

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

109th Legislative Day

5/13/2004

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PRESIDING OFFICER: (SENATOR WELCH)

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 gallery please rise? The invocation today will be given by Reverend David Hofer of St. Peter Evangelical {sic} Lutheran Church in Emden.

THE REVEREND DAVID HOFER:

(Prayer by the Reverend David Hofer)

PRESIDING OFFICER: (SENATOR WELCH)

Please remain standing for the Pledge of Allegiance. Senator Viverito, would you lead us in the Pledge?

SENATOR VIVERITO:

(Pledge of Allegiance, led by Senator Viverito)

PRESIDING OFFICER: (SENATOR WELCH)

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

SECRETARY HAWKER:

Senate Journal of May 12th, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 536, offered by Senator Sandoval and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR WELCH)

Consent Calendar. Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3378 -- pardon me, (33)79, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bill.

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PRESIDING OFFICER: (SENATOR WELCH)

House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 4229, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR D. SULLIVAN:

Thank you. Ladies and Gentlemen of the Senate, if you could please help me in -- in welcoming my two Pages for today. Sophia Howard, from Park Ridge, and Andrea Perkins, from Arlington Heights.

PRESIDING OFFICER: (SENATOR WELCH)

Andrea and Sophia, welcome to Springfield. Senator Maloney, for what purpose do you seek recognition?

SENATOR MALONEY:

Thank you, Mr. President. I'd like the Senate to please welcome my son, Brian; his wife, Mary; and his two little girls, Molly and Shannon, to the Senate. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to Springfield. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR ALTHOFF:

I, too, have a guest with me today: Nick Smith, from DeKalb University, who wants to study law and become a politician. Can we welcome him, please?

PRESIDING OFFICER: (SENATOR WELCH)

You're in the right place. Welcome to Springfield. Senator Walsh, for what purpose do you seek recognition?

SENATOR WALSH:

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Thank you, Mr. President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR WALSH:

I have with me today Mary Manino, who is an eighteen-year-old from Plainfield. She's a senior at Plainfield Central High School. She loves political science. She's going on to Joliet Junior College and she is a Page for a Day today, and her -- her mother, Mary Jo See, and her aunt, Beth May, are in the President's Gallery. I would like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR WELCH)

Will our guests in the gallery please rise? Welcome to Springfield. Senator John Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR J. JONES:

With me today, back in the -- with the Pages, is two Pages from Mt. Vernon. I have Laney Gillespie and Christine Mescher. And then in the gallery, joining -- joining up here with them today from Mt. Vernon is Christine's mother, Debbie, and her sister, Katie.

PRESIDING OFFICER: (SENATOR WELCH)

Our guests in the galleries please rise. Welcome to Springfield. Senator Radogno, for what purpose do you seek recognition?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR RADOGNO:

I'd like the Senate to welcome Eric Yarnik. He's with us today from Staunton. Eric is actually Senator Demuzio's constituent but is -- his mother is a friend of my secretary.

PRESIDING OFFICER: (SENATOR WELCH)

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Eric, welcome to Springfield. Senator Roskam, for what purpose do you seek recognition?

SENATOR ROSKAM:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR ROSKAM:

Mr. President, please welcome to the Senate today my Page, Dean Thompson, who's a junior at Wheaton North High School, and his mother, Melanie, is in the President's Gallery.

PRESIDING OFFICER: (SENATOR WELCH)

Melanie, please rise. Welcome to Springfield, both of you. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR LAUZEN:

I'd like to introduce to the State Senate a constituent from back home whose name is Chuck Hernandez. He was just appointed by the Governor to the Labor Relations Board. We look forward to his doing a good job, and I'd like -- the Senate to welcome him to Springfield.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to Springfield. Senator Martinez, for what purpose do you seek recognition?

SENATOR MARTINEZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR MARTINEZ:

Today we have with us the mother of one of our Senate intern, Ms. Maddi Amill. She happens to be the Director of the Office of Puerto Rico for the Governor of Puerto Rico. Ms. Maddi Amill -- Maddi Amill, the mother of our wonderful Lorna.

PRESIDING OFFICER: (SENATOR WELCH)

Well, welcome to Springfield. Thank you for coming. Senator Rutherford, for what purpose do you seek recognition?

SENATOR RUTHERFORD:

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Mr. President, thank you. For a point of personal privilege to introduce a Page who's with me today, Mr. John Tienken, who's with the Clarendon Hills Middle School. His father is a good friend of ours and is down visiting us today. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to Springfield. Ladies and Gentlemen, we're going to start on page 8. House Bills 3rd Reading. This is 3rd Reading, final passage. We're hoping to get through the entire Calendar, eight pages of 3rd Readings, so we don't have to be in Session tomorrow. So, if everybody would be prepared and keep an eye on the Calendar so you're ready to discuss your bill, it would be appreciated by all the other Members. House Bill 307. Senator Harmon. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 307.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 307 would permit counties with teen courts or other youth diversion programs to adopt a mandatory court fee of up to five dollars to fund those programs. It is optional, at the discretion of the county. I'm aware of no opposition. My understanding is that teen courts do a very good job across the State, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall House Bill 307 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, 51 Members voted Yes, 5 Members voted No, no Member voted Present. House Bill 307, having received the required constitutional majority, is declared passed. House Bill 378. Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 378.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 378, as amended, is a technical amendment that is clean-up amendment language for the Chicago Firefighters package that we passed last year, House Bill 600, which changes the dates to make it conform with this fiscal year and also change -- or, deletes the requirement that in order to receive a survivor's annuity, a widow of a Chicago firefighter must have been married to the firefighter before the firefighter received a retirement or disability annuity. It's all agreed to by the City of Chicago, the firefighters union, and everyone else. I know that the other side of the aisle had some concerns about the downstate firefighters. They already enjoy this privilege. The police -- the police also, downstate police, are in negotiations to get the same thing in their contract, and that's coming along fabulously, as I understand. Other than that, I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will, Senator.

