

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

5/20/2003

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, the hour of noon having arrived, the Senate will come to order. Our Members will be at their desk. Our guests in the gallery will please rise. Our prayer today will be given by Pastor Jerry Doss of the Abundant Faith Christian Church, Springfield, Illinois. Pastor Doss.

PASTOR JERRY DOSS:

(Prayer given by Pastor Jerry Doss)

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Thursday, May 15; Friday, May 16; and Monday, May 19th, 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woolard.

SENATOR WOOLARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You just heard the motion. Are there objections? So ordered. Wonder Dog Media and WCIS {sic} (WICS) has request leave to tape the proceedings. Is leave granted? Leave is granted. Messages.

SECRETARY HAWKER:

A Message from the Minority Leader.

Dear Madam Secretary - Please be advised that Senate -
- Senator Wendell Jones will replace Senator Peter Roskam on the Senate Gaming Revenue Committee. Senator Petka will remain as Republican Spokesman.

Sincerely, Frank Watson, Senate Republican Leader.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, let's -- if you're in your offices, let's come to the Floor. We are -- we're going to begin on

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House Bills 3rd Reading on page 68. Page 68. It's my understanding that the Appropriations Committee now has -- has adjourned and that we are in business. Page 68. House Bills 3rd Reading. 2550. Senator Lightford. 2572. Senator Jones. 2577. Senator Link. ...record reflect that Senator Obama is in the -- is walking to his seat. He's not in his seat. Page 72. Bottom of page 72, with leave of the Body. 2843. Is Senator Sullivan, John Sullivan, on the Floor? 73. 2855. Senator Garrett. On the Order of House Bills 3rd Reading, Ladies and Gentlemen, top of page 73, is House Bill 2855. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2855.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Ladies and Gentlemen, House Bill 2855 amends the Truth in Taxation Law of the Property Tax Code. Changes the required notice for a public hearing regarding a proposed tax levy. Provides that the notice must state the dollar amount of the final aggregate levy as extended, plus the amount abated by the taxing district prior to the extension. This notice change is -- applies only to property taxes extended for debt service and public building commission leases. It is supported by the Illinois County Assessors' Association, the Illinois Municipal League -- I'm sorry. They have no position. The Taxpayer Federation of Illinois is in support of this. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 2855 pass. Those in favor will -- vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2855, having received the required constitutional majority, is

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declared passed. 2860. Senator Collins. Senator Wojcik, what purpose do you rise?

SENATOR WOJCIK:

Thank you, Mr. President. I rise for point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, please state your point.

SENATOR WOJCIK:

I have a Page with me today. Her name is Chloe Padula. She's from Barrington, and her mother is in the gallery, and she's Sue, and I'd like to have them welcomed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Please rise and be recognized by the Senate. Welcome. Nice to have you here today. Senator Collins, on 2860. Madam - - Madam Secretary, House Bills 3rd Reading is House Bill 2860. Read the bill.

SECRETARY HAWKER:

House Bill 2860.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

I'm -- I'm sorry. I'm waiting for my bill to come up from my desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Leave to come back. I'm sorry. It's right behind you. 2860. Madam Secretary, will you put it back in the record. Read the bill.

SECRETARY HAWKER:

House Bill 2860.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill -- I mean. I'm sorry. House Bill 2860 basically requires court-ordered drug treatment providers to

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notify the clerk of the court upon the termination of services to a probationer within seven working days of that termination. It further provides that the drug treatment providers shall return to the court any amount paid for services not provided on a per diem basis. And I would appreciate an affirmative approval, but I'm open for any questions from any of the Members of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Righter.

SENATOR RIGHTER:

Senator Collins, in looking at our analysis, it indicates that one of the things that your legislation does is it moves back the time within which the court has to be notified from twenty-four hours to seven days. That's a pretty dramatic increase. Can you tell me why we're doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

It was a request from some of the agencies. They felt that they needed that time for the paperwork to be compiled and the data put in the proper documentation for the notification. So, I was willing to make that concession as a compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

Is there a concern -- a fair concern, Senator, in your mind, that seven days is too long, that the court needs to know before seven days if some kind of action needs to be taken, if the -- if the individual who may be on probation's probation officer needs to be notified of this so a petition to revoke their probation can be filed and the person can be dealt with expeditiously? That's -- that's a -- that's a concern I've got. As someone who used to work as a prosecutor, I wonder if this isn't a little bit too far behind the curve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Collins.

SENATOR COLLINS:

I'm not familiar with the -- the process to the extent that you might be. I thought that was a reasonable request, to give them seven working days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If -- if not, the question is, shall House Bill 2860 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2860, having received the required constitutional majority, is declared passed. All right. We have a request of the -- well... Ladies and Gentlemen -- Senator Walsh, what purpose do you rise?

SENATOR WALSH:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm honored today to have a young lady, Sylvia -- Sylvie Brick, who is with me. She is a Page for the Day. She is a third-grade student at the Eisenhower Academy in Joliet. And she, along with her father, Myron Brick, is -- who's in the gallery right behind the Democratic side, are down here for their trip to Springfield. I would like to have the Senate welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests in the gallery, on the Floor, welcome. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

I also rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR CROTTY:

If everyone in the Senate would help welcome my next-door neighbors, Cathy and Jerry Crosby, that are sitting up in the gallery with a student from Beijing, China, Shashing Yong, who's

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graduating next month from the University of Illinois with a Master's Degree in accounting. But this is all of their first times in Springfield, and I'd -- also like to make sure that Shashing knows that we welcome him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to Springfield. Will our guests please rise? These are your neighbors? Good. Well, good. We -- we might want to talk to you pretty soon. All right. Senator Althoff, what purpose do you rise?

SENATOR ALTHOFF:

I, too, rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR ALTHOFF:

I have with me a Page for the Day, Jamie Schaeffer, from Palatine, Illinois. And although she's not from my district, she is from Senator Jones' district, and she's in sixth grade. I'd like to have her welcomed by the Members of the Senate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Welcome. Welcome to Springfield. All right. With leave of the Body, we'll return back to page 68. We'll return back to page 68. Is leave granted? Leave is granted. 2572. Senator Jones indicates he wishes to have that bill called, Madam Secretary. House Bill 2572.

SECRETARY HAWKER:

House Bill 2572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. This bill provides a -- mechanism for cemeteries to correct encroachments on grave plots, and it is consistent with cemetery correction laws in virtually all our neighboring states. This bill is supported by the Executive Committee of AARP. Other proponents include the Illinois Cemetery and -- Funeral Home Association, Funeral Directors Service Association, Service Corporation --

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International, Metropolitan Chicago Cemetery Officials, SEIU, Illinois Funeral Directors, Township Officials. This legislation provides a tool for the efficient management of cemeteries and is helpful to consumers of cemetery service. I know of no opposition. It's agreed bill, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For Members on this side of the aisle, this did come out of the Executive Committee unanimously and it is supported by all interested parties. And it has absolutely nothing to do with the O'Hare -- the cemeteries around O'Hare Airport.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh. All right. That -- question is, shall House Bill 2572 pass. All those in favor will -- will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2572, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, with leave of the Body, we will go back to where we were now on page 73. Page 73. 2864. Senator Crotty, do you wish to have that bill called? On the Order of House Bills 3rd Reading is House Bill 2864. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2864.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2864 really reflects Senate Bill 694 that we passed out of here, but it comes back to us with a few changes. It clarifies that the Illinois license that must be held is the regular license to practice as a speech-language pathologist.

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It also clarifies that a licensee from another state must have applied for a regular Illinois license, and it also allows a person with a temporary license as a speech-language pathologist who has completed a program approved by the Illinois State Board of Education to receive the School Service Personnel Certificate. And all license holders referred to must meet all other conditions specified in the bill in order to receive the School Service Personnel Certificate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 2864 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2864, having received the required constitutional majority, is declared passed. 2902. Senator Dillard. 2983. Senator Luechtefeld. I beg your pardon. Senator Woolard. Looks like -- you've grown quite a bit over there. No. I'm sorry. 3023. Senator Martinez. 3023? 3047. Senator Munoz. Senator Munoz on the Floor? 3048. Senator Walsh. On the Order of House Bills 3rd Reading is House Bill 3048. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3048.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3048 amends the Illinois Procurement Code in regards to construction contract bid requirements. Provides that to be considered a responsible bidder on a construction contract, a bidder must comply with all the outlined requirements and present satisfactory evidence of the compliance to the appropriate construction agency. Requirements include compliance with all the applicable laws concerning a bidder's entitlement to conduct business in Illinois; compliance with applicable provisions in the Prevailing Wage; compliance with

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federal Equal Employment Opportunities provisions. Further, the bidder's subcontractors, as well as the bidder, must participate in applicable apprenticeship and training programs approved by and registered with the United States Department of Labor. Be willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Roskam. Ladies and Gentlemen. Senator Roskam.

SENATOR ROSKAM:

Senator, who are the opponents to this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Senator, did you say proponents or opponents? Opponents?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR WALSH:

We...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon. Senator Walsh.

SENATOR WALSH:

We had -- we had no opponents. I did have one representative that represented a portion of nonunion contractors that had some concerns with the piece of legislation. We met in my office and discussed the issue, and we still continued to move the piece of legislation forward.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Senator, this seems like a controversial bill that's sort of coming fast upon us early in the day, so I'm -- for the benefit of our Members, I'm just trying to -- to get some more explanations on the record. Our analysis says that the Association of General Contractors is opposed to the bill. And I guess the basis of their opposition is that it limits

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competitive bidding and it is going to end up putting a requirement in that they're going to have to have some of these union apprenticeship programs. Is that a -- can -- can you address that issue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Yes, Senator. In regards -- that -- that was the comment -- that was the comment that I made earlier, that a representative of the Contractors' Association who has approximately -- maybe five percent of his contractors are nonunion, that had a concern in regards to the participation with the apprenticeship program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Thank you. Briefly to the bill. I would just urge caution on Members of this side of the aisle. I think that what may end up happening here is that the cost of doing business with this increased regulation is just going to go up and up and up, and it's not ultimately going to serve anybody. So I would urge a No or Present vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Risinger.

SENATOR RISINGER:

Will the Senator yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Risinger.

SENATOR RISINGER:

It -- it's my understanding, Senator, that the Department of Transportation was opposed to this bill because they thought it would limit competition. Do you not have them as an opponent to the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

The Department of Transportation is now neutral, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Risinger.

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SENATOR RISINGER:

You got that from the -- in writing from them? Okay. We did not receive that information. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Walsh may close.

SENATOR WALSH:

Well, I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3048 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. The voting -- have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the -- the Nays are 19, none voting Present. House Bill 3048, having received the required constitutional majority, is declared passed. Senator Meeks, do you wish to have your bill -- Senator Meeks, on House Bill 3086, seeks leave of the Body to return House Bill 3086 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 3086, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Meeks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. It's a simple amendment that removed the language that provide that an authorized physician or dentist may perform tongue splitting on an individual only if there is therapeutic or clinical basis for performing the procedure. I'd be happy to talk about the rest when we get to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Meeks has moved the adoption of Amendment No. 1 to House Bill 3086. Those in favor will 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.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Meeks, you wish to proceed then on the Order of -- Ladies and Gentlemen, on the Order of House Bills 3rd Reading, bottom of page 73, is House Bill 3086. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3086.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman, Members of the Body. This bill, Senate Bill -- or, House Bill 3086 came to me from State Representative David Miller, who's also a dentist, and this bill has to do with tongue splitting. And the bill simply says that any individual wishing to have his or her tongue split, that procedure must be performed by a dentist or a medical doctor. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Dillard.

SENATOR DILLARD:

..you -- thank you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, please can we break up the conference?

SENATOR DILLARD:

Thank you, Mr. President. I rise in support of the bill. I'm a cosponsor and in the past have sponsored bills which have slowed down the proliferation of body piercing, especially when it comes to the mouth, because of infection and other problems that can be permanent and longlasting. And I would admonish the Membership that any time a minister - a man of the cloth - like Senator Meeks speaks in tongues you should be for the bill. So we should all be for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator -- Senator -- Senator Hendon, are you here? Okay. Senator Hendon. Senator Hendon.

SENATOR HENDON:

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Yes. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. Senator, he indicates he will yield. Senator --
Senator Hendon.

SENATOR HENDON:

Senator Meeks, when -- when this legislation passes, will
it give you the ability to speak in tongue at -- at your church
or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Meeks.

SENATOR MEEKS:

I think it will give you the ability to speak with a clear
tongue, Senator Hendon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hendon.

SENATOR HENDON:

In the old western days, the Indians used to say that the
white man spoke with a forked tongue. Is -- does it have
anything to do with this? You trying to get to something here
that gives the -- a politician the ability to double-talk and
doublespeak like Senator Dillard just did? I'm trying to -- I'm
trying to get what -- what -- where are you going with this?
How did you come up with this substantial piece of legislation?
Did it have anything to do with the Wild West or current
politicians talking out of both sides of their mouth?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Meeks.

SENATOR MEEKS:

Senator Hendon, I think that those of us who are
politicians have learned the art of double-talking without a
split tongue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House
Bill -- 3086 pass. Those in favor will vote Aye. Those
opposed, Nay. The voting is open. Have all voted who wish?
Have all voted who wish? Have all voted who wish? Take the
record. On that question, the Ayes are 57, the Nays are none,
none voting Present. House Bill 3086, having received the
required constitutional majority, is declared passed. 3091.

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Senator Roskam. On the Order of House Bills 3rd Reading is House Bill 301 {sic}. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3091 -- does two simple things: Creates the offense of arson in a place of worship and it also creates a mandatory five-hundred-dollar fine for a person who commits an arson offense. I know of no opponents and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3091 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3091, having received the required constitutional majority, is declared passed. 3142. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you. Just a question of the Chair, if -- if I might. I was just curious. We had -- we had Senator Meeks' bill on splitting of the tongues, and Senator Hendon and Senator Dillard took that to the -- to the church aspect of this. Now we have an arson bill relative to churches, and I was just wondering if there's any significance to the fact that on House Bills 3rd Reading the number is 666. It all just seems to flow today, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you very much for that statement. House Bills, bottom of page 73, is House Bill 3142. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3142.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 3142 creates the Accountability for the Investment of Public Funds Act. Very simply, it requires any State agency holding public funds to post certain basic disclosure information on the Internet. It was negotiated with the Treasurer's Office, so I'm confident that mechanically it will work. I'm aware of no opposition. I'd ask for an Aye vote and would entertain any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Risinger.

SENATOR RISINGER:

Yes. This bill came through State Government, and I would urge Aye votes on this side of the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall House Bill 3142 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3142, having received the required constitutional majority, is declared passed. 3231. Senator Munoz, on -- Madam Secretary. Bottom of page 73, Ladies and Gentlemen, 3231, please. I beg your pardon. Senator Munoz seeks leave of the Body to return House Bill 3231 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 3231, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Members of the Senate. Senate Amendment No. 1 to House Bill 32 {sic} just deletes the

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Section making the North Shore Sanitary District subject to the Sanitary District Revenue Bond Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...has -- Senator Munoz 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. On the Order of House Bills 3rd Reading, Ladies and Gentlemen, at the bottom of page 73, is -- is House Bill 3231. Madam Secretary.

SECRETARY HAWKER:

House Bill 3231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. House Bill 3231 amends the Municipal Code regarding discontinuing watering service. Sets a procedure through which municipalities and sanitary districts may authorize a discontinuance of water or sewer service when payment for it has become delinquent by at least thirty days. Makes the Sanitary District Revenue Bond Act -- just strike that last sentence: Makes the Sanitary District Revenue Bond (Act) applicable to the North (Shore) Sanitary District. There's no opposition to the bill. Be willing to answer any questions if necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Righter.

SENATOR RIGHTER:

Mr. President, I wonder if I could be so bold as to ask the sponsor to repeat those comments. I didn't hear hardly anything of what he said with regards to what the bill did because of the noise in the Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Ladies and Gentlemen, it is our desire to vacate as quickly as we can. So, we could have some order so we can hear what we're doing. Senator Munoz.

SENATOR MUNOZ:

Basically the bill sets a procedure through which municipalities and sanitary districts may authorize the discontinuance of water or sewer service when payment for it has become delinquent by at least thirty days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator, right now what is the current restriction insofar as how they can enforce the nonpayment of these bills?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Wait a minute. I'll check on it for you, Senator. Senator, they don't discontinue service right now. They just put a lien on the property.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

So your bill allows them to place a lien?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Negative. That's what is currently on there now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

Then your bill would allow them to shut off the service, rather than just placing a lien. So if someone can't pay their water bill, your bill would allow them to choose to shut off their sewer service instead. Is that fair to say?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

It's water or sewer service when the payment has not been made or became delinquent within thirty days -- at least thirty days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

The question I have, Senator, is whether or not these entities are restricted to only shutting off the service for which nonpayment has been made. I mean, if I am a -- a customer and I am not paying one or the other of my bills, will this empower that entity to shut off one of my services that maybe I'm not -- the one that I am current on or shut 'em both off?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

I guess it would have to be where you're located, sir, whether it's -- if it's easy access to shut the water off there or if they -- certain areas it'd probably be the sewer service. In any event, if you're past due, this is just doing it for nonpayment for at least thirty days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, is it a fair characterization to say that you are granting more latitude to these entities insofar as how they can remedy the late payment of bills?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Yes. I would definitely say so doing that. 'Cause granted if something should happen or properties are sold and it's under somebody else's name, they can rectify the problem, make the payment and the water is restored.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand, Senator, that this bill is something -- the enforcement of nonpayment of sewer bills by discontinuing either water or sewer service or both?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Is that all your bill does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator. That's all it is, and they would have to be at least thirty days delinquent, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. We did discuss this in Local Government, but I think there's been a new aspect brought up in the discussion this morning -- or this afternoon from Senator Righter, and that is the bonding authority that's in here and also the fact that you can shut off somebody's water even -- even though they've just not paid the sewer bill. They don't pay the sewer bill, but allows -- does this bill allow them to shut off the water even if they don't pay the sewer bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Senator, it just sets a procedure through which -- municipalities can make that decision, whether it be the sewer or -- or the water, sir.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR W. JONES:

Yes, Senator Munoz, this only involves counties with a population of two hundred and fifty thousand or less, and I was wondering why somebody from the City of Chicago was carrying this bill when it's for small downstate counties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

I was asked if I would like to carry the bill, and that -- I said I would do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wendell Jones.

SENATOR W. JONES:

I think there are some aspects of this bill that perhaps did not come out in our discussion in Local Government. I would ask that you take it out of the record and let us take a look at it. We still have time and I would urge this side to -- to either vote Present or No until we can take a better look at it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Senator Munoz, what happens if a little old lady can't pay her water bill under your program here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

That I can't answer for you, Senator. I'm just basically telling you what the intent of this bill is and the definition that was stated and the summary regarding the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

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So if a little old lady can't pay her water bill, Senator, what's going to happen to her under your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Pardon me. Just a minute. Can we break up the caucuses, please? Senator Munoz.

SENATOR MUNOZ:

Senator, first of all, as you well know, under ordinances under different certain municipalities, they have a procedure that's set up. I'm sure that the little old lady or any other citizen in that municipality will be notified with notices before that should have happened, sir. Under this current law, for them to come and put a lien on your house, I think that's more major than us having them to shut it off. I don't think the municipalities would shut the old lady's water off -- the little old lady's water off the way you're stating, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, it seems to me that if the little old lady pays her water bill, doesn't pay her sewer bill, then her water is going to get shut off. Why are we doing that? That -- that seems unfair. You can't be for that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Sir, what I think is unfair is having somebody to place a lien on your property. That's unfair. The only thing we're doing here is after thirty days and numerous notification notices, the water be shut off and then once it is, try to reach an agreement. Maybe it was a -- a wrongdoing on the sanitary district's part, but I'm sure with some negotiation, they can get the problem resolved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill. You know, we all get approached from time to time to carry bills, and we -- the best of us do it, and we're happy to do it. Every once in a while somebody will give us a bill that turns out to be a

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little bit different maybe than as represented. So I think the -- what'll end up happening here is we'll be empowering folks to turn off water - vital, vital services to people who need it - if they're -- if they're not paying an unrelated bill. And on both sides of the aisle, I think we should -- we should intervene here and send this bill back to the negotiating table. This needs a lot of help and I'd urge an Aye vote -- or, I'd urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Soden.

SENATOR SODEN:

Senator Munoz, leave for a question. How many notices are required before this shutoff occurs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Sir, it's under different municipalities how they set up the procedure. I can't speak for the municipalities that this bill would cover, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Soden.

SENATOR SODEN:

Senator Munoz, don't you think a certified letter should be forthcoming when the shutoff occurs or is to be occurring?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

I don't disagree with you on that, sir. Probably once we get it out, maybe we can do something with it in the House, or maybe do something with it later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I was just rising to tell my good friend, Senator Munoz, perhaps he needs to maybe take this out of the record and work on it a little longer. He's got a few problems on this side. Just wanted to let you know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

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SENATOR MUNOZ:

...the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Munoz indicates take it out of the record. Take it out of the record. Ladies and Gentlemen, leave of the Body, before we go any further, let us -- let us go back to page 72, at the bottom. Bottom of page 72, Ladies and Gentlemen. Leave of the Body, House Bills 3rd Reading is House Bill 2843. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. House Bill 2843 does four things. It creates a new drug offense of criminal synthetic drug manufacturing conspiracy. It provides that tampering with anhydrous ammonia equipment occurs when an unauthorized individual vents or attempts to vent anhydrous ammonia into the environment. It increases the penalty for tampering with anhydrous ammonia from a Class A misdemeanor to a Class 4 felony. And it adds -- adds red phosphorous to the definition of a meth chemical. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall House Bill 2843 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2843, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, let's go to page 74. Top of page 74 is 3398. Senator Walsh. Senator Walsh wishes to have that bill called. On the Order of House Bills 3rd Reading is House Bill 3398, Madam Secretary.

SECRETARY HAWKER:

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House Bill 3398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3398, as amended, makes numerous changes to the Prevailing Wage Act designed to enhance the Act's enforcement and administration and clarify a scope of coverage. The Prevailing Wage Act governs the wages that construction contractors must pay workers when working on State or locally funded construction projects. Basically, there are three issues that we are dealing with here, is the -- clarifying the Prevailing Wage Act coverage, improves the Prevailing Wage Act enforcement, and improves the Prevailing Wage Act administration. And I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Wojcik. Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President. I -- I just have a few questions regarding the prevailing wage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Indicates he will yield. Senator Wojcik.

SENATOR WOJCIK:

Amendment No. 1 replaces everything after the enacting clause and becomes the bill. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

Does that take out the expanding of the prevailing wage to cover Illinois First projects?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WOJCIK:

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Is that -- that's Amendment No. 2?

SENATOR WALSH:

No, that is not correct. It does not take out the Illinois First projects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Wojcik.

SENATOR WOJCIK:

I believe Amendment No. 2 does then, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

It -- Senator, what -- what Floor Amendment No. 2 did was to eliminate many of the redundant comments or languages that was in this bill that was previously passed in Senate Bill 1212. It just basically cleaned up some of the things that were passed in 1212 so we don't have a -- basically the -- the same bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Wojcik.

SENATOR WOJCIK:

Okay. Then it still requires the contractors to keep certain payroll records for at least three years. All right. I would just only say that this is going to place a hardship, again, on the contractors because of the recordkeeping, and I would ask my side of the aisle to look at this legislation and to give it a consideration to vote No or Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Walsh may close. Question is, shall House Bill 3298 pass. Those in -- House Bill 3398 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are -- 52, the Nays are 5, 1 voting Present. House Bill 3398, having received the required constitutional majority, is declared passed. Senator John Jones, what purpose do you rise?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

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SENATOR J. JONES:

With me today here at my side I have Jennifer Harris from -
- from Fairfield paging today, along with her mother in the
gallery, Melanie Harris. And would like for you to welcome 'em
to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to Springfield. Delighted to have you here. 3402.
Senator Harmon. 3411. Senator Haine. On the Order of House
Bills 3rd Reading is House Bill 3411. Madam Secretary, read the
bill.

SECRETARY HAWKER:

House Bill 3411.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the
Senate. This proposed change in the law changes the way the Bi-
State Development Corporation, now known as the Metro system, in
the St. Louis metropolitan area, the Board of Governors is -- is
chosen. Historically, the Governor of Illinois appointed five
and the Governor of Missouri five. This allows the County Board
Chairmen from Madison and St. Clair County, in alternating the
years, to appoint each commissioner for a term of years. It
also allows -- we amended it to allow Monroe County in Senator
Luechtefeld's district to appoint one if and when they implement
the quarter-cent tax to fund the buses. St. Louis does a
similar thing, and I ask for your support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. The Local
Government Committee passed this out unanimously. And we'd ask
for green votes on this side of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall House Bill 3411
pass. Those in favor will vote Aye. Those opposed will vote
Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none. House Bill 3411, having received the required constitutional majority, is declared passed. Bottom of page 74. 3455. Senator -- Senator Obama. ...Obama? It's 3455. Take your time. 3455. 3455. No. Okay. Okay. Dinner time's coming. Okay. Page 75. 3486. Senator Obama. Top of -- all right. House Bills 3rd Reading. House Bill 3486. This is a recall. Senator Obama seeks leave of the Body to return House Bill 3486 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 3486. Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. -- No. 2, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill relates to employee leave when they've been victims of domestic or sexual violence. I'll be happy to talk about it more on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama moves 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:

Floor Amendment No. 3, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

This is an additional amendment. Cleanup language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama moves the adoption of Amendment No. 3. 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?

SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Obama.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

Again, a cleanup amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama moves the adoption of Amendment No. 4. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Obama, do you wish to proceed? On the Order of House Bills 3rd Reading, Ladies and Gentlemen, is House Bill 3486. Read the bill.

SECRETARY HAWKER:

House Bill 3486.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I know this Chamber needs no education with respect to the tremendous societal costs related to domestic and sexual violence. This bill makes a modest attempt to deal with the problems that victims face after this violence has occurred. It provides for employee leave in -- for limited purposes, allowing them, for example, to go to court, to attend counseling, or to otherwise deal with the problems that may arise specifically related to domestic or sexual violence. At this point, I think it's fair to call this an agreed bill. We went through a variety of versions with business organizations throughout the State. This latest iteration is one that I think they have approved of, and so we know of no opposition to the bill. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President. I do have one question for the sponsor, if I might.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Dillard.

SENATOR DILLARD:

Senator Obama, if the employee does not return to work after the leave allowed by this Act, is the employer under any further obligation to hold the job for the employee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Senator Obama, what's the triggering mechanism for this? This came in Judiciary. I don't remember it really coming up, or maybe I came in during the middle of your presentation, but who has the standing to -- to invoke this privilege essentially?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

They would have had to have been a victim of domestic or sexual violence, and they have to show proof to the employer, and to provide them notice as well, of the -- of the incident that gives rise to the need for leave. And proof can be the form of, for example, a court document or some other official document, a doctor's record, things -- something of that sort, some tangible instrument that would allow the employer to confirm, in fact, that they have been a victim of domestic or sexual violence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

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That makes sense in -- insofar -- is -- is there an obligation on the part of the employee, Senator, to file a complaint with the police, for example, or to -- to further along the law enforcement process? And here's the larger question that I'm asking: Could an employee, for example -- you know, how do we keep the employer from getting sandbagged in this deal? Could an employee come in and say, "I was pushed around in -- in my home; I'm therefore a victim of domestic violence," and sort of take advantage of the system without pursuing it further? If you could address that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

Mr. President, are you all right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'll make it.

SENATOR OBAMA:

You told me the story about Henry Kissinger, and... All right. The -- the answer is, is that there has to be some verifiable document that confirms, in fact, that they have been a victim. And so, as a consequence, in the scenario that you raised, for example, if they've never pressed charges, they haven't sought medical attention, so forth and so on, the employer has the right to demand that there's some sort of verifiable element to this -- to their claim.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Obama, I had a conversation with a person from the National Center on Poverty Law, who wanted to discuss with me this bill. And one question that I had for her that I'd like to pose to you is, with regards to the prohibition that an employer may discriminate against an employee for conditions surrounding domestic violence, or -- or whatnot, at what point does that -- for lack of a better term -- run out? If an employer has an

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employee who's the victim of that kind of violence and then over the course of the next twelve or eighteen months -- perhaps that employee's employed in a professional services firm, has regular contact with -- with the -- with the public and whatnot. At what point does the employer say this person's not getting the job done and we have to move on to something else?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

The provision giving a right of action against the employer was taken out of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

Does that mean that the prohibition against an employer discriminating against an employee who's the victim -- a victim of this kind of violence has also been removed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Obama.

SENATOR OBAMA:

We took out -- that really was linked to the issue of whether there would be liability to the employer. We -- and in amending the bill, then, we took out the provision indicating that -- the way that it was originally phrased, I think there was some -- it -- it wasn't very tight language. And so we did tighten it up. I'm happy to look at the bill right now, but as I said, in talking to the employers' organizations, I think they're comfortable with the language as it's currently crafted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Obama may close.

SENATOR OBAMA:

I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, does House Bill 3486 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3486, having received the required constitutional majority,

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is declared passed. 3528. Senator Cullerton. 3530. 3530. Senator Sandoval seeks leave of the Body to return House Bill 3530 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 3530, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sandoval.

SENATOR SANDOVAL:

Amendment 1 decreases -- increases the threshold for the Chicago Building Commission from five to twenty-five thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Sandoval, on the Order of House Bills 3rd Reading is House Bill 3530. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sandoval.

SENATOR SANDOVAL:

Mr. President, Members of the Senate, this bill -- Senate bill -- House Bill 3530 basically increases the threshold from five to twenty-five thousand for the Public Building Commission. The threshold for competitive contract for the remainder of the State remains the same. The threshold for five thousand in the Chicago Building Commission has been around since the 1950s. Due to the complexity and volume of projects in the City of Chicago, they are asking an increase to a threshold of twenty-five thousand. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Just as a point of clarification. I think I heard you say this, but I'm not sure. Applies only to the City of Chicago Public Building Commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator -- Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Senator, why are we raising the threshold by five hundred percent for anybody as it relates to not-bid contracts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sandoval.

SENATOR SANDOVAL:

As I indicated earlier, Senator Roskam, due to the volume of projects and the complexity and the large dollar value of the projects in the City of Chicago, there's a need for raising the threshold.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Well, Mr. President, to the bill. You know, it seems to me that this is moving in exactly the wrong direction. For an administration that has said we want to change and have no more business as usual, what this does is allow business as usual, but even more so. This says that the five-thousand-dollar limit in the past is no longer a restraining influence. You can give your buddies any kind of job you want, no longer for a five-thousand-dollar deal. Come and see 'em for a ten-thousand-dollar deal or a fifteen-thousand deal, twenty thousand or even twenty-five-thousand-dollar deal. This is not a fresh start in

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Springfield. This is not a new wave of reform. This is a lurch backward to the old days. And let's face it, this is on behalf of one municipality in the State of Illinois. It excludes a hundred and two counties. It excludes every other municipality, and it says it applies in one place and one place alone, and that's the City of Chicago. We should reject this. This city is a city that has a history that needs a lot of help on the other side of this equation. It needs to be shorn up as it relates to ethical issues and not given the power to move in the other direction. Please vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Sandoval may close.

SENATOR SANDOVAL:

I'd actually say that, Senator Roskam, the -- in the Local Government Committee there was much debate about this bill. I made all the compromises. This bill was a compromise bill from both sides of the aisle in regards to the threshold. And I'd like to say that as relates to the City of Chicago, when it comes to minority contracting, the City of Chicago and the Chicago Public Building Commission has one of the greatest records for minority- and women-owned participation, I would say of any city in the great State of Illinois. So, I'd ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3530 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 28, none voting Present. House Bill 3530, having failed to receive the required constitutional majority, is declared lost. Senator Sandoval requests Postponed Consideration. 3543. Senator Munoz. On the Order of House Bills 3rd Reading is House -- take it out of the record. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

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SENATOR LUECHTEFELD:

Behind the Republican side of the aisle, I would like it if the Members of this Body would welcome a group from my hometown of Okawville, the Immanuel Lutheran Grade School is here. The seventh and eighth graders. Would you please rise, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Please rise and be recognized. Welcome to Springfield. Senator Frank Watson, what purpose do you rise?

SENATOR WATSON:

Thank you, Mr. President, Vince Demuzio. I'd like to just make an announcement that the Southwestern Illinois Employers Association has provided lunch for us today and it's over in our wing of the Capitol, and all our staff and Members are certainly encouraged to go over and have some chili and hot dogs. And we thank Mike Walters, Bob Walters and the Southwestern Illinois Employers Association for providing that for us today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. 3553. Senator Welch. 3553. Senator Martinez, what purpose do you rise?

SENATOR MARTINEZ:

I would like to change -- I mean, I -- I pressed the button. It didn't reflect my vote on -- on House Bill 3530. I would like to -- the record to reflect that I am voting Yes on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The electronic marvel will so indicate.

SENATOR MARTINEZ:

I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3553. Senator Welch. No. Let me -- let me explain something, Ladies and Gentlemen. This is not the House. This is the Senate. When the record is taken, it is a final recorded vote of the Members of the Body. If, for some reason or another, you had voted in error or you didn't vote or your switch didn't work or whatever it is, you may get up and explain what the nature of your vote was. It does not affect the final outcome of the bill. And therefore, the expression just made was, a person indicated that they wanted to vote in the affirmative. That was their position. Unfortunately, it wasn't

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recorded in that manner. It is not a part of the final -- final record. It will be, in fact, be part of the transcript for examination later. 3556. Senator Collins. Madam Secretary, 3556.

SECRETARY HAWKER:

House Bill 3556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3556 codifies the result of the Sex Offender Management Board's review of research on sex offenders, treatment issues and ways to reduce recidivism. Each sex offender, under this legislation, who is to be considered for probation will be required to submit to a presentence investigation, including evaluation for treatment, evaluation of risk, and procedures for monitoring behavior. The sex offender will be required to undergo the treatment recommended by the presentence investigation. I'm open for any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, the question is, shall House Bill 3556 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 3556, having received the required constitutional majority, is declared passed. 3589. ...move. 3661. Senator Jacobs. On the Order of House Bills 3rd Reading. Ladies and Gentlemen, leave of the Body, we'll go over to page 76. 76, please. Near the bottom is House Bill 3661. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3661.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

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SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3661 starts out with an initiative of the Department of Insurance, creating a new Section in the Illinois Insurance Code extending -- continuation benefits, similar to those -- granted under spousal continuation, to dependent children of an employee when the employee dies and the child has attained the limiting age of the policy. Another initiative of the Department of Insurance in response to an internal {sic} audit finding from the Office of the Auditor General: It obligates the Director of Insurance to require depository institutions that have been authorized to accept and execute trusts to collateralize certain accounts with respect to amounts deposited with the Director for safekeeping. It also takes some technical changes to a bill that we had already passed out of here unanimously in regards to the readability of the Insurance Code, and also contains a trailer amendment to House Bill 1640, which has already passed both houses, where changes the requirement the insurer must treat the consumer as otherwise "approved by" the Department to treating the consumer as otherwise "filed with" the Department. I know of no opposition and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Brady.

SENATOR BRADY:

Move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, you were the last speaker. That's good. Question is, shall House Bill 3661 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3661, having received the required constitutional majority, is declared passed. On the -- Ladies and Gentlemen, page 77. Top of page 77. Senator -- Sieben seeks leave of the Body to return House Bill 3692 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 3692, Madam Secretary.

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SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. Floor Amendment No. 1 merely adds an effective date so we can send this bill over to the House and add some language that we've worked out with DOT.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sieben has moved the adoption of Amendment No. 1 to House Bill 3692. 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. Senator Sieben now wishes to proceed with House Bill 3692. On the Order of House Bills 3rd Reading, Madam Secretary, is House Bill 3692.

SECRETARY HAWKER:

House Bill 3692.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sieben.

SENATOR SIEBEN:

Yes. Thank you very much, Mr. President. This legislation now would provide that in the definition of nondivisible loads, we would add vehicles or trucks that are used for the transportation of milk. I know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3692 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 3692, having received the required

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

SENATOR HALVORSON:

I'd like to announce a Democratic Caucus immediately upon adjournment in the Senate President's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. We'd also like to have a Republican Caucus at the same time, only we'll go to Senator Watson's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry. Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Mr. President, I was asked to read a note that tomorrow morning, which is Wednesday, May 21st, 7:30 a.m., there will be a legislative Bible discussion that will take place in the Capitol's Chapel, Room 122A Statehouse. It should last approximately one-half hour. And all Members of the House and Senate have been specifically invited to attend. This is not an initiative of mine. This is something that -- that you guys had last year. But I was asked to read the announcement and invite everybody to come.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further -- Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

Mr. President, I rise on a -- to make an announcement. That the -- for those Members who are part of the Economic and Fiscal Commission, the Commission will be meeting one-half hour earlier than originally scheduled. Be meeting tomorrow at 8:30. The subject matter is the approval of all the State health insurance contracts. And all -- nearly all the vendors of those contracts will be represented at the meeting, so bring your questions. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch, for what purpose do you rise?

SENATOR WELCH:

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Purpose of announcement. The Appropriations II Committee will be meeting at 9 o'clock. We'll probably start about 9:15, right after the Economic and Fiscal Commission ends its business. We will be voting out appropriation bills that have money in them. Not shell bills. So, if all the Members of Appropriations II would show up, we'll get through it pretty quickly. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any other further business to come before the Senate? Senator -- Senator Welch, your light is on. Is that a -- some signal of some sort? Senator Welch. All right.

SENATOR WELCH:

I move we adjourn, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that -- that motion's out of order at the moment. Senator del Valle, for what purpose do you rise?

SENATOR DEL VALLE:

Thank you, Mr. President. The Education Committee will meet Wednesday, 2:30, in Room 212. Wednesday, 2:30, in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Senator Demuzio, I haven't understood. Are we done for the day, then? And when are we coming back tomorrow, or what -- what is the -- the plan for today. I'm not quite sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, if you want to come over to my office this -- when we adjourn and read all the bills for the rest of the night, I'd be delighted to have you.

SENATOR GEO-KARIS:

If I come over to your office, I'm just not going to read bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, I -- I -- I deserved that. Thank you very much. Yes, in fact, when we conclude our business here momentarily, there will be -- we will be adjourning till

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tomorrow, probably, I'm told, around noon. Is there further business to come before the Senate? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I was just going to let Senator Geo-Karis know that I would be following her to your office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yeah. Well, that's all I need for the afternoon. Let's -- let's -- let's stop right here. Ladies and Gentlemen, Senator Wendell Jones moves that we -- Senate adjourn till -- no, let's see. That's not him. Senator Welch moves the Senate adjourn till tomorrow at the hour of 12 noon. Senate stands adjourned.