitimate, aboveboard open investigations cannot be, basically, interfered with or harmed or in any way compromised as a result of this legislation. It is aimed primarily at random traces of individuals who are not involved in any criminal behavior and there's no legitimate reason for doing it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka, to close.

SENATOR PETKA:

May I -- how long do I have for a close, Mr. President?

PRESIDING OFFICER: (SENATOR WELCH)

Three minutes.

SENATOR PETKA:

I'll have to be like the Federal Express quick-talking person. Thank you so very much, and I very much appreciate the opportunity to discuss this issue and the questions that were asked, and that, very candidly, I am -- I'm surprised and maybe almost shocked by the -- those who believe that somehow in some way, that we are singling out gun purchasers -- illegal gun purchasers and gunrunners for, quote, "special treatment". Under currently existing law, if we -- we had an eavesdrop and the eavesdrop was against any Member of this General Assembly from the Sangamon County State's Attorney and a wiretap ensued, within ninety days, you'd have to be given notice of that, the same way as a convicted drug dealer, the same way as a person who is a -- released from prison on a murder charge. That's the way the law is right now. It is not compromised -- in investigations that are legitimate because we have placed in, to the discretion of the judge, the opportunity to not compromise investigations. What this legislation will do will be to prevent the random accumulation of very, very private information about an individual where there is no legitimate law enforcement investigation that has been undertaken. Unfortunately, we've had, in the past, files that have been accumulated on people who

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

were war protestors, that the existence of those were denied, but the fact of the matter is, those files were kept. The fact of the matter is that this was -- that was not a legitimate investigation. To simply permit open investigations of people who have every constitutional right, if they choose, to have those firearms, is simply wrong. All this does is protect people who are innocent. Those who are targets of investigation, who have everything to fear from law enforcement, have everything still to fear from this legislation. I urge an Aye vote because, very candidly, it's the right thing to do.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 515 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Members voting Yes, 22 Members voted No, no Members recorded voting Present. House Bill 515, having received the required constitutional majority, is declared passed. House -- House Bill 531. Senator Clayborne. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 531.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator James Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. This is similar to -- this is identical to Senate Bill 216 and it deals with quick-take for the Bi-State Development Agency, which is similar to your CTA, and it is for the expansion of the rail line to MidAmerica Airport to Scott Air Force Base. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Could we have a little quiet? We can't hear Senator Clayborne. Senator Clayborne indicates he'll yield, Senator.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR ROSKAM:

Senator Clayborne, you have carried a panoply of bills this year. Some of them are beautiful and noncontroversial and some of 'em are real screaming heaters. Now, which one is this? Is this the one that's the narrowly crafted quick-take for the -- for the rail program or is this one of those ones that we shall -- we call a little bit more aggressive?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Roskam, this is a good economic development bill, that the Republican Leader will vote Yes on this one.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Senator, is the one on the rail program or is this yet another SWIDA takeover of southwestern Illinois?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

This bill is strictly for the expansion of the MetroLink.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Yeah. Thank you, Mr. President. I just want to make a statement on quick-takes in general in this Session. There are those, like this bill, which are of a -- a great public purpose. And I believe I have one working its way over here from the House that is for a great public purpose in Mt. Vernon, and I believe it's Crestwood, Illinois, and -- and Palatine, Illinois. And there's another one that's coming up closer to my home at O'Hare Field, which overreaches a little bit, and we have to make sure that we discriminate the quick-takes from the quick-takes. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

I just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

The question is, shall House Bill 531 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Wojcik. Take the record. On that question, there are 45 Members voting Yes, 9 voting No, and no Members recorded voting Present. House Bill 531, received the required constitutional majority, is declared passed. House Bill 547. Senator Silverstein. House Bill 552. Senator Hunter, with leave to handle the bill for Senator Jones? Senate Bill 552. Senator Jones. Senate Bill 553. Senator Jones. Senate Bill 557. Senator Jones. Senate Bill 558. Senator Hunter, handling the bill for Senator Jones? Read the bill, Mr. Secretary. It's a recall? Senator Dillard seeks leave of the Body to return House Bill 558 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 558. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Earlier this morning, Senator Jones, our Senate President, was nice enough to allow me to take over the chief sponsorship of this bill, and the amendment is -- is mine. It does two things. The bill would provide that the limitation period for prosecuting an offense does not include a period in which the material witness is placed on active military duty or leave, a situation which we're, with the Gulf War, facing today. And the second thing it does is it changes the bail bond statute to give a court greater latitude to revoke bond of a person charged with domestic violence. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeking recognition, all those in favor will say Aye. Opposed, Nay. The Ayes have it. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported, Mr. President.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 560. Senator Hunter. Read the bill, Mr. Secretary. Wait. It's a recall. Senator Hunter seeks leave of the Body to return House Bill 560 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 560. Madam -- Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment 2 to 560 simply expands the -- this is the -- the sports penalty bill. It expands individual coverage covered under the aggravated battery to include a -- a participant as well as a sports official. It also replaces references to playing field and playing areas. And I ask that we adopt this amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 564. Record will electronically reflect that was House Bill -- 560, not 559. Next bill. House Bill 564. Senator Cullerton seeks leave of the Body to return House Bill 564 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 564. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Yes. This is an amendment for the State Police regarding background checks, and it allows for us to continue to access the FBI criminal histories. Ask for its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 567. Senator Haine. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

...Bill 567.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill merely adds the circuit court clerk of each circuit to the number of authorized officers that may enter into agreements with the Attorney General to provide information to comply with the automatic victim notification program. There was an oversight some years ago. This rectifies this. This is part of the Attorney General's package. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall House Bill 567 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, and no Member voted Present. House Bill 567, having received the required constitutional majority, is declared passed. With leave of the Body, we will turn to House Bill 570 later. House Bill 572. House Bill 572. Senator Shadid seeks leave of the Body to return House Bill 572 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Reading is House Bill 572. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Senate Amendment 1, what it does is provides for court-ordered restitution from a convicted drunk driver in an amount up to a thousand dollars, which is currently five hundred dollars, per public agency - i.e., police, fire and ambulance - if his or her violation proximately caused an incident resulting in an appropriate emergency response.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 579. Senator Viverito. Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 579.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. The Attorney General may receive funds from the Capital Litigation Fund -- Trust Fund when ordered by a presiding judge of the Criminal Division of Cook County to prosecute, to supervise prosecution of Cook County

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

capital cases. This is a proposal by the Illinois Attorney General. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 579 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and no Member was recorded voting Present. House Bill 579, having received the required constitutional majority, is declared passed. Please turn to page 33 on your Calendar. House Bill 666. Senator Woolard. Please turn to page 36 on the Calendar. House Bill 715. Senator Demuzio seeks leave of the Body to return House Bill 715 to the order of 2nd Reading. Senator Demuzio seeks leave of the Body to return House Bill 715 to the order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 715. Mr. Secretary, are there any Floor amendments approved for adoption?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Apparently this is a housekeeping amendment from the Secretary of State's Office, that when the DUI Fund was first established, apparently the Secretary of State Police DUI Fund was left out. This is language to establish a -- a fund so that they could spend the money that they've been collecting.

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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senator Wojcik, for what purpose do you rise at Senator Peterson's microphone?

SENATOR WOJCIK:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

I rise at Senator Peterson's microphone because my microphone is broken. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR WOJCIK:

I'm very proud and pleased today to have some honored guests in the gallery. One of them happens to be my daughter and the other one happens to be my granddaughter, who are here with the Nathan Hale Grade School from Schaumburg. It's the fourth grade. So if you'd welcome, I'd appreciate it.

PRESIDING OFFICER: (SENATOR WELCH)

If they'd all stand up, we'll welcome them to the Senate. Thank you for coming down here. Please return to page 34. House Bill 690. Senator Obama seeks leave of the Body to return House Bill 690 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 690. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This amendment would -- on a shell bill, essentially shifts a program relating to recruitment and training of minority doctors from the Board of Higher Ed to the Department of Public Health. I know of no opposition and I'll discuss it further if people have questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave, we will come back later to House Bill 691. On the top of page 35, House Bill 696. Senator Harmon seeks leave of the Body to return House Bill 696 to the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 696. Madam -- Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The amendment to House Bill 696 amends the Illinois Guaranteed Job Opportunity Act. We are essentially taking a House bill that was held up in Rules and putting it onto this bill. I look forward to debating it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 699. With leave, we'll return to that bill. House Bill 702. Senator Hunter. Senator Hunter seeks leave of the Body to return House Bill 702 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 702. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment 2 to 702 -- House Bill -- House Bill 702 adds antidepressants to the list of drugs upon which the Department of Public Aid shall not impose requirements for prior approval based on the -- on the preferred drug list. I ask for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 714. Senator Shadid. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 714.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

...out of the record. Take it out of the record. I'm sorry.

PRESIDING OFFICER: (SENATOR WELCH)

Mr. Secretary, take the bill out of the record. With Leave of the Body, we'll go to page 38, House Bill 764. On page 38. The middle of the page. Senator Crotty seeks leave of the Body to return House Bill 764 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 764. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. This amendment actually repeals a law that was passed as a special piece of legislation. At this time, the -- myself and my cosponsor represent this area and no one wants that particular legislation to hold true. This was special legislation for a developer, and I will debate this bill on 3rd.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On page 39. House Bill 784. Senator Schoenberg. On page 41. House Bill 816. Senator Larry Walsh. Senator Walsh seeks leave of the Body to return House Bill 816 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 816. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 816 amends the Department of Employment Security Act in regards to Illinois Employment and Training Centers report. Requires that the Department of Employment Security to prepare an annual report for the Governor and the General Assembly regarding the progress of the Illinois Employment and Training Centers in serving individuals with disabilities. Specifies that which must be included in the report and when it must be provided.

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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On page 43. House Bill 836. Turn to page 44. With leave of the Body, we will return to House Bill 858 at a later time. House Bill -- 860. Senator James Clayborne seeks leave of the Body to return House Bill 860 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 860. Mr. Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. Chairman and Members of the Senate. House Bill 860 basically creates some consistency with how low-income housing tax credits -- I mean, how low-income housing properties are assessed. It just gives some guidance and some consistency throughout the State.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 861. Senator Jacobs. House Bill 862. Senator Terry Link. House Bill 865. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 865.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment creates the -- in the State treasury the World War II Illinois Veterans Memorial Fund. Bill came over from the House, got stuck in Rules and I've agreed to put it on this bill, and no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Yes. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator, will this new fund be subject to the Governor's proposal for the five-percent administrative fee as well?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Well, since it's yet to be created, I suspect it's not imposed, but I suspect that, at some point, it will be.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

So, it's your expectation that if the Governor's budget proposal in that regard goes into effect and this becomes law also, that for Fiscal Year 2004, whatever -- and years after, whatever goes into this fund, five percent will be taken out, put in GRF.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

I have no idea.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter. Is there any further discussion? If not, Senator Demuzio, to close. The question is, shall House Bill 865 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Members voted No, no Members recorded voting Present. House Bill 865, having received the required constitutional majority, is declared passed. On page 45, with leave of the Body, we will return later to House Bill 876. On page 46. House Bill 891. Senator Cullerton. Senator Cullerton? Senator Cullerton, on House Bill 891. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 891.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Mr. President, the amendment that was filed was not adopted so I have to take it out of the record.

PRESIDING OFFICER: (SENATOR WELCH)

Take it out of the record, Mr. Secretary. On page 47. House Bill 910. Senator Haine seeks leave of the Body -- Senator Haine seeks leave of the Body to return House Bill 910 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 910. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

This amendment -- or, this bill was a shell bill, came out of the House and we amended it with the following terms and conditions. It enables the Illinois EPA to accelerate corrective action activities pursuant to the Resource Conservation (and) Recovery Act upon the -- the costs being paid by the -- the applicant. And the proponents are BP America. This affects a -- the Wood River Refinery site of the old Amoco Refinery. It's a brownfields development. Very important to the City of Wood River in Madison County. We ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just rise in support of this legislation. The sponsor did a terrific job in committee getting it through. It passed unanimously.

PRESIDING OFFICER: (SENATOR WELCH)

There any further discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading. House Bill 914. Senator Terry Link. Senator Terry Link, 914? On page 48. Excuse me. On page 49. House Bill 940. Senator Trotter. Senator Trotter. House Bill -- on page 50. House Bill 954. Senator Trotter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 954.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. What we have in -- in Senate {sic} Bill 954, it amends the Open Meetings Act. It allows closed meetings to be held by public bodies, such as our utilities, regarding security procedures and the use of personnel and equipment to respond to an actual threat and potential danger to be closed. It also exempts specific items from inspection and copying such as the vulnerability and assets -- assessments, technical construction documents, for security reasons.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

To the bill, Mr. President. I rise in support of it. It passed unanimously out of the Executive Committee, and urge its passage.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 954 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, and no Member is recorded voting Present. House Bill 954, having received the required constitutional majority, is -- declared passed. House Bill 975. Page 51. Senator Garrett. House Bill 986. Page 52. Senator Emil Jones. Senator Clayborne. 986. You have an amendment? Senator Lightford has the amendment. Senator Lightford seeks leave of the Body to return House Bill 986 to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 986. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill becomes the qualified citizens bill to create the Illinois Africa-America Peace Brigade. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 988. Page 52. Senator Link. Senator Link seeks leave of the Body to return House Bill 988 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 988. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this bill is, is -- what had happened is, on the firefighters' promotion bill, which we passed out of here 56 to nothing, inadvertently we missed a -- a couple of words and a -- we missed one sentence inadvertently that was agreed upon by everybody. So instead of going back with an -- a -- a conference committee, or whatever, what we did is we just put this on a -- the whole bill onto a -- a shell bill and this becomes the firefighters' promotion bill

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

with the clarified language, which is agreed upon by all parties.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senate Bill 992. Senator Demuzio seeks leave of the Body to return House Bill 992 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 992. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. President. This is the facility closure bill. I'd like to go ahead and adopt the amendment. We can have the debate on 3rd Reading if you like. So, I move its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On page 55. House Bill 1032. Senator Martinez seeks leave of the Body to return House Bill 1032 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1032. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Martinez.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. This amendment deletes all the bill and becomes the bill. The Secretary of State, the Director of Agriculture, Director of Natural Resources, the Secretary of Human Services, the State Fire Marshal, the Board of -- Trustee of the University of Illinois and the Secretary of Transportation may issue shields or other distinctive identification to employees performing security or regulatory duties who are not police officers if the badge is needed by the employee to carry out his or her duty.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 1074. Senator Jacobs seeks leave of the Body to return House Bill 1074 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1074. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- fairness in contracting bill that's been being worked on for about three years. Finally got a resolve. This amendment is that -- that agreement. We do need another amendment, which we're waiting for, but I want to put this amendment on. We can discuss it whenever it's on 3rd Reading, but I want to get it in proper order for the following amendment.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 1091. Senator DeLeo. Senator DeLeo. On page 59. House Bill 1161. Senator Brady seeks leave of the Body to return House Bill 1161 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1161. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senators Cullerton and Brady.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Amendment No. 1 meets an obligation I made to Senator Cullerton in committee to bring into the legislation a State penalty equal to the federal. Ask for its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 1165. Senator Trotter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. This bill amends the Environmental Protection Act regarding

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

computer equipment disposal. It creates a new commission, outlining that computers contain various amounts of lead, mercury and other heavy metals, as well as plastic, should be properly disposed, and it requires that this commission that is created by this Act issue a report of its findings and recommendations related to the disposal and recycling of those computers by May 31st, 2004. And by 2005, they're supposed to evaluate and implement the programs by the State relating to computer equipment disposal.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. Senator Trotter, there was some controversy in committee over the amendment, which removed Lieutenant Governor Patrick Quinn's participation, his important participation, in this commission. At the time, I think we had some other issues coming up before the committee and it was rather hurried, but I don't recall whether we ever got Lieutenant Governor Quinn's position on whether he was excited about being removed from this commission or whether he objected.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

He wasn't excited about asking to be removed, but what we were attempting to do was to add the Environmental Protection Agency, who we feel should have a role in looking at this legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I -- I certainly welcome the oversight of the IEPA on this important commission and I know when the House thinks up new commissions, they -- they do a lot of research on whether the Governor would be comfortable adding a new commission. But I guess I'm still very, very nervous about casting a vote on the Floor which might lead Lieutenant Governor Quinn to think that his support in the Senate was eroding. So, although I have a great deal of respect for the sponsor and I know that the House meant well, I -- I -- I would urge my Members on this side of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

the aisle to be very cautious about voting to -- to deprive Lieutenant Governor Quinn of -- of his right to sit on the commission.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Just a comment to the bill and a -- another indication that we don't really -- I don't really understand this place. The Lieutenant Governor who is a Democrat, as we all know, was protected in this legislation primarily by Republicans on the committee, but yourself also. Yes, you were helping also. But, just one of the ironies of this world that the Republican Senate was protecting the Lieutenant Governor.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President. And to all the Members, certainly we love and respect our Lieutenant Governor. However, in -- in trying to keep this commission at an uneven number so that there will be, if there's any dissent, there'd be -- a majority ruling can be held, but what we over -- did not see when we were putting together this commission, the -- the need -- or, actually, the right that we should have at least the Illinois Environmental Protection Association {sic} involved. The Lieutenant Governor, with this commission, still has the authority to appoint someone, and the idea was, if he wanted to, he could have appointed himself. But as it is, the bill -- the amendment did fail. So as it stands, our beloved Lieutenant Governor is still going to be involved in this process.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1165 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Members voting Yes, 5 voted No, no Member voted Present. House Bill 1165, having received the required constitutional majority, is declared passed. House Bill 1178. Senator Larry Walsh.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

House Bill 1179. Senator Larry Walsh. House Bill 1180.
Senator Larry Woolard. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1180.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard.

SENATOR WOOLARD:

House Bill 1180 is one of those issues that has been near and dear to my heart for a long time, and I know there's a lot of others of you who have been actively engaged in better funding special education. I think that with this bill, we're getting close to what's right and good. It passed out of the House 117 to nothing. It improves, once again, the special education funding of this State. Would appreciate your vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR W. JONES:

Have the Illinois (Alliance of) Administrators of Special Education and ED-RED signed on to this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard.

SENATOR WOOLARD:

Without question. I think this is a -- where a lot of the impetus for this piece of legislation came from.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

So they're comfortable with it and it -- it works for the whole State?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard.

SENATOR WOOLARD:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Yeah. This is one of those things that not only helps the suburban areas of the State, the metropolitan areas, but it does downstate as well. So, it's -- it's certainly good for kids and our schools, and I believe it's right for us.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard, to close. The question is, shall House Bill 1180 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Members voting Yes, no Member voted No, none are recorded voting Present. House Bill 1180, having received the required constitutional majority, is declared passed. House Bill 1254. Senator Obama. Senator Obama? House Bill 1281. Senator Cullerton. Senator Cullerton? House Bill 1313. Senator Viverito. Would the -- would the conference in front of Senator Viverito please move? Thank you. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. -- I believe that amendment is not on there yet. Take it out of the record.

PRESIDING OFFICER: (SENATOR WELCH)

Take it out of the record, Mr. Secretary. House Bill -- page 60. House Bill 1353. Senator Trotter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Mr. President and Members of the Senate, House Bill 1353 amends the Department of Public Health's Powers and Duties --

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Illinois Department of Public Health, the Duties Law in the Civil Administrative Code regarding statewide response. It requires that the Department conduct a public information campaign whenever the State is required by the federal government to implement a statewide response plan to national public health threat. Information campaign must include information about the risk of inoculations or treatment, for the need of medical -- or -- consultation before receiving inoculation or treatment. This is an initiative by the Red Cross, and seeks its passage.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, all those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, and none is recorded voting Present. House Bill 1353, having received the required constitutional majority, is declared passed. House Bill 1387. Senator Collins. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1387.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill, House Bill 1387, amends the Public Community College Act to change the amount of the required bond insurance for the City Colleges of Chicago community college district treasurer to be identical to the bond for common school district treasurers and all other community college district treasurers. It reduces from a hundred percent of all bonds to twenty-five percent of all bonds...

PRESIDING OFFICER: (SENATOR WELCH)

Excuse me, Senator Collins. Could we please have a little quiet for Senator Collins? Thank you.

SENATOR COLLINS:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

...and effects the -- which the City Colleges of Chicago's treasurer is to have custody. Right now all other community colleges throughout the State has the twenty-five percent rate and the City Colleges of Chicago would like to have that rate as well. I'm open for any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 1387 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Members voted No, and none are recorded voting Present. House Bill 1387, having received the required constitutional majority, is declared passed. On the top of page 61. House Bill 1458. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh. Out of the record. House Bill 1475. Senator Shadid. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1475.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I have two amendments, Mr. President. I need it to be moved back.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, this bill is on the recall list. Senator Shadid seeks leave of the Body to return House Bill 1475 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill -- is House Bill 1475. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Shadid.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Senate Amendment No. 1 on House Bill 1475 deletes all and becomes the bill. This amendment establishes the Heart of Illinois (Regional) Port District and is patterned after the current Mid-America Intermodal Port District Act that was created a few -- a few years ago for the Quincy area. The new port district would include the counties of Peoria, Fulton, Tazewell, Woodford, Marshall, Putnam and Mason counties, with the exception of Havana Township. Havana Township is not included since it is already a part of the Havana Port District.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Senate Amendment No. 2 takes Putnam County out of the bill since that county is already included in the Illinois Valley Port District. The amendment keeps the governing board at nine members but increases the number appointed by the Governor from two to three. Individual county board chairmen would -- would continue to appoint one member each from each of the six counties. Appreciate an Aye.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave of the Body, we will go to House Bill 2730. Please turn to page 66 of your Calendar. House Bill 2730. Senator Trotter. Read the bill, Mr. Secretary. I'm

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

sorry. It's a recall. Senator Trotter seeks leave of the Body to return House Bill 2730 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2730. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Body. In order to continue in pushing forward the appropriation process, Senate Amendment No. 1 to House Bill 2730 includes fourteen commissions and agencies that will have the Governor's requested level of appropriations in them. I would like to take this -- pass this Floor amendment at this point in time so we again continue the process of appropriation and move these on to the House.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. With leave of the Body, we will return to page 61. House Bill 1482. Senator Link. 1487 is on the recall list. Senator Cullerton seeks leave of the Body to return House Bill 1482 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1482 -- 1487. Excuse me. Mr. Secretary, are there any Floor amendments approved...

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton. Senator Cullerton. ...the record. House Bill 1489. Senator Larry Walsh. House Bill 1519. House Bill 1543. Senator del Valle. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1543.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- take it out of the record, Mr. Secretary. House Bill 1632. On the recall list. Senator Martinez seeks leave of the Body to return House Bill 1632 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 1632. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 3, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. The underlying bill requires telemarketers who offer their free goods or services to Illinois consumers on a trial basis and then assess a periodic fee or charge for the goods or services at the end of the -- of the trial period to send certain notices to the consumer. The amendment amends the original bill to require an invoice to be sent to the consumer allowing the consumer to no longer receive the goods or services or continue to receive them and pay the agreed fees or charges. Additionally, this amendment requires the invoice to provide an address and telephone number to cancel the agreement at the end of the trial.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senator Clayborne. House Bill 1729. House Bill 1751. Senator Sieben. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1751.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Sieben.

SENATOR SIEBEN:

Yes. Thank you very much, Mr. President. This legislation is introduced on behalf of the Byron Public Library District and allows them for one year from the effective date of this Act to make some money transfers from their Insurance Reserve Fund into their Expansion Special Reserve Fund. Know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. This passed out of Local Government unanimously. I'd like to see 26 green lights on the Republican side of the aisle.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1751 pass. All those in -- Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I just want to compliment the Senator on a very fine Republican bill and ask everybody on this side of the aisle to vote Aye.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1751 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, none are recorded voting Present. House Bill 1751, having received the required constitutional majority, is declared passed. House Bill 2136. Senator Cullerton. House Bill 2188. Senator Schoenberg. Senator Schoenberg seeks leave of the Body to return House Bill 2188 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill -- 2188. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 strikes the -- Section 1 of the Amendment No. 1, which was formally 2188 and deals exclusively with the portion that was formally 2187. It was substantially negotiated and agreed to by the Retail Merchants, the Bankers Association, Financial Services Association, with the Attorney General's Office, and know of no opposition. Urge its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Just a parliamentary inquiry, Mr. President. The board says 3rd Reading. I think that's in error.

PRESIDING OFFICER: (SENATOR WELCH)

You are correct, sir. The board now shows, recall, 2nd. Is there any further discussion? If not, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On page 62. House Bill 2200. Senator James Clayborne. House Bill 2234. Senator Schoenberg. House Bill 2265. Senator Clayborne. Senator Clayborne? 2265. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2265.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Sorry about that, Mr. President. Senate Bill -- I mean, I'm sorry. House Bill 2265 requires the -- telecommunications carriers to submit to the ICC written notice, which may be provided electronically, of all current agreements in effect at the date of the notice. This notification shall occur thirty days and it shall identify the general nature of all such agreements, the parties to each agreement and the description of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

the differences between each agreement and the related tariff. A copy of each -- each agreement and any costs -- any cost support to -- required to be filed with the agreement by such other Section of the Public Utilities Act shall be provided to the UCC in ten business days after being requested. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this initiative of SBC. It's actually agreed to by everyone.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 2265 pass. All those in favor, vote Aye. Opposed, vote -- Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I was slow on the switch. I apologize. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RIGHTER:

Senator, our analysis indicates that AARP is opposed to this. Is that a -- is that a mistake that we have, or if that's the case, can you tell us why?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

My analysis indicates the same thing, but I -- I was under the understanding that nobody was opposed to it, like Senator Sullivan. This is partly an initiative of the ICC, who also indicates that this will save them about a hundred and nineteen thousand dollars a year annually.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Righter.

SENATOR RIGHTER:

We -- I just received some further information and apparently AARP's concern was this was going to be a different bill than what's actually come out and the paperwork just didn't

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

catch up in time. So, thank you, Senator. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 2265 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 56 Members voted Yes, none voted No, and no Members recorded voting Present. House Bill 2265, having received the required constitutional majority, is declared passed. House Bill 2280. Senator Ronen. House Bill 2331. Senator Cullerton. House Bill 2352. Senator del Valle. Senator del Valle seeks leave of the Body to return House Bill 2352 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2352. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This is a -- a technical amendment. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 2370. Senator DeLeo. Senator DeLeo. On the top of page 63. House Bill 2425. Senator Cullerton. Senator Cullerton? Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2425.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Yes. Thank you, Mr. President, Members of the Senate. This bill allows the -- amends the Currency Exchange Act and allows currency exchanges to meet their bonding requirement under the Act by allowing members of a statewide association, which is the Community Currency Exchange Association of Illinois, to purchase a blanket bond in the amount of two million dollars. Right now each individual exchange must file a surety bond of ten thousand dollars. This would accomplish the same goal and be less expensive for the currency exchanges. So, I'll be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2425 pass. All in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, none voted No, and no Member voted Present. House Bill 2425, having received the required constitutional majority, is declared passed. House Bill 2446. Senator Dillard. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill would add a school building to the list of structures explicitly mentioned in the aggravated arson statute. Arson in schools is on the rise at a national level and a large school fire devastates and has aftermaths that linger for years, and the long-term disruption that follows a school fire puts the staff and pupils under stress, costs a lot of money to the taxpayers for educational administrative cost and obviously puts people's lives at risk. Over seventy percent of all school fires are arson, and this includes over ninety percent of the larger school fires are arson, and this bill will send a clear message that the State of Illinois will not tolerate the safety risk and the deliberate destruction of our schools. I'd appreciate a favorable vote.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2446 pass. All in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Member voted No, and no Member voted Present. House Bill 2446, having received the required constitutional majority, is declared passed. House Bill 2477. Senator Roskam. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2477.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the DuPage County Forest Preserve. Last year we passed legislation which was enacted to separate the Forest Preserve from the DuPage County Board. Currently they have a requirement if they're going to vacate a street, roadway or driveway within the Forest Preserve, that requires a three-fifths vote. This would put it in -- this is clean-up legislation. It would require a six -- six-sevenths vote. I'm not aware of any opponents. An initiative of the Forest Preserve, and I'll be happy to yield for any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Meeks.

SENATOR MEEKS:

Senator Roskam, seeing as how Senator Hendon is not on the Floor, I would just be remiss in not asking you, who gave you this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Pastor, for that question and I'll tell you about that in the confessional later, but let me just -- just

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

say that it was -- it was an initiative of the actual DuPage Forest Preserve District.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Thank you, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you. I was just -- from the sponsor, this is for the DuPage County Forest Preserve. Is there any quick-take authority over O'Hare Airport embodied in this?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Shoot! You read this didn't you? No. There's absolutely nothing to do with O'Hare. There's nothing that rhymes with O'Hare.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam, to close.

SENATOR ROSKAM:

Please vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Yes, no Member voted No, and none -- no Member voted Present. House Bill 2477, having received the required constitutional majority, is declared passed. University of Illinois at Springfield seeks leave to either photograph or videotape the proceedings. Is there any objection? Leave is granted. House Bill 2486. Senator Schoenberg. House Bill 2492. Senator Emil Jones. House Bill 2493. Senator Cullerton. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill comes out of a situation where a contractor in a public works project had a subcontractor who had signed a waiver of lien without being paid with the understanding that they could sue under the public construction -- the surety under the public construction bond and it was determined that the waiver of -- it was argued that the waiver of the lien was -- also served as a waiver of the surety bond. This bill is simply designed to make it clear that the remedy provided in this -- this Act, the Public Construction Bond Act, is in addition to and independent of any other rights or remedies provided at -- at law. The waiver of rights under the Mechanics Lien Act shall not constitute a waiver of rights under this Act. Happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill -- 2493 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, and no Member voted Present. House Bill 2493, having received the required constitutional majority, is declared passed. House Bill 2504. Senator Cullerton. House Bill 2523. Senator Garrett. House Bill 2527. Senator Munoz. House Bill 2545. Senator Cullerton. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an initiative of Chicago Metropolitan 2020 and it's a innovative idea called the Redeploy Illinois Program. It seeks to encourage deinstitutionalization of juvenile offenders by

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

establishing a pilot project in a county or group of counties that would reallocate State funds from juvenile correctional confinement to local jurisdictions that shall establish community-based sanctions and alternatives to incarceration. There was an amendment adopted at the request of the State's Attorney's Office of Cook County where we indicated that offenses which are Class X forcible felonies would not be eligible or -- or, of course, murder would also not be. And the Redeploy Illinois Oversight Board, which is created by this Act, would include the State's Attorneys and -- of Cook County as well as a State's Attorney selected by the Illinois State's Attorney's Association. Be happy to answer any questions. It's a good idea, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2545 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Members voting Yes, 13 Members voted No, 6 Members voted Present. House Bill 2545, having received the required constitutional majority, is declared passed. House Bill 2550. Senator Lightford. House Bill 2567. Senator Crotty. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2567.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2567 requires that the Property Tax Appeal Board shall provide annually, no later than February 1st of each year, to the Governor and the General Assembly a report that contains for each county the total number of cases for commercial and industrial property requesting a reduction in assessed value of a hundred thousand dollars or more for each of the last five years, the total number of cases for commercial and industrial property decided by the Board for each of the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

last five years, and the total change in assessed value based on PTAB's decision for commercial property and industrial property for each of the last five years. It also provides that in counties with three million or more inhabitants, PTAB shall electronically distribute every thirty days to the chief county assessment officer, free of charge, certain information about appeals to that Board. The proponents of this bill are the Cook County Board of Commissioners, the Chicagoland Chamber of Commerce, Taxpayers' Federation of Illinois and the Cook County Assessor's Office.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

May I ask some questions of the sponsor?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR LAUZEN:

Senator, isn't it true that the PTAB, or the Property Tax Appeals Board, already does issue annual reports with a synopsis information on representative cases of interest?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

I -- I think that is true.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Okay. Aren't there approximately eighteen thousand appeals per year, fourteen thousand in Cook County and four thousand in other counties? I mean, isn't it a huge number that we're proposing in this bill that we're going to publish?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Well, I think this bill narrows it down to a hundred thousand dollars or more. And the -- okay. Go ahead.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

I'm sorry, but isn't it -- isn't it true that somebody will have to go through all eighteen thousand bills and do an analysis as far as then publishing all those?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

I don't -- what do you mean by analysis? You mean -- tell me exactly what -- I don't know if it's as difficult as you -- you make it sound. I don't think it would be.

PRESIDING OFFICER: (SENATOR WELCH)

Push your button, Senator Lauzen. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. The -- you know, anytime you do anything more than a hundred times, it's a lot. So even if it's a small piece of work, times a hundred it's a lot of work. This is eighteen thousand times to do. Even the smallest thing is a huge burden on folks who we want to be deciding these cases. So, the analysis that I'm referring to, won't they have to go through and determine whether it -- it -- these cases hit this criteria or not?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

But in those numbers, again, we're asking for anything -- with a value of a hundred thousand or more and that makes a major impact in a lot of the counties. So, I think it's important that they see whether there's a trend or whatever. So, I don't -- you know, I don't know if it's as much work. I think it's -- you know, they have -- they have the capacity of a computer to be able to just have those bills come out or those -- those assessment decisions come out.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

I guess that the -- the summary question -- I guess that the summary question on all this, Senator, is, is why would you have a Property Tax Appeal Board -- I -- I know that we have a couple that are adding additional burdens. It's almost like we're trying to put this -- this Appeals Board out of business.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

I know that Crain's Chicago Business has suggested that on some of the bills. Not a good idea. I -- I would ask you, why are we making this requirement when they already issue annual reports in synopsis of cases of interest? It seems like it's almost a -- a punishment or a punitive kind of thing, just making it harder on them. What's the purpose of going through all this work?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

I'm not trying to make anything any harder on anyone, but I think just by looking at the proponents of the bill, there's a lot of -- a lot of people that would like to have that information shared with them. If I was a county assessor, I sure would like to -- to know about these decisions and see if there's a trend.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen, your...

SENATOR LAUZEN:

Well, finally then, according to your bill's language, this information, these reports, are going to go to the Governor and to the General Assembly only. I'd like to ask the people who are about to vote on this, what will we do with reports on eighteen thousand or whatever portion are over a hundred thousand? What are we going to do with that information? I mean, I -- I've spent the last quarter of a century of my life in that area. I can't imagine what I would do with that information serving in this Body. I would ask for a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, to close.

SENATOR CROTTY:

And I would ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 2567 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 24 Members voting No, 1 Member voted Present. House Bill 2567, having received the required

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Mr. President, could I ask for a verification of the vote?

PRESIDING OFFICER: (SENATOR WELCH)

Verification's in order. Will all Members please be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HARRY:

The following voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Obama, Radogno, Ronen, Schoenberg, Shadid, Silverstein, John Sullivan, Trotter, Viverito, Walsh, Welch, Woolard and Mr. President. (Senators del Valle, Demuzio, Garrett, Haine, Halvorson, Harmon, Hendon and Hunter inadvertently not read in.)

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR LAUZEN:

Yes, sir. Senator Cullerton.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton. Is Senator Cullerton in the Chambers? Senator Cullerton is in the back of the room, near the telephone booth. Senator Lauzen, do you question the presence of any other Member?

SENATOR LAUZEN:

Yes, sir. Senator Silverstein.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein. Is Senator Silverstein in the Chambers? Senator Silverstein is back by the phone booth.

SENATOR LAUZEN:

Yes, sir. Senator Trotter. Oh, I see, excuse me. Senator Radogno.

PRESIDING OFFICER: (SENATOR WELCH)

Is Senator Radogno in the Chambers? Senator Radogno. Mr. Secretary, strike Senator Radogno's name from the list of those voting in the affirmative. Senator Lauzen?

SENATOR LAUZEN:

Thank you very much, Mr. President.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. On a verified roll call, there are 31 Members voting Yes, 24 Members voting No, and 1 Member voting Present. House Bill 2567, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to page 62 to pick up a bill sponsored by Senator DeLeo when he was in the Chair as President. House Bill 2370. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 2370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator James DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2370, it amends the Illinois Plumbing License Law. What it does, it makes a change in the registration date and as in -- there's also a local government requirement that they must have a verification of license. Yesterday we -- we adopted the amendment, Amendment No. 3, which was -- I made a -- told that this was an agreement between the insurance company and Illinois Trial Lawyers. There was a little debate. I've now heard from both sides. Everybody's in -- agreed to it. So I'd ask for its favorable roll call on House Bill 2370.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2370 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Members voting Yes, no Member voted No, and no Member is recorded as voting Present. House Bill 2370, having received the required constitutional majority, is declared passed. On page 63, the bottom of the page. House Bill 2572. Senator Emil Jones seeks leave of the Body to return House Bill 2572 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2572. Mr. Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senators Emil Jones and David Sullivan.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Amendment No. 1 provides a mechanism for cemeteries to correct encroachment on grave property and it is consistent with cemetery correction laws in virtually all neighboring states. This bill is supported by -- yesterday by AARP and all proponents, the Illinois Cemetery Association and Funeral Home Association, Funeral Directors, Service Corporation, Metropolitan Chicago cemetery officials. Everyone's on board. It's an agreed amendment to deal with a problem that the cemeteries have throughout the State of Illinois and I ask for its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the top of page 64. House Bill 2577. Senator Terry Link. House Bill 2579 on the recall list. Senator Cullerton. Senator Cullerton? On page 65 is House Bill 2685. With leave of the Body, we will return to that bill later. On page 67 of the Calendar. House Bill 2805. Senator Demuzio. Senator Demuzio? 2805? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 2805.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Board of Higher Education Act. It

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

requires that -- the one of the ten members appointed by the -- to the Board of Governors with, of course, the advice and consent of the Senate, must be a faculty member at a public university, an Illinois public university. That's all that it does and I would ask for your consideration.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield for a quick question?

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR BURZYNSKI:

Senator, just a point of clarification. I think -- did I hear you just say Board of Governors or Board of Governance?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Board of Higher Education.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- seeing no further Members seek recognition, Senator Demuzio, to close. The question is, shall House Bill 2805 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, no Member voted Present. House Bill 2805, having received the required constitutional majority, is declared passed. House Bill 2843. Senator John Sullivan seeks leave of the Body to return House Bill 2843 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2843. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you -- thank you, Mr. President. Amendment No. 1 makes three changes to the existing law. First, it provides

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

that tampering with anhydrous ammonia equipment occurs when an unauthorized individual vents or attempts to vent anhydrous ammonia into the environment. Second, it increases the penalty for tampering with anhydrous ammonia. And third, it adds red phosphorous to the definition of a methamphetamine manufacturing chemical.

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...

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 2855. Senator Garrett seeks leave of the Body to return House Bill 2855 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2855. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. Amendment No. 1 to House Bill 2855 simply makes some technical changes in the language.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 2860. Senator Collins seeks leave of the Body to return House Bill 2860 to the Order of 3rd Reading -- the Order of 2nd Reading. Is leave granted? Leave is granted. On the Order of 2nd Reading is House Bill 2860.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Senate Amendment No. 1 basically just changes the time providers must notify clerk of court of termination of services to probationer from twenty-four hours to seven working days.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, 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?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 2864. Senator Crotty seeks leave of the Body to return House Bill 2864 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2864. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. This amendment is going to be added to this bill and this bill already passed in the Senate, in a Senate form. But this amendment clarifies that the Illinois license that must be held is a regular license to practice as a speech-language pathologist. It also clarifies language that the license from another state must have applied for a regular Illinois license and it also clarifies to make sure that it allows a person with a temporary license as a speech-language pathologist, who has completed a program approved by the State

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Board of Ed, to receive the School Service Personnel Certificate.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 2950. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 2950.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2950 is an initiative from the Department of Natural Resources. What it says -- what it's declaring is that a -- it will be a violation to cut, break, injure, destroy, take or remove any tree, shrub, timber, plant or natural object in a park or parkway; that the Department of Natural Resources may, by administrative rule, authorize the edible fungi, nut, berry collection in those areas of Department owned, leased or managed lands. I know of no opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2950 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, no Member voted Present. House Bill 2950, having received the required constitutional majority, is declared passed. House Bill 2983. Senator Woolard. Out of the record. Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

With leave of the Body, we will return to the bills that were sponsored by the Presiding Officer. Senator Maloney, for what purpose do you rise?

SENATOR MALONEY:

A point -- point of personal privilege, Mr. Speaker..

PRESIDING OFFICER: (SENATOR HENDON)

State -- state your point.

SENATOR MALONEY:

...Mr. President. I'd like to take this opportunity to introduce from the Palos East School District No. 118, Mrs. Vrdolyak, Mr. Jess Chico, and I'd like you to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise and be welcomed to the Senate? House Bill 570 on recall. Senator Welch. Senator Welch seeks leave of the Body to return House Bill 570 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 570. Madam Secretary, are there any Floor amendments approved for consideration? Mr. Secretary.

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Welch.

SENATOR WELCH:

Thank you -- thank you, Mr. President. This amendment adds and defines the term "uses" and "software". The bill deals with spam coming over everyone's e-mail. Creates the offense of transmission of unsolicited bulk mail a Class A misdemeanor and also includes civil penalties. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

3rd Reading. House Bill 691. Senator Welch seeks leave of the Body to return House Bill 691 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 691. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Welch.

SENATOR WELCH:

Floor Amendment to 691 basically specifies where the money will go from the Death Certificate Surcharge Fund. This amendment was proposed by the Coroners' Association as well as the Department of Public Health. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 858. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 858.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Welch.

SENATOR WELCH:

Mr. President, I believe this is on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

...the bill. It is on 3rd Reading.

SENATOR WELCH:

Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Thank -- thank you, Senator.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR WELCH:

What -- what this -- amendment does is amends the Property Tax Code concerning the exemption from real estate taxes for the Joliet Arsenal Development Authority. What the bill does is reinstate the exemption that the Joliet Arsenal Development Authority had and only applies to the Will County area where this exists. It takes no money out of the General Revenue Fund. The proponents are the Board itself, as well as Will County itself. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? If not, the question is, shall House Bill 858 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, and 1 voting Present. House Bill 858, having received the required constitutional majority, is declared passed. Senator Rauschenberger, for what purpose do you rise? Senator -- Senator Soden, for what purpose do you rise? Senator Rauschenberger, for what purpose do you seek recognition? Let's move right a head. House Bill 876. On recall, House Bill 876. President Jones. Senator Welch seeks leave of the Body to return House Bill 876 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 876. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Welch.

SENATOR WELCH:

Thank you -- thank you, Mr. President. Senate Amendment No. 1 changes the bill to create a renewable energy proposal, a net metering proposal applying only to universities in the State of Illinois. We're going to hold the bill to try to get an amendment on here to improve it, but I'd like to move it to 3rd Reading. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator Sandoval, for what purpose do you seek recognition?

SENATOR SANDOVAL:

Mr. -- Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR SANDOVAL:

I'd like to recognize a distinguished member of the City Council to the City of Chicago, also the first Hispanic Mayor Pro Tem of the City of Chicago, the City Council, the Alderman Danny Solis from the 25th Ward.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to the Senate, Alderman Solis, one of my great aldermen. We are -- now go to page 65. House Bill 2685. Senator Welch seeks leave of the Body to return House Bill 2685 to the Order of 2nd Reading for purpose of amendment. Senator Welch -- leave is granted. On the Order of 2nd Reading is House Bill 2685. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment is the appropriation for -- seven separate agencies. It passed out of the Appropriations Committee unanimously. I'd be glad to discuss this on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 3553. Senator Welch. Out of the record. On the Order of Secretary's Desk, Resolutions is House Joint Resolution 30. Senator Shadid. Senator Shadid, do you wish to proceed?

SENATOR SHADID:

Yes. Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR HENDON)

Madam -- Madam Secretary, read the resolution.

SECRETARY HAWKER:

House Joint Resolution 30, offered by Senators Shadid, Emil Jones and others.

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

Yes. House Joint Resolution 30 urges the U.S. Congress to institute programs to develop and improve passenger rail transportation in the United States. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Shadid moves to adopt -- the adoption of House Joint Resolution 30. All those in favor will say Aye. Opposed will say Nay. The Ayes have it. The resolution is adopted. Joint Resolution -- Senate Joint Resolution 16. Senator Obama. Senator Obama, do you wish to proceed? Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 16, offered by Senator Obama.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This resolution would form an Alzheimer's Disease Task Force for the State of Illinois. It's an initiative of the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Alzheimer's Association. As many of you know, this is a disease that cuts across region, race, age, and we have the ability, I think, to put together a better strategy to move this forward. I know of no opposition to the resolution and I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Obama moves the adoption of Senate Joint Resolution 16. All those in favor will say Aye. Opposed will say Nay. The Ayes have it. The resolution is adopted. Senate Joint Resolution 33. Senator del Valle. Out of the record. Senate Joint {sic} Resolution 94. Senator del Valle. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 94, offered by Senator del Valle. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This resolution requests an opinion from the Attorney General regarding the State Constitution and the provision in the State Constitution that addresses public education in the State of Illinois. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? If not, Senator del Valle moves the adoption of Senate Resolution 94. All those in favor will say Aye. Opposed will say Nay. The Ayes have it. The resolution is adopted. Senator Demuzio in the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Down. Down, boys. All right. Ladies and Gentlemen, it's my understanding that we will now revert to the Order of House Bills 2nd Reading at the bottom of page 71. We'll be going back through the Order of 2nd Readings again. Apparently, this will be the last time. And at the bottom of page -- bottom of page 71, Senator Wojcik. Is Senator Wojcik on the Floor? ...of page 71 is House Bill 76. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 76.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page -- all right. Page 72, Ladies and Gentlemen, is 416. In the middle of page 72, on the Order of House Bills 2nd Reading, is House Bill 416. Senator Obama? Senator Obama on the Floor? I'm sorry. I didn't... Thank you very much. I -- I got the message. No, now he doesn't want it taken up. Okay. So we're not moving it to 3rd, so... Okay. Senate {sic} Bill 1088. Senator Jones, Ronen? All right. On the Order of Senate {sic} Bills 2nd Reading is House Bill -- on page 72, is House Bill 1088. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1088.

(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? Madam Secretary, 1191, please.

SECRETARY HAWKER:

House Bill 1191.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 1251. Senator Haine. 1382. Senator Garrett? 1382. Page -- 1462. Senator Link? Madam Secretary, 1462. Read the bill.

SECRETARY HAWKER:

House Bill 1462.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Haine, I skipped 1434. Did you want that bill called? Madam Secretary, with leave of the Body,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

we'll return to the Order of House Bills 2nd Reading. House Bill 1434, please.

SECRETARY HAWKER:

House Bill 1434.

(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, page 73 is House Bill 2221. Senator Ronen? 2268. Senator Obama? Senator Obama, 2268? 2345. Senator Schoenberg? 2391. Senator Trotter? All right. Ladies and Gentlemen, we have concluded House Bills 2nd Reading for the second time. We will now return to the Order of... Senator Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

Yes, Senator. Yesterday at -- when there was a lull like this, I -- I made a motion to adjourn. Would that be totally out of the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, we're still pondering that one from yesterday..

SENATOR W. JONES:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's my understanding, Ladies and Gentlemen, on House Bills 3rd Reading, page 67. ...we started this morning. The bottom of page... ..of page 67. Senator Martinez, you wish to have that bill called? The amendment? All right. Page 67, Ladies and Gentlemen, is House Bill 3023. Senator Martinez seeks leave of the Body to return House Bill 3023 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3023, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. This amends the Public Code Act {sic} to address the family cap policy in relations to the TANF

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

program, clients exempt from certain TANF requirements, sanctions under the TANF program, operations of the TANF program, discrimination under the Public Aid Code and the rights of recipients and the obligation of DHS under the TANF program. This provision -- this deletes obsolete provision and makes technical changes, and I will be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Martinez has moved the adoption of Floor Amendment -- Floor Amendment No. 1. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment -- Floor Amendment No. 1 is adopted. Further -- have there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Althoff. Senator Althoff. Chair would just like to -- to remind you that if you -- "if you breakie, you buyie". All right. Turn over to page 68 - 68 - is 3086. Senator Meeks? Senator Meeks, this is the... Senator Meeks, it would be the advice of the Chair that this is the last day for the Order of 2nd Reading. If you want to move the bill to 3rd and... Just -- just a minute. Just a minute. Just a minute. 3086. Senator Meeks, do you want to tell me what posture we're in? Senator Meeks.

SENATOR MEEKS:

Yes, sir. Thank you so much. Mr. President, the bill is on 3rd but I have an amendment on it that's to be heard in Exec today, and then I'll call it tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Meeks, it would be my suggestion you move the bill to 3rd today. It's on 3rd Reading. I'm trying to figure out where I am. You're absolutely right. I understand. The Order of House Bills 2nd Reading is House Bill 3402. Senator Harmon? 3402? I am not seeking leave of anyone until the sponsor indicates to me what he wishes to do. Senator Harmon, for what -- what do you wish to do? Do you have an amendment that you wish to be adopted? Senator Harmon now leaks sieve

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

{sic} of the Body to return House Bill - well, I can't read it because it's run through here - 3402 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3402, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 3402 is the infamous DuPage Water Commission bill. I would like to attach the amendment today, but the negotiations are continuing and I do not plan to move it any further until we've given them a chance to come to a conclusion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Harmon 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. Any further amendments been approved from -- from the Floor?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. House Bill 3409. Senator Jones. Ladies and Gentlemen, page 69 is House Bill 3455. Senator Obama? 3455? 3486. Senator Obama? House Bill 3530. Senator Sandoval? Senator Sandoval on the Floor? Senator Sandoval? 3553. Senator Welch. 3589. Senator Schoenberg. Ladies and Gentlemen, page 71, House Bills 3rd Reading, is House Bill 3711. Senator Collins? No. Ladies and Gentlemen, if you'll now go back to page 24, we shall start over. House Bill -- Ladies and Gentlemen, page 24. House Bill 6. Senator Obama? 463, Ladies and Gentlemen. 463, on page 26. With leave of the Body, we will go to the Order of House Bills 3rd Reading, page 26. In the middle is House Bill 463. Senator Garrett? Senator Obama, 467? House Bill 469. Senator Cullerton? Page 26. 469? 495. 495. Senator Garrett? 495? 547, Ladies and Gentlemen, on page 27 at the top. 547. Senator Silverstein? Senator Silverstein

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

on the Floor? 625, Ladies and Gentlemen. 625. Senator Martinez, on 625. Is -- you -- it's a... Apparently there's an amendment to be heard in Executive providing it gets out of Rules or got out of Rules or whatever. 666. Senator Woolard? Ladies and Gentlemen, page 33, Senator Woolard, 666. No. 699, Ladies and Gentlemen. 699, which is on page 35. Senator Ronen? Senator Ronen on the Floor? 714, Ladies and Gentlemen, is at the bottom of page 35. Senator Shadid, 714? Senator Shadid? Bottom of page 35. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. Just a point of inquiry. We are jumping around on the Calendar, going back and forth, and I -- I wonder, is -- is there some kind of guidance that maybe you can give us from the Chair as -- so that our side of the aisle, we can -- some advance notice or a little measure of -- predictability so that we can have some anticipation about where we're at on the Calendar? And I understand -- I understand your position. You're trying to go where we can get things done, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Since -- since it's the last day before our scheduled deadline, we are attempting to move all of the Senate bills off of 2nd Reading that a sponsor wishes to do so, and we have been through the Order of 2nd Reading twice. We're no longer going to go back there. We are now on the Order of 3rd Reading, which we began this morning. Some sponsors, for whatever reason, chose not to call their bills. Some of their bills have prospective amendments that'll be heard today or this afternoon in Executive. So we are attempting to get as much business out of the way as we possibly can today and just deal with those bills tomorrow. That hopefully will expedite our departure here tomorrow. Other than that, there is no other game plan. We're trying to call everyone's bill and give everyone an opportunity to get their bill in the posture that they want to, Senator.

SENATOR RIGHTER:

Can we expect then, for the remainder of today, that we'll stay on 3rds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

I -- I -- for -- for the most part, I suspect that's where we will be until such time as there is committee hearings, but I haven't been informed of any -- of any other business that might come before the Senate. I'm really not sure. That's -- that's -- that's -- that is our preference at this moment, to stay on the Order of 3rd Readings until we are finished. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GEO-KARIS:

Mr. President, I notice the people on the other side and the people on my side, they're -- most of them are not used to the late hours you and I have encountered in the past, and I think we've -- we've been here very consistently since 10 o'clock this morning. And do you think it is wise to carry on when half of us are ready to go to sleep?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The answer to that question is yes. Senator, we can deal with it whether they're asleep or awake, so don't worry about it. All right. 714. What happened to that? 714. Senator Shadid's bill. All right. 784, Ladies and Gentlemen. 784 is.. 784, Ladies and Gentlemen, on page 39. 784. Senator Schoenberg seeks leave of the Body to return House -- House Bill 784 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 784, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill -- Amendment No. 1 to -- Floor Amendment No. 2 to House Bill 784 seeks to establish a seamless -- transition between eligibility for the Circuit Breaker/Pharmaceutical Assistance Program and the Senior {sic} (SeniorRx) Care Program in addressing the issue of card fees,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

copays and expenditure thresholds. I would have some legislative intent as well when this is on 3rd Reading, and I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schoenberg has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. All right. Ladies and Gentlemen, let's go to 1091. Page 58, Ladies and Gentlemen. Page 58. Senator Righter, let me alert you that apparently we are going to go to the Order of Senate {sic} Bills 2nd Reading for a third time a little later. Yeah. Hopefully during my lifetime, we'll get back to it. Ladies and Gentlemen, 1091. Senator DeLeo? Senator DeLeo on the Floor? Page 59 is 1178. Page 59. 1178. Senator Walsh? Senator Walsh on the Floor? 1179. Senator Walsh? Ladies and Gentlemen, 1254. Middle of page 59. Senator Obama, 1254? Just trying to find you. We -- we got it. 1281. Senator Cullerton? On the Order of House Bills 3rd Reading, middle of page 59, is House Bill 1281. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1281.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

I apologize. I have to take it out of the record, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Oh, just a point of order, Mr. President. We've taken a poll among all fifty-eight of us that are here and we're going to, by oral roll call, initiate something called "legislative

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

euthanasia", and we think that there's a number of these bills that we can just put down and would like your help and leadership in accomplishing that task.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm not at liberty, at the moment, to say precisely how I feel about the rest of the bills. So let's just leave that one go. Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR DeLEO:

I'd like to -- the Senate to welcome a former Member of the Illinois General Assembly, Senator Greg Zito, but that's not the real part of the announcement. He's with a -- a young man that's his son, Nick, and Nick's with his school from -- St. Patrick's School from St. Charles, Illinois. They're up here in the gallery, Mr. President. I'd like to welcome former Senator Zito, his son, Nick, and the entire St. Patrick's School from St. Charles, Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise, be recognized by the Senate? Please rise. Welcome. Senator Zito, it's nice to have you back, and which one is Nick? Ah! Congratulations. Nice to have you here. Ladies and Gentlemen, with leave of the Body, we'll go to page 61. 61, is 1487. 1487. Senator Cullerton? On the Order of House Bills 3rd Reading is House Bill 1487. Senator Cullerton seeks leave of the Body to return House Bill 1487 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is 1487, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This amendment was adopted in the Judiciary Committee. This bill, you

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

may recall, we debated concerning executions, or the death penalty, and the underlying bill was that health care practitioners would no longer be required to declare that someone's dead. And we -- we have an amendment here, at the request of Senator Petka, that says any person, other than a health care practitioner licensed to practice in the State of Illinois, who participates in an execution under this -- Section is exempt from criminal or civil liability for such participation that is conducted in accordance with the provisions of this Section. And it's an agreed amendment, and I'd be happy to answer any questions and ask for us to adopt it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Cullerton 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. 2136. Bottom of page 61. Senator Cullerton? 2579, Ladies and Gentlemen. 2579. It's on page 64. Senator Cullerton? 2579? Senator Cullerton... Oh, okay. Madam Secretary -- Senator Cullerton seeks leave of the Body to return House Bill 2579 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2579, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an amendment that came out of committee, which is very controversial, dealing with limiting gun purchases. I would suggest that we can have our debate on this bill on 3rd Reading by adopting this with a voice vote and having that debate when the bill is called on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

All right. Discussion? Senator Burzynski. All right. Senator Cullerton 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. 3486, Ladies and Gentlemen. 3486. So we're going to have to back up here. 3486. Ladies and Gentlemen, go to page 69. With leave of the Body, 3486. 3530. Senator Sandoval on the Floor? Thank you very much. Ladies and Gentlemen, I have been advised again that we're going to go to the Order of House Bills 2nd Reading for the final time. I'm not quite sure that the Parliamentarian understands the terminology of "final", but apparently it's not working in -- in this particular instance. All right. Ladies and Gentlemen, if you'll go to House Bills 2nd Reading. This is the final time for this Senator on House Bills 2nd Reading today. ...71, Ladies and Gentlemen. Page 71. Leave of the Body, House Bills 2nd Reading. House Bill 1251. On page 72, by the way. Page 72. 1251. Senator Haine? 1462? Senator Link, that bill was moved. On the Order of House Bills 2nd Reading, page 72, is a good Samaritan bill. 1382, Madam Secretary. Senator Garrett seeks leave of the Body to return House Bill 1382 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1382, Madam Secretary.

SECRETARY HAWKER:

House Bill 1382.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR GARRETT:

Mr. President, the Amendment No. 3 clarifies some of the issues with the bill, and -- and we can debate it when it comes to 3rd Reading, if that's okay with the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Madam Secretary, have there been any amendments approved for consideration from the Floor?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Garrett has explained the amendment. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments? 3rd Reading. 221 {sic}. Senator Ronen. ...Secretary, read the bill. 2221.

SECRETARY HAWKER:

House Bill 2221.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2268. Senator Obama? Senator Obama? You know, that's the last place I -- I looked, was in your seat. He indicates no. 2345. Senator Schoenberg. On the Order of House Bills 2nd Reading is House Bill 2345, Madam Secretary.

SECRETARY HAWKER:

House Bill 2345.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have there been any Floor amendments, Madam Secretary?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill retains all of 2345, the -- what relates to the Illinois Housing Initiative. The final Section,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

Section 25, is dropped. In addition, the language to Senate Bill 520, which passed this Chamber on March 20th without opposition, is in here as well. I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schoenberg has moved the adoption of Amendment No. 2 {sic}. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 {sic} is adopted. Further amendments? 3rd Reading. Jill. Attempting to determine whether or not Senator Trotter wishes to have his bills moved. He's been in Appropriations meetings and -- and as soon as we verify his position, we'll -- we'll be back with you. Senator Jones, your -- your light is beginning to blind me. Senator Wendell Jones.

SENATOR W. JONES:

My microphone's not working.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Good.

SENATOR W. JONES:

You taught me how to use it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, could we get back to you in a couple of seconds?

SENATOR W. JONES:

I just wanted a point of order. While we have a little lull here, maybe you and the Parliamentarian could research my motion from yesterday. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I don't have the time, but we'll ask him to do something about it. 2391. Senator Trotter is here. It's a good thing we didn't take the advice and counsel of some of your most ardent supporters. All right. 2931. I'm sorry. Madam Secretary, what's the bill?

SECRETARY HAWKER:

2391.

PRESIDING OFFICER: (SENATOR DEMUZIO)

2391. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2391.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

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. 4, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Amendment No. 4 is a -- another edition to what's been a long, arduous process of trying to get some good, clean language. The clerks had some concerns throughout the State. It addresses their concerns of reporting and filing dates. And I can go through the whole merits of the bill when it goes on 3rd.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Trotter has moved the adoption of Amendment No. 4. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. All right. Ladies and Gentlemen, we have concluded our business for the day. Is there announcements? Senator Silverstein.

SENATOR SILVERSTEIN:

Announcement, Mr. President. The Senate Executive Committee will meet at 5:30 in Room 212 this evening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. For the purposes of announcement, in anticipation of a Rules Committee meeting and the assignment of some amendments to the Judiciary Committee, the Judiciary Committee will meet at 6 o'clock or upon the adjournment of the Executive Committee, if it's later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter, for what purpose do you rise?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR RIGHTER:

Point of inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR RIGHTER:

A couple times we've tried to work our -- and I appreciate very much your efforts of trying to work our way through the Calendar and -- and finish up 2nd Readings. Is it safe for our Members, but much more importantly, for our staff to be able to take those bills that are now still on 2nds and put those bill files away somewhere or at least on the bottom of the stack and concentrate on other things, or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter, we'll put that in the same frame as Senator Wendell Jones' -- request. We'll get back to you. I -- you know, while -- while we are still in Session - tomorrow is the last day - my guess is, is that that -- that -- that question would be more applicably put tomorrow. Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Just an inquiry of the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR BURZYNSKI:

We would like to have a caucus in the morning. I just wanted to confirm what time we're coming in so we can set our time for our caucus prior to that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Let me get back to you in just a second on that. Let me say that the committees have -- the announcements have been made with respect to Executive at 5:30 and prospectively the one of - - of Judiciary immediately -- at 6 o'clock or immediately following Executive. It is our intention to recess to the call of the Chair in order that those Committee Reports may be read in this evening, that there will be no other business to be conducted this evening other than that which is under the general description of housekeeping. And it is our intention, then, to come back at 9 a.m. tomorrow. Senator Burzynski, for what purpose do you rise?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SENATOR BURZYNSKI:

Thank you. Seeing as how we're going to convene at 9 a.m. in the morning, we're going to have a Republican Caucus at 8 a.m. Just wanted to make sure our Members were aware of that. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there further discussion? Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, point of information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, ma'am.

SENATOR GEO-KARIS:

I notice that we have a lot of bills which -- the -- as you say, the -- the last day of the bills is tomorrow, but some of these bills have extensions on 'em till the end of the year. How does that apply to them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the extensions are the extensions. They are identified on the Calendar and the expiration is -- is there. If there's any other extensions which I am not privy to that are to be subscribed to with these bills, then it'll be the President's decision, and if he does that, the letter will be sent to the Secretary of the Senate, it'll be journalized and the extensions would thus far be -- Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Just want to clarify that the Judiciary Committee will meet at 6 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any further business? Now, remember, Senator Wendell Jones, if you'd hold your motion, maybe till tomorrow, I think would probably be the appropriate time or maybe later tonight, if you want to come back with me, but we will be recessing now to the call of the Chair in order to, again, read the Committee Reports in and any other housekeeping matters that -- that we have. So, the Senate will stand in recess.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR VIVERITO)

...Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Floor Amendment No. 1 to Senate Joint Resolution 33 and Senate Resolution 130; refer to Executive Committee - Floor Amendment No. 1 to House Bill -- pardon me, 467, Floor Amendment No. 1 to House Bill 625, Floor Amendment No. 1 to House Bill 697, Floor Amendment No. 1 to House Bill 873 and Floor Amendment No. 2 to House Bill 1543; refer to Judiciary Committee - Floor Amendment No. 1 -- pardon me, that's Floor Amendment No. 2 to House Bill 563, Floor Amendment No. 3 to House Bill 571, Floor Amendment No. 4 to House Bill 1281, Floor Amendment 4 to House Bill 1382, Floor Amendment 4 to House Bill 2136, Floor Amendment 3 and Floor Amendment 4 to House Bill 3486; and Be Approved for Consideration - Floor Amendment No. 3 to House Bill 43, Floor Amendment 3 to House Bill 560, Floor Amendment 2 to House Bill 860, Floor Amendment 2 to House Bill 1074 and Floor Amendment 1 to House Bill 3692.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Rutherford, what do you rise for?

SENATOR RUTHERFORD:

Mr. President, thank you. Recognizing that you and I are here, I just wonder if I could have a quorum call.

PRESIDING OFFICER: (SENATOR VIVERITO)

Absolutely, Senator.

SENATOR RUTHERFORD:

I'll tell you, Mr. President, in -- in light of bipartisan cooperation, recognizing there's one Democrat and one Republican in this room, I'm going to withdraw my request at the present time and ask the Secretary proceed in the fine and elegant manner she does and particularly in light of it being the cusp of her birthday, only a day ago, I -- I appreciate the opportunity to be here working and serving with you, Mr. President.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Thank you very much, Senator, for those kind words about our wonderful Secretary. Thank you. Madam Secretary, the Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR VIVERITO)

The Senate will come to order. 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 passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 3513.

Passed the House, May 15, 2003.

I have a like Message with respect to House Bills 3514, 3743, 3744, 3745, 3746, 3747, 3748, 3751, 3753, 3754, 3759, 3766, 3767, 3768, 3770, 3771, 3774, 3775, 3776, -- 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3789, 3791, 3792, 3793, 3795, 3796.

All passed the House, May 15, 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 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 24.

Passed -- adopted by the House, May 13, 2003, and it has been picked up by Senator del Valle.

PRESIDING OFFICER: (SENATOR VIVERITO)

House Bill -- House Bills 1st Reading. Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 3513, offered by Senator Welch.

(Secretary reads title of bill)

House Bill 3514.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

(Secretary reads title of bill)

House Bill 3743.

(Secretary reads title of bill)

House Bill 3744.

(Secretary reads title of bill)

House Bill 3745.

(Secretary reads title of bill)

House Bill 3746.

(Secretary reads title of bill)

House Bill 3747.

(Secretary reads title of bill)

House Bill 3748.

(Secretary reads title of bill)

House Bill 3751.

(Secretary reads title of bill)

House Bill 3753.

(Secretary reads title of bill)

House Bill 3754.

(Secretary reads title of bill)

House Bill 3766.

(Secretary reads title of bill)

Pardon me, these are all, by the way, sponsored by Senator Welch.

House Bill 3767, offered by Senator Welch.

(Secretary reads title of bill)

House Bill 3768.

(Secretary reads title of bill)

House Bill 3770.

(Secretary reads title of bill)

House Bill 3771.

(Secretary reads title of bill)

House Bill 3774.

(Secretary reads title of bill)

House Bill 3775.

(Secretary reads title of bill)

House Bill 3776.

(Secretary reads title of bill)

House Bill 3780.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

House Bill 3781.

(Secretary reads title of bill)

House Bill 3782.

(Secretary reads title of bill)

House Bill 3783.

(Secretary reads title of bill)

House Bill 3784.

(Secretary reads title of bill)

House Bill 3785.

(Secretary reads title of bill)

House Bill 3786.

(Secretary reads title of bill)

House Bill 3789.

(Secretary reads title of bill)

House Bill 3791.

(Secretary reads title of bill)

House Bill 3792.

(Secretary reads title of bill)

House Bill 3793.

(Secretary reads title of bill)

House Bill 3795.

(Secretary reads title of bill)

House Bill 3796.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the -- Senate President.

Dear Madam Secretary - Pursuant to Senate Rule 2-10, I hereby establish May 31, 2003, as the final committee and 3rd Reading deadlines for the following House appropriation bills:

House Bills 3513, 3514, 3743, 3744, 3745, 3746, 3747, 3748, 3751, 3753, 3754, 3759, 3766, 3767, 3768, 3770, 3771, 3774, 3775, 3776, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3789, 3791, 3792, 3793, 3795 and 3796.

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, Committee Reports.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 1 to House Bill 467, Senate Amendment No. 1 to House Bill 625, Senate Amendment No. 1 to House Bill 697, Senate Amendment No. 1 to House Bill 873 and Senate Amendment No. 2 to House Bill 1543, all Be Adopted.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 2 to House Bill 563, Senate Amendment 3 to House Bill 571, Senate Amendment No. 4 to House Bill 1382, Senate Amendment No. 4 to House Bill 2136, Senate Amendment No. 1 to House Bill 3086 and Senate Amendments 3 and 4 to House Bill 3486, all Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 156, offered by Senator Viverito and all Members.

Senate Resolution 157, offered by Senator Brady and all Members.

They are both death resolutions.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Joint Resolution 34, offered by Senator Winkel. It is substantive.

Senate Resolution 158, offered by Senator Cullerton. It is commendatory.

PRESIDING OFFICER: (SENATOR WELCH)

Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairperson of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations II Committee - House Bills 3513, 3514, 3743, 3744, 3745, 3746, 3747, 3748, 3751, 3753, 3754, 3759, 3766, 3767, 3768, 3770, 3771, 3774, 3775, 3776, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3789, 3791, 3792, 3793, 3795 and 3796; refer to Education Committee - Floor Amendment No. 1

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

46th Legislative Day

5/15/2003

to House Bill 757; and refer to Judiciary Committee - Floor Amendment No. 5 to House Bill 1281.

PRESIDING OFFICER: (SENATOR WELCH)

All righty. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 o'clock on Friday, February {sic} 16, 2003. The Senate stands adjourned.