SENATOR ROSKAM:

Senator Jacobs, I heard about half of what you said, and I know that you mentioned some of these issues that I'm going to just ask a question about. It's my understanding that Senator Brady and Senator Watson have filed an amendment. You -- you mentioned the subject matter of the amendment and that is to give this same benefit to downstate police. Can you go back and just, for -- for -- for the benefit of us all, tell us how you intend to solve the downstate police concern? 'Cause it seems to me - you know this business better than I do - once this freight train's out of here, there's very little opportunity to -- to revisit that. So, do -- do you have a plan for the downstate police, or is this a "trust in me" kind of thing?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

It's my understanding that the downstate police are in negotiations with IMRF and -- and that that is coming along very well, and we will introduce a bill whenever it's -- whenever they come to their agreement.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Is there any other -- so, as far as you know, that's -- that's -- that's what the Rules Committee is waiting for to kick out an amendment. Do you know if there's another bill? For example, if those -- if those negotiations get -- get completed shortly or over the weekend or early next week, are there -- are there other bills that -- that that amendment can be attached to?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Yeah. I've been informed that we do have some vehicles, and I'd be more than happy to introduce that because I believe in equity between the departments. Yes.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 378 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, 55 Members voted Yes, no Members voted No, and none are recorded voting Present. House Bill 378, having received the required constitutional majority, is declared passed. House Bill 486. Senator Trotter is in negotiations. He asks leave to come back. Without objection, leave is granted. House Bill 575. Senator John Cullerton. Senator Cullerton. Top of page 9. House Bill 578.

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Senator Cullerton. House Bill 587. Senator Silverstein. Read the bill, Madam Secretary. Senator Silverstein -- seeks leave of the Body to return House Bill 587 to the Order of 2nd Reading for purposes of an amendment. Without objection, leave is granted. On the Order of 2nd Reading is House Bill 587. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, to explain the amendment.

SENATOR SILVERSTEIN:

Thank you -- thank you, Mr. President. The -- the amendment becomes the bill and allows qualified municipalities to participate -- to begin participation in the Illinois Municipal Retirement Fund without granting prior service credit to current employees.

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?

SECRETARY HAWKER:

No further amendments reported, Mr. President

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Now on the Order of 3rd Reading is House Bill 587. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. Again, this allows qualifying municipalities to begin participation in the Illinois Municipal Retirement Fund without granting prior service credit to current employees.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Brady.

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SENATOR BRADY:

Thank you, Mr. President. I just stand and speak in favor of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, is there any impact on those annuitants already in IMRF? Is there any impact on those already participating in IMRF?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

No.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR SILVERSTEIN:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 587 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, 52 Members voted Yes, no Member voted No, and none are recorded voting Present. House Bill 587, having received the required constitutional majority, is declared passed. House Bill 622. Senator Clayborne. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 622.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Take the bill out of the record. House Bill 649. Senator Cullerton. House Bill -- House Bill 679. Senator Trotter.

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With leave of the Body, we'll return to that when Senator Trotter returns. House Bill 686. Senator Collins. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 686.

(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. Basically what this bill does, House Bill 686, it amends legislation we passed last Session that created the Inclusion of Women and Minorities in Clinical Research Act. What it does is technically defines "minority group," the terminology used in the previous legislation, and under this Act, a minority group is defined as a group that is identifiable subset of the U.S. population distinguished by racial, ethnic or cultural heritage. That would include American Indians or Alaskan Natives, Asian or Pacific Islanders, Blacks and Hispanics are the racial ethnic categories that must be used as guidelines. In addition, this legislation also stipulates that there must be compliance with the National Institute of Health Guidelines on Inclusion of Women and Minorities in Clinical Research. I'm open for any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she'll yield.

SENATOR ROSKAM:

Senator Collins, you -- you gave us list. Native Americans, is that on the list?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

American Indians I think would be the same as Native Americans.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Could you restate the list? 'Cause I -- apparently, I didn't hear 'em all.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, Senator Roskam cannot hear the -- the -- the sponsor. Senator Collins, please proceed.

SENATOR COLLINS:

American Indians, which I believe would also be Native Americans, or Alaskan Natives, Asian or Pacific Islanders, Blacks and Hispanics are the designates.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Is that meant to be an exhaustive list or is that one of those phrases that we would say "including but not limited to"?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Including but not limited to.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR COLLINS:

I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 686 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, no Member voted No, and none voted Present. House Bill 686, having received the required constitutional majority, is declared passed. House Bill 690. Senator Viverito. House Bill 714. Senator Shadid. House Bill 718. Senator Terry Link. House Bill 720. Senator Terry Link. House Bill 722. Senator Shadid. House Bill 728. Senator Garrett. Read the bill, Madam Secretary.

SECRETARY HAWKER:

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House Bill 728.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 728 is an initiative coming from the Illinois State Police. It prohibits the use of the driver of a commercial vehicle of an engine braking system that emits excessive noise. The prohibition applies only where signs have been erected to -- prohibit the use of these engine braking systems. IDOT shall adopt rules providing for the erection of these signs. This does not apply to the use of an engine braking system that has an adequate sound-muffling system in proper working order that prevents excessive noise. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Inquiry of the -- parliamentary inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Proceed.

SENATOR ROSKAM:

When House Bill 728 came to the Senate, it amended the RTA Act -- or, it does amend the RTA Act. It was then amended a few days ago to amend the Vehicle Code. Is the amendment germane?

PRESIDING OFFICER: (SENATOR WELCH)

Let us get back to you, Senator. Do you have any other questions?

SENATOR ROSKAM:

I do. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she will.

SENATOR ROSKAM:

Senator Garrett, when this bill was debated in the -- in the House some time ago, it only got 45 votes, and obviously you feel strongly about it. What were the arguments, basically, that the opponents made in the House? Why was the House so reluctant?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I think that the House didn't realize the total -- the details of the bill. They didn't realize there -- that there are restrictions and stopgap measures in place. For instance, there would be no penalty for a driver if, in fact, he was using those loud brakes to prevent an accident from happening. I think that was one of their biggest issues.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

It's my understanding that there is actually a requirement that trucks carrying hazardous waste have special kinds of brakes that actually do emit more noise. Would this bill put some sort of restraint on truckers and their ability to use those types of brakes? That's what previous debates have suggested on this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

The way I understand the current law regarding the kinds of muffler systems that trucks should have would not allow them to have what they call Jake Brakes or very noisy brakes that actually are problematic for communities. Right now across the State you will see signs that have gone up because these -- these noises are so loud. So, trucks are not -- they're supposed to have some sort of a muffler system that prevents those loud noises.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

So, in other words, they're -- they -- they can have the brakes that would emit the noise but they need a muffler system to -- to prevent the noise. That's right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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Yes, and this bill does detail that. And the rules, again, would be adopted by IDOT, so I'm sure that will be included as well.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Then, you define -- or -- or, you're characterizing excessive noise as being illegal. That's a subjective term. What is excessive noise?

PRESIDING OFFICER: (SENATOR WELCH)

Speaking of excessive noise.

SENATOR ROSKAM:

Nice segue.

PRESIDING OFFICER: (SENATOR WELCH)

Could we have a little -- Senator Roskam's having trouble hearing the -- the sponsor. Senator Garrett, please answer.

SENATOR GARRETT:

You know, we -- it could be arbitrary, you're correct, but again, these are the details that will be adopted by IDOT that will be included in the final statute.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR J. JONES:

I would just simply caution the Members of the Senate on this bill. You know, we've done a lot of negative stuff against the trucking industry in the last couple of years here in the -- in the General Assembly. Senator Roskam is exactly right. The -- the federal law requires trucks hauling any kind of hazardous material to be installed with a Jake Brake system. Now, a Jake Brake system is not excessively noisy providing that truck driver has the proper muffler system on his vehicle. I think where the Senator needs to be going is to make sure that the law is enforced on improper muffler systems on vehicles. So, I would just -- you know, I think that's probably some of the concerns over in the House. The driver's going to have to prove

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that it was not excessive. And as the President of the Senate just mentioned a moment ago about the excessive noise in the Chamber, it's -- it's in the eyes of the beholder whether it's excessive or not. So, I would caution you to -- to -- to vote No on this bill. It's just another road down the path of -- of trying to make it more difficult on the trucking industry in the State of Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? The Chair is ready to answer the parliamentary inquiry. Senator Roskam? Chair is ready to answer your parliamentary inquiry. Insofar as House Bill 728 is an Act in relation to transportation, the components in the bill, as amended, are germane. Senator Garrett, to close.

SENATOR GARRETT:

Thank you very much, Mr. President. Ladies and Gentlemen, I -- I want to clarify some of the things that the previous speaker said. First of all, this is an initiative from the Illinois State Police. IDOT is neutral on it. The Mid-West Truckers are neutral. This bill has been in negotiation for four years. There are a couple things you also need to know, is that we -- in the legislation, we are giving communities local control, whether or not they want to put up these signs. This is not going to be a mandate that the signs are going to be blanketed throughout the State. This is something that many communities want and many communities are doing. When there are residential areas and the trucks go through them, we want to make sure that they do so in a -- sort of a polite way. And so, this has been in discussion for years. The House is also in agreement on it. So, I ask if -- your communities are also very supportive of this measure. Again, it's local control. Mid-West Truckers are neutral. The State Police would like to see it, and I -- and I really hope that I can count on you for the support of this legislation. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 728 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? Have all voted who wish? Take the record. On that

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question, 25 Members voted Yes, 30 Members voted No, 2 Members voted Present. House Bill 728, having failed to receive the required constitutional majority, is declared failed. Senator Garrett.

SENATOR GARRETT:

Can I put this on postponement for consideration?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett moves to put House Bill 728 on Postponed Consideration. Motion's in order. The bill will be placed on the Order of Postponed Consideration. Senator Brady, for what purpose do you seek recognition?

SENATOR BRADY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR BRADY:

I would like to introduce to the Members of the Senate one of my Pages of the day, Jonathan Milton, who is accompanied by his mother, PeggyAnn Milton, Clerk of McLean County, in the gallery.

PRESIDING OFFICER: (SENATOR WELCH)

Will our guest in the gallery please rise? Welcome to Springfield, both of you. Senator Risinger, for what purpose do you seek recognition?

SENATOR RISINGER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR RISINGER:

In the gallery on the Democratic side, we have members of the Marshall-Putnam Farm Bureau. They're visiting Springfield today. Please help me welcome them.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome, Marshall-Putnam County Farm Bureau. Please stand. Please rise and be recognized. Lot of farmers down that way. House Bill 729. Senator Harmon. House Bill 731 is Senator Trotter. We'll return to that when he returns. Returning to Senate {sic} Bill 718. Senator Terry Link. Read the bill, Madam Secretary.

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SECRETARY HAWKER:

House Bill 718.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill basically requires that all drivers who have a judgment from the -- that resulted from default in an uninsured motor vehicle crash discharged in bankruptcy must give proof of financial responsibility before a person's driver's license will be reinstated. The proof of financial responsibility must be maintained for a period of three years from the date of proof it first is filed. I know of no opposition. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall House Bill 718 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, none voted No, and none vote Present. House Bill 718, having received the required constitutional majority, is declared passed. House Bill 720. Senator Link. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is same bill that we passed out last year 58 to nothing. What this does is this is agreement between the Professional Towing and Recovery Operators of Illinois and the Department of Transportation. This permits towing vehicles to tow disabled vehicles from initial point of a wreck or -- disablement of a point of -- to repairs that actually occur. The movement shall validate the State -- validate on State routes only, and it requires it to obey bridge

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weight limits. It requires that -- it creates the weight limits for tow trucks manufactured with a third axel at fifty-six thousand pounds. It reduces the fee from two thousand dollars to two hundred dollars. It also removes the current limitations of fifty miles of transportation for disabled vehicles and adds a -- the -- disablement requirements for repairs that actually occur. I know of no opposition. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he will.

SENATOR J. JONES:

Senator Link, I -- I asked you in committee on this, and I -- I want to ask you the same thing on the Floor. I notice that we're rolling back some of the fees. Have you discussed this with the Governor to -- to see if he's okay with rolling back these fees?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

And I'll answer you the same way I did in committee, sir. This was a -- a worked-upon agreement with the Department of Transportation, and I hope they worked it out with the Governor's Office because that's -- they are part of the Governor's Office.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, the question is, shall House Bill 720 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, 55 Members voted Yes, no Member voted No, and none voted Present. House Bill 720, having received the required constitutional majority, is declared passed. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

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Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Amendment No. 1 to House Bill 4856 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR WELCH)

At the top of page 10 of our Calendar is House Bill 742. Senator James DeLeo. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 742.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 742 has the two amendments on it which we talked about on the -- on the Senate Floor earlier this week. Amendment No. 1 is the Jewel-Osco. We're giving an exemption. They're redesigning their building in their same location, but it falls within a hundred feet of the school. And Amendment No. 2, which is on this bill, which we discussed yesterday on the Senate Floor, is the Maxwell Street-Halsted-Roosevelt area. A restaurant's going in there and their outdoor café falls within the hundred feet. These are two exemptions. As I mentioned yesterday, the -- the -- the pastor of the church is -- is not opposed to this exemption. I ask for its favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 742 pass. All those in favor, vote Aye. Opposed, vote Nay. The -- 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, 40 Members voted Yes, 13 voted No, and 1 voted Present. House Bill 742, having received the required constitutional majority, is declared passed. House Bill 750. Senator Meeks. House Bill 752. Senator Halvorson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 752.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. House Bill 752 amends the School Code with regards to dental examinations, and it would require three things, basically: That all children entering kindergarten, second and sixth grade to have a dental exam; would require the Department of Public Health to establish by rule a waiver for children who show undue burden or lack of access to a dentist; and it would also require every school to report to the State Board of Education by June 30th the number of students who have not received the required exam and those who have received a waiver. In committee we discussed the cost. Even though there is a cost, the State is already required to pay for these examinations. All we're doing is to help prevent dental problems in the future.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I just have a couple of comments on this bill. We heard it in committee yesterday. I really have three concerns. One is, this is a major mandate on all parents in the State. Currently, dental exams are voluntary. We encourage parents to get them. We don't require it. We certainly don't require it at particular points in time. Speaking as a parent, I -- I, frankly, resent the State continuing to mandate how we take care of our children. It makes a lot of sense to do it for physical exams because there is the opportunity to have kids immunized against communicable diseases. That's not the case with dental exams. They were, at one point, mandatory, then they became optional, and now we're making them mandatory again. There is a cost relative to the State that Senator Halvorson mentioned. They're already covered. But this will mandate all kids, kids who don't have dental insurance, who the parents just have to take them on the State's schedule - not their own schedule - to the dentist. And I don't think that that's appropriate for us to be doing. And the final concern I have is, we did not hear about this bill until yesterday afternoon. I think this is a pretty big mandate to be

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putting through without having this out there for a lot of discussion from our parents, from the school districts and so on. So, I would urge a No vote on it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield for a question.

SENATOR RIGHTER:

Senator Halvorson, you made comment in your opening that the State is already paying for or obligated to pay for these. Can you -- I'm not sure I understand that. I mean, is it your contention that if this becomes law, that there won't be any increase or any impact at all on the State's Medicaid budget?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you for bringing that up, Senator. What I was referring to is the KidCare, the Medicaid and the cost to the State who would already be required to put that money out for those young people.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

In committee there was a figure of somewhere between half a million and a million dollars a year additional Medicaid outlays if this becomes law. Is that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Correct. Between four hundred and ninety-five thousand and one million dollars.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

And it's -- it's your belief, Senator Halvorson, that we should condition something that happens in the schools on these children having the dental exams because it's good for children.

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And I don't think anyone disagrees with the basic notion that it's good for children to go to the dentist and have preventative dental care, but what you're doing here -- and I want you to respond to this, because what it looks like you're doing here is you're using the schools - so this is another thing that the schools get to keep track of - you're going to use the schools to tell the parents when they have to have their children go to the doctor. Now, is that all parents or just the Medicaid, is -- first question? But I want you to address the issue of what I just said, is it looks like we're using the elementary and secondary education schools to tell parents they have to take their kids to the dentist. Is that fair?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Okay. To the bill, Mr. President. Ladies and Gentlemen, I hope that we listened to that set of questions and answers because what this bill does is let government tell parents when they get to take their children to the dentist. And if we're going to do that, then rather than lay it off on the local school districts and tell them that they have to tell the parents to take their kids to the dentist, rather than make the school boards the one who are going to get the heat, why don't we just take it? Why don't we just pass a law that says, "Hey, all you parents, you're taking your kids to the dentist, period"? We should not be in the business of dictating to parents how they provide health care for their children, and that's all this bill does. It's not about education. It's about government telling parents when their kids should go to the dentist. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

We can't hear anything up here. Folks, can you take the conversations off the Floor over here and over here? We've got four speakers waiting to talk. Very controversial bill, apparently. And so, Senator Burzynski.

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SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield for a question.

SENATOR BURZYNSKI:

Thank you. Senator Halvorson, have you talked to the Governor's Office about this particular piece of legislation?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, doesn't this add to that twenty-eight-hundred-page volume of School Code laws that the Governor wants to reduce the mandates on?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Possibly.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

It just seems like you might want to visit with him on that. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To the bill, briefly. I rise in support of Senator Halvorson's bill. My understanding is that it provides an opportunity to maximize monies otherwise not available to us and provides safeguards for families facing hardship or no access to dental care. And I know firsthand, from my district, from some clinics there, that the alarming correlation between dental health, oral health and more severe physical ailments is certainly one worth connecting. So, I applaud Senator Halvorson and urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Risinger.

SENATOR RISINGER:

Will the Senator yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield for a question.

SENATOR RISINGER:

Senator, is this -- does this only involve public schools?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

No, I believe it's also parochial.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

How does this affect homeschooling?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

I wouldn't imagine it would. There's a lot of things that -
- whatever the homeschoolers have to abide by, and I don't think
examinations is one of 'em. But I could find out.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, as I read it, it talked about withholding report
cards and doing some things until the dental exams was in and so
forth, and I was wondering how that related to homeschooling.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

It is my impression that it will not have anything to do
with homeschoolers.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, Senator Halvorson, to
close. Oh, I'm sorry. Senator Roskam. I...

SENATOR ROSKAM:

Thank you, Mr. President. To the bill. I -- I'm just kind
of rising in response to, I think, a misimpression, not a
misstatement, but a misimpression that came about as a result of

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Senator Harmon's observations. This bill does not -- I mean, I accept at face value his argument that we're chasing new dollars, apparently, and that's an argument to be made, if you go for that, in favor of the bill. But this is not a bill that only affects Medicaid children or Medicaid families. This is a bill that will affect every resident of every district across the entire State of Illinois, all hundred and two counties, regardless of their Medicaid status. It's a bill that's going to require every public school parent, every public school administrator, every public schoolteacher, apparently every private school parent, every private school administrator and every private schoolteacher, and now we learn every homeschool family, to be involved in this. And I -- I -- with -- with -- with all due respect to the sponsor, I've learned over the years to pick my battles with homeschoolers, and I don't know if I want to pick a battle, frankly, over dental floss. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson, to close.

SENATOR HALVORSON:

Thank you, Mr. President. First of all, Senator Roskam, I think in the prior discussion, we said it didn't have anything to do with homeschoolers. But I would like to make a couple other points. According to the Surgeon General, this -- the number-one reason children miss school is because dental disease. This is like an -- immunization. It's preventive care. We've got to do something about our young people and taking care of their teeth. And I think that studies have shown that -- like periodontal disease can be attributed later on down the road to heart disease. Poor children suffer nearly twelve times more than anybody else with regards to dental disease. I don't think anybody wants to be told they should be doing something; however, if I knew I could prevent dental disease in my children later on in life, I would be thrilled that somebody told me that I should take care of it at kindergarten, second and sixth grade. And I know we all have young people, if we don't have children of our own, we know that the molars are coming out at second and sixth grade, and I think we need to be doing something by taking care of them now so that we don't have to

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worry about more expense later. And I would hope that everybody would understand the importance of dental care, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 752 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, 34 Members voted Yes, 19 voted No, and 1 voted Present. House Bill 752, having received the required constitutional majority, is declared passed. House Bill 753. Senator Peterson. House Bill 755. Senator Harmon. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 755 amends the School Code. This addresses a particular situation in my district. The Oak Park-River Forest High School District 200 and the Oak Park School District 97 are subject to the jurisdiction of the Cicero Township Trustees of Schools and the Township School Treasurer, a somewhat archaic form of government that holds their assets and manages their affairs. This bill would simply permit the elected boards of those school districts by resolution to withdraw from the districts -- from the Township Trustees, rather. This is templated on a -- a legislative action taken twelve or fifteen years ago to assist the Evanston schools. I'm aware of no opposition other than the Township Trustees themselves, and I would ask for your support in solving a problem unique to my district.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President. I rise in strong support of this bill, which is very necessary to the Oak Park-River Forest school system. It also represents a -- a needed reform when it

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comes to the control of school monies, and I urge all my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield for a question.

SENATOR D. SULLIVAN:

Senator, I notice that today there are two Don Harmons on the Floor. I'm just wondering if both Don Harmons are in favor of this bill.

PRESIDING OFFICER: (SENATOR WELCH)

The senior Senator Harmon.

SENATOR HARMON:

He's okay.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill. I rise in support of this legislation. Senator Harmon and I have the unique opportunity to share the Oak Park-River Forest High School District, and I know that there is a lot of reform that's needed in the Cook County area dealing with subjects of this nature. And I would also ask my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- the question is, shall House Bill 755 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 voted Yes, none voted No, and 1 voted Present. House Bill 755, having received the required constitutional majority, is declared passed. Senator DeLeo is now in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

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SENATOR BRADY:

In the rear of the Floor, there are two guests of mine that I'd like to introduce. The Chairman and the Vice Chairman of the McLean County Republican Party, Mike O'Grady and Tom Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please be recognized? And welcome to the Illinois State Senate. Senator Burzynski, for what purpose do you rise, sir? Okay. Going back to page 10 on the Calendar, House Bills 3rd Reading. House Bill 756. Senator del Valle. Leave of the Body, we'll come back to that. House Bill 758. Senator Sullivan. Senator John Sullivan, do you wish -- gentleman indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 758.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. The bill requires that when school districts converge and form a new high school district, the election of the members of this new district's board may be either by an at-large basis or with board members representing each of the forming elementary school districts or a combination of both.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Sullivan, one of the areas, historically, that -- that has been racially suspect by the courts has been the notion of at-large districts. At-large representatives have been perceived to being squelching minority groups' voices in that they're not, many times, able to muster the political support in order to be represented on various boards. Why is it that we

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would want to move -- 'cause this would have a statewide application. Why would we want to move in the direction of at-large districts, given their history, when the courts and really the trend is moving in the other direction?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Senator, what we're attempting to do here is actually get fair representation throughout the newly-formed district - in other words, to get representation. The situation with this particular legislation and why I'm sponsoring it is the fact that we have four districts that are going to converge. One of those districts is quite a bit larger in population than the other three. So, we want to make sure that we have fair representation from -- from all four of those districts.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, I understand, Senator, your particular situation as you're describing it, and I'm not from your area and you know it best. But my question is that without a doubt -- I mean, it -- it's not debatable that at-large districts are suspect, that historically what they have tended to do -- I'll wait while you hear from him. Whenever he's done, I'll go. You done? Okay. Historically, they've been suspect. They have kept African-Americans out of the loop, they've kept Hispanic groups out of the loop, they've kept other groups out of the loop. Why would we want now a statewide policy where at-large districts are -- are suddenly in play? And I -- I -- I really question the wisdom of that. If there's something that you need for your particular district, then maybe we can craft something to meet your particular need. But to -- to put at-large districts out there and put 'em into the School Code and to make them available for everybody all across the State, regardless of their history -- and as you know, some folks represent areas that -- that come from really troubled -- where there's a lot of racial tension. I -- I question the wisdom of us giving that tool all across the State.

PRESIDING OFFICER: (SENATOR DeLEO)

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Is that a question? Senator Sullivan.

SENATOR J. SULLIVAN:

And again, I -- I -- I guess I take exception with what you're saying because actually what I'm trying to do is get fair representation. I want everybody, regardless of where they're located, if -- if -- based on the population needs, I want to make sure that everybody is represented in the area of this newly converged school district. So, I think that actually we're taking steps in the opposite direction of where you think we're going here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, thanks for answering my questions. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

I think that without a doubt, the trend lines, in terms of court oversight and the direction that we need to be going, is to have a real sense of caution about the notion of creating at-large districts. At-large districts historically have been used and manipulated by majorities, and not just racial majorities. They can be majorities in terms of population. In other words, population centers tend to represent themselves better than more rural areas. I question the wisdom and would urge a No or Present vote on this idea of putting at-large districts out in some areas where it could really cause some problems that I think are unintended by the sponsor. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks. Senator Sullivan, to close, sir. Gentleman asks for a favorable roll call. The question is, shall House Bill 758 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, please take the record. On that question, there are 45 Ayes, 10 {sic}(12) Nays, 1 voting Present. House Bill 758, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 762. Senator Emil Jones.

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Out of the record. Senator Jones, on 762. Out of the record. On House Bill 766, Senator Maloney. Do you wish to proceed? Out of the record. Senator Pat Welch. Leave of the Body, we'll come back to it, on House Bill 770. House Bill 826. Senator James Clayborne. Senator James Clayborne, on 826. Out of the record. House Bill 827. Senator Link. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 827.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is just an extension for a TIF district for the City of Waukegan.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Any discussion? Seeing no discussion, Senator Link, to close. Gentleman asks for a favorable roll call. The question is, shall House Bill 827 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, please take the record. On that question, there are 55 Ayes, 2 Nays, 0 voting Present. House Bill 827, having received the required constitutional majority, is declared passed. Senator Winkel, on House Bill 828, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 828.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. House Bill 828 extends the life of the TIF district for the City of Urbana.

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PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Winkel, to close. The gentleman indicates he wishes a favorable roll call. The question is, shall House Bill 828 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, please take the record. On that question, there are 55 Ayes, 2 Nays, 0 voting Present. House Bill 828, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 829. Senator Winkel. Do you wish to proceed? Madam Secretary, he indicates he does. Please read the bill.

SECRETARY HAWKER:

House Bill 829.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. House Bill 829 extends the life of the TIF district for the City of Tilton.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Winkel, to close. Asks for a favorable roll call. The question is, shall House Bill 829 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, please take the record. On that question, there are 55 Ayes, 2 Nays, 0 voting Present. House Bill 829, having received the required constitutional majority, is declared passed. House Bill 830. House Bill 830. Senator Brady. Do you wish to proceed, sir? He indicates he does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 830.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This is the amendment we passed yesterday which extends a TIF in Heyworth, Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Brady, to close. Senator Brady asks for a favorable roll call. The question is, shall House Bill 830 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, please take the record. On that question, there are 55 Ayes, 2 Nays, 0 voting Present. House Bill 830, having received the required constitutional majority, is declared passed. House Bill 830. Senator Brady. Senator Brady, do you wish to -- 831. I'm sorry. We just completed 830. 831. Do you wish to proceed, sir? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 831.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This is the second TIF extension for the City of Heyworth.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Please vote Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall House Bill 831 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, please take the record. On that question, there are 55

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{sic}(54) Ayes, 3 Nays, 0 voting Present. House Bill 831, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on the top of page 11, we have House Bill 832. Senator Brady. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This is the third TIF for the large community of Heyworth.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir. He's shaking his head yes.

SENATOR BURZYNSKI:

How large -- how large is the City of Heyworth?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

It's growing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Do any of these TIF districts overlap?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator, we have more than three TIF districts in Heyworth, and, no, they don't overlap.

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PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Please vote Yes, a third time.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 832 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, please take the record. On that question, there are 50 Ayes, 7 voted Nay, 0 voting Present. House Bill 832, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 833. Senator Sieben, do you wish to proceed? Madam Secretary, he indicates he does. Please read the bill.

SECRETARY HAWKER:

House Bill 833.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this legislation amends the Illinois Municipal Code to authorize municipalities in counties with a population of less than two hundred and fifty thousand to discontinue water, sewer and/or solid waste disposal services to enforce payment of delinquent sewer or solid waste disposal charges. I'm aware of no opposition. Would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall House Bill 833 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 Ayes, 4 Nays, 0 voting Present. House Bill -- 833, having received the required constitutional majority, is declared passed. House

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Bills 3rd Reading. House Bill 835. Senator Sandoval. Do you wish to proceed, sir? Out of the record. House Bill 837. Senator Silverstein. Senator Silverstein. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 837.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This expands the Water Reclamation District to include -- eleven additional parcels of land within Cook County. It also allows the District to lease its vacant property along waterways to any institution of learning.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall House Bill 837 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, please take the record. On that question, there are 55 -- 58 Ayes, 0 Nays, 0 voting Present. House Bill 837, having received the required constitutional majority, is declared passed. Senator Hunter, on House Bill 839. The lady requests she'd like to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

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Thank you, Mr. President. House Bill 839 allows Cook County the right to establish a Code Hearing Unit to expedite the prosecution and correction of code violations. All Illinois municipalities in all other counties already enjoy this right. I ask for a...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I don't know whether our volume got turned down or we're noisy, but I -- the last two speakers I've not heard a word that they've said. So, if she could just repeat that, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, could you give the speaker your attention, please? Senator Hunter, could you be so kind to repeat that?

SENATOR HUNTER:

House Bill 839 allows Cook County the right to establish a Code Hearing Unit to expedite the prosecution and correction of code violations. All Illinois municipalities in all other counties already enjoy this right.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hunter. Thank you, Senator Burzynski. Seeing no further discussion, the lady would like -- Senator Hunter, to close, please. Senator Hunter, to close, please.

SENATOR HUNTER:

I ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The question is, shall House Bill 839 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, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 869 {sic}, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill -- the last bill that was just passed was House Bill 839. Moving to House Bill 869. Senator -- Link, do you wish to proceed,

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sir? He indicates he wishes to proceed on House Bill 869. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 869.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This basically is a cleanup from last year on a bill that we passed, Senate Bill 1883. It's just closing a -- a loophole in a real estate transfer tax. It's due to an oversight that the Counties Codes were not -- were not omitted in enabling the county boards to adopt these policies and maintain unified tax system. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Any discussion? Senator Link, to close. Okay. The question is, shall House Bill 869 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, please take the record. On that question, 56 Ayes, 2 Nays, and 0 voting Present. House Bill 869, having received the required constitutional majority, is declared passed. Senator Emil Jones, on House Bill 870. Out of the record. Leave of the Body, we'll come back to it. Senator James Clayborne, on House Bill 874. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 874.

(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. House Bill 874 amends the Public Utilities Acts -- Act to allow a facility that distributes primarily propane by pipeline to

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operate free from the regulations and restrictions that govern public utilities. This was brought about because there's a -- a business in my area that actually wants to participate in the development in Waterloo in a subdivision of about forty homes, and currently, the public utility is not willing to use their monies to provide infrastructure costs to extend their -- their services to this area. So, this is a -- a -- a compromise around that to allow the propane dealer to provide natural gas to this community. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Any discussion? Is there any -- Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Senator, it's my understanding that the dealer plans on putting like a distribution center within the subdivision itself so that all of the pipeline, the work, will be within the subdivision itself. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

That's correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any -- Senator Lauzen, for what purpose do you rise? Okay. Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

I would just ask for your favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 874 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, please take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 874, having received the required

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

SENATOR LAUZEN:

Thank you very much, Mr. President. Unfortunately, on Senate Bill -- or, House Bill 833, as amended, I made an error, and I'd like the record to reflect my intention was to vote Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate that. Thank you, Senator. House Bill 916. Senator Clayborne. Do you wish to proceed on that, sir? Madam Secretary, he indicates he does. Please read the bill.

SECRETARY HAWKER:

House Bill 916.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne has leave to present this for Senator Shadid. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate Bill -- Senate. House Bill 916 is an initiative of the State's emergency response agencies. It cleans up a Section in the Hazardous Material Emergency Response Reimbursement Act concerning reimbursement to emergency agencies. Basically, as the law reads now, it requires that reimbursement be made to that emergency agency that responds in a timely and reasonable manner. And basically the change we're making is that once they receive the bill, they have to make reimbursement -- the person who -- who causes the spill has to reimburse the emergency agency within sixty days after receiving the bill from the emergency responder. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For Members on this side, this bill came out of committee unanimously. There's no known opposition. I urge an Aye vote.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

I would just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall House Bill 916 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Yeas, 0 Nays, 0 voting Present. House Bill 921 {sic}, having received the constitutional -- required constitutional majority, is declared passed. Senator Carol Ronen, on House Bill 921. Out of the record. House Bill 934. Senator Emil Jones. Leave of the Body, we'll come back to. Senator John Cullerton, on House Bill 956. Senator John Cullerton. Senator Cullerton, you wish to proceed, sir? You have an amendment. Would you like to seek leave of the Body to return this to 2nd Reading, sir? Senator Cullerton.

SENATOR CULLERTON:

Yes. I have an inquiry. There was a second amendment that I offered. Did that also come on the Floor?

PRESIDING OFFICER: (SENATOR DeLEO)

We need to adopt that amendment now, sir. So, okay. Senator Cullerton seeks leave of the Body to return House Bill 956 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Okay. House Bill 956 is now on the Order of 2nd Reading. House Bill 956. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain the amendment, sir.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This was a -- an Amendment No. 2 which actually corrects Amendment No. 1 that was adopted in the Judiciary Committee. This is at the request of the Illinois Press Association. This deals with the issue of when there's a denial of a Freedom of

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Information request, the person who wishes to appeal that has sixty days to appeal it in court, and it applies to written denials by the head of the public body. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any -- is there any discussion? Is there any discussion? Okay. Senator Cullerton moves the adoption of Amendment No. 2 to House Bill 956. 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)

Okay. 3rd Reading. Now we're on the Order of 3rd Reading. Senator Cullerton, do you wish to proceed, sir, on 956? He indicates he does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 956.

(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. The amendment that we just adopted actually became the bill. If a person is denied access to public records by the head of a public body, upon receipt of the denial they must appeal the denial in circuit court within sixty days. Right now there's no time frame at all. It's approved by the Illinois Press Association. Know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing -- is there any discussion? Is there any discussion? Seeing no discussion, the gentleman -- the question is, shall House Bill 956 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, please take the record. On that question, there are 52 Ayes, 5 Nays, 0 voting Present. House Bill 956, having received the required constitutional majority,

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is declared passed. Continuing on House Bills 3rd Reading, House Bill 958. Senator Cullerton. Gentleman indicates he wishes to proceed. Madam Secretary, please call the bill.

SECRETARY HAWKER:

House Bill 958.

(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 bill would expand the jury list in Illinois by including people who have claimed the earned income tax credit on their Illinois income tax return. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Just several questions, and -- and...

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor...

SENATOR LAUZEN:

If I could ask the sponsor to speak up so that we could hear.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he...

SENATOR LAUZEN:

I guess I -- I have Senator Roskam's...

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield for a question.

SENATOR LAUZEN:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, they're having a hard time hearing on that side of the aisle today.

SENATOR LAUZEN:

What is the intent of releasing these names of people who have the Illinois earned income tax credit to the counties?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Cullerton.

SENATOR CULLERTON:

The intent of the bill is to expand our jury lists so that people who utilize our court system can have a reflected jury of their peers. So, there's people who are not -- don't have driver's licenses, don't have IDs and they're not registered to vote who file earned income tax credits. We're -- we're expanding the list of, the jury lists to include them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Is this the first time that individuals' names of taxpayers have been released by the Department -- that would be released by the Department of Revenue for purposes other than tax collection or income verification?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

I'm looking up current law for you to answer your question. Give me one second. Current law, the Director, meaning the Director of Revenue, may make available to any State agency, including the Illinois Supreme Court, units of local government and school districts, information regarding whether a bidder or contractor is an affiliate of a -- of a person who is not collecting or remitting Illinois use taxes for the limited purpose of enforcing bidder and contractor certifications. The Director may also make available -- there's a -- and we go on for another half a page. So, there -- there is a precedent for the Director making lists available.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Then to -- to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

Thank you. First of all, those -- what's been enumerated in the answer to that question are tax issues and financial issues, and I think that this sets a bad precedent, that folks

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anticipate that when they provide their income information and tax information to the Department of Revenue, that it's going to be held confidential. And I think that we should hold the firewall on that and protect people's confidentiality. So, I would recommend a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HARMON:

My understanding, in response to Senator Lauzen's point, is that we do currently permit the Department of Revenue to release some of these records and confidential matters for purposes of collecting student loans, and also, this Session we passed a bill, which Senator Lauzen cosponsored, that permits us to release this information for the purposes of child support collection. So, I would -- I would support Senator Cullerton's bill as a -- a reasonable continuation on that theme.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.

SENATOR GEO-KARIS:

I didn't quite understand how you propose to operate this bill. Now, tell me in your own simple language what this bill does.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

The Department of Revenue would supply names to the jury commissioners of people who have applied for the earned income tax credit in Illinois so that they would be added to the jury list, they'd be eligible for jury duty.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Now, can you tell me why that's necessary?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

The goal is to expand the list of eligible jurors for selection for juries throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

At the present time, jurors names are furnished by whom?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Right now it's the list of legal voters, Illinois driver's license holders, Illinois identification cardholders and Illinois disabled person identification cardholders.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Then why do we need your bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Because there are some people who -- don't drive, don't have an ID card, have not registered to vote, and we'd like to -- and that take -- they do qualify for the earned income tax credit, so we want to add their names to the voters {sic} list.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, when people do not want to register to vote, it bothers me. If they don't want to register to vote, they shouldn't be able to sit on juries either, because I -- I -- I cannot -- I am -- I was born overseas, and where I was born, the right of vote was very, very important. And it's very, very important here in America. And therefore, when you tell me, Mr. Sponsor, that people who do not register to vote should be

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qualified to sit as jurors, I think you're wrong. I speak against the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Well, Mr. President, briefly to the bill, and then, after I make a brief comment, I'd like to ask the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he yields.

SENATOR ROSKAM:

Thank you. You know, we all get -- we have a front-row seat today. Senator Cullerton, as we all know, is really one of the most talented, funniest guys that we serve with. He does great impressions. He does -- I've heard him do Mayor Daley. He won't do that today. I've heard him do George Ryan. He won't do that today. I've heard him as probably the funniest chairman of any committee here, running a great Judiciary Committee. But today we are front-row seats to John Cullerton and the straight man, as he comes and he does the funniest routine that we've seen. Because in a couple minutes when I ask him a question, you will see him put on an absolute game face - almost like when we were kids and we were laughing in church and we got scolded by our parents, and we went like this and we went real still - 'cause when I ask him this next question, he will give a perfectly serious, earnest, heartfelt answer. And I'm telling you, all the door-to-door work that we did, all of the work in precincts, all of the knocking on doors, all of the being in front of the train stations in the middle of February to win our primaries and win our general elections was worth it for this. Now, Senator Cullerton, with a straight face, can you tell us why in the world legal voters, illegal drivers -- or -- or, legal voters, Illinois driver's license holders, Illinois identification cardholders and Illinois disabled person identification cardholders aren't enough for a jury pool? And why are we going -- are we basically targeting a group of people who are the working poor, who can least afford to lose their time and energy and so forth by schlepping downtown and going to

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-- to handle some jury duty, why are these people so necessary for the cause of democracy? You're on.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, for response, sir.

SENATOR CULLERTON:

Well, I'm trying to -- to think how George Ryan would answer that question. But we haven't heard from him in a few years and he's back down in Kankakee and... Actually, I actually feel very strongly about expanding the jury list. I -- I sponsored a bill in 1981 to eliminate the exemptions. At one point in time, we had twenty-eight exemptions by occupation for jury duty, and my goal is to have as many people serve on the jury as possible. I also sponsored the bill that eliminated the two-week period that you had to go and serve for jury duty now that we have a system throughout the State of Illinois where it's one day/one trial. So, on average, a person, if they're called, they -- they will be on a jury for only four days, and most jurors are only gone the -- the one day. It is the only obligation imposed on us by the federal Constitution, to serve on a jury. Not even to -- to pay taxes or to serve in the military. So, I do feel strongly about it, and I think your concerns are that we're targeting one group of people, the earned income tax folks. I told you in committee, I'm open-minded to even include this -- to expand it to include other people that pay income tax so we can get that group of people who are not submitting themselves for jury duty. And -- and I think I -- I agree with Senator Geo-Karis. Everybody should register to vote. Some people don't register to vote 'cause they don't want to go on jury duty. That's absurd. So, we should expand the list so -- to let those people know you can't get out of jury just -- just by not registering to vote. Maybe we can even expand the number of people who register to vote. So, that's my honest answer, and if -- if it doesn't go far enough or if you're concerned about who we're targeting, I can appreciate your concerns, but I think this is a -- right -- a beginning to get more people on the jury list.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, let me please remind you, we have four people seeking recognition on this bill. We're on page 4

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of sixteen pages of 3rd Reading. So, let's try and keep our remarks to a minimum. We have twelve more pages to finish, or we'll be here tomorrow. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Just briefly to the bill. You know, I think if -- if there were some issue that had bubbled up that was demonstrating that people were disproportionately being excluded from juries, there would be an issue for us to deal with. If there were some study that said that people were being disproportionately -- excluded from juries, there would be an issue for us to deal with. This is nothing more than an attempt to create a jury pool in one particular direction, and I think it's dangerous. I think we have a neutral system already in place, and this can be manipulated by both sides on different issues. Can you imagine the hue and the outcry if we were to say that we want to -- to create a -- a special group of people and those are people who have reported income in excess of two hundred and fifty thousand dollars because we feel like those people also don't vote, or those people are away frequently because they've got the resources to be away and they're too -- or, they're able to get out of jury duty? Can you imagine the hue and the outcry if based on income at the higher end of the income stream, we said people should be targeted? This is a bad idea. This is a bad idea no matter what kind of spin you put on it. If -- if the agenda is really to expand the jury pool to include many, many new people and many, many new faces, then there's clearly other ways to do that. I think Senator Dillard is going to reference that in a minute. But this is -- this is a bad idea, and we should spare ourselves the hassle that will come from this. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

To speak to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR DILLARD:

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As Senator Roskam referenced, I have filed an amendment, and, Senator Cullerton, it's pending. So, if the Rules Committee wants to meet. And I join you. And you and I sponsored the Jury Patriot Act a year ago, which changed things to make it easier for people to have jury service over an extended period of time, and you are what you say, somebody who champions everyone being eligible for jury service, our only constitutional duty. But my amendment would say and take your amendment -- or, your bill here on 3rd Reading one step further and make it better. My amendment says that any individual taxpayer, any individual taxpayer goes into the potential jury pool. We don't just limit it to earned income taxpayers. Anyone from any economic stratus of Illinois would be eligible for the jury pool, and I'd ask you to either pull the bill out of the record so that we can have everybody -- everybody serve on juries who file income taxes in Illinois. I just think we can do what you want to do, and that's make it fairer and better by adopting my amendment. And I would urge anybody on this side of the aisle and those over there who really want to see a full jury pool to wait. There's a Rules Committee meeting, I think, in a about six minutes, according to something that's just been put on my desk, and you ought to take the bill out of the record, help me spring my amendment out of the Rules Committee and we'll really make sure that jury service, our only constitutional mandated duty, is taken seriously in Illinois. Again, I'd urge a No or a Present vote if Senator Cullerton wants to proceed on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Lauzen, for the second time, sir.

SENATOR LAUZEN:

I apologize for rising a second time, but I...

PRESIDING OFFICER: (SENATOR DeLEO)

What -- what purpose do you rise, sir?

SENATOR LAUZEN:

A clarification. To speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

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A previous -- a previous speaker unintentionally mischaracterized a bill that I cosponsored. I think that it might have been a cosponsor of that bill. That bill dealt with intercepting tax refunds - tax refunds - which is the point that I made before, for child support. And so, it has to do, as I said, with tax collections or income verification. That is a very narrow use of confidential information, and this is the first time in our law that the Department of Revenue would turn over information about our tax returns for a purpose outside of tax collection and income verification. So, with that clarification, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Lauzen. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you very much, Mr. President. Just to the bill. I -- I certainly hope Senator Cullerton does not take this out of the record and call it for a vote. And I did want to respond. I appreciate the comments of Senator Dillard and some of the others, but I -- the only one -- I have kept a little footnote here, and I didn't know whether it was part of the Republican strategy or not. But, Senator Roskam, you spoke on sixty percent of every bill called here where there is any kind of discussion, and I -- I guess if that's part of your strategy, to talk us to death, then that's fine. But I do want to also point out to you that one reason why the poor and economically disadvantaged might want to be on a jury and serve is because when we go to court, we see nothing but poor and disadvantaged on trial and nobody that looks like us on the jury. So, if the poor and disadvantaged are going to be on trial and accused all the time and often falsely accused, then why not expand the pool to allow some poor and disadvantaged people of their peers to be on the jury to help make a decision whether they're guilty or innocent. I urge an Aye vote on this outstanding piece of legislation from my good friend, Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, I know your name was used in debate. Senator Roskam.

SENATOR ROSKAM:

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Thank you, Mr. President. Well, just responding to the previous speaker, there's nothing in the law today that prohibits poor and disadvantaged people from being legal voters. There's nothing that prohibits them from having an Illinois driver's license. There's nothing that prohibits them from having an Illinois identification card. And there's nothing that prohibits them -- unless they are not disabled, from having an Illinois disabled person's identification card. And there's nothing, for sure, that prohibits them from being included in the great scope of Senator Dillard's amendment. So, if this is what it is, if this is an expansion of the jury pool to mean universal coverage, to mean every man and woman that's clear-thinking and so forth and able to -- to, with integrity, serve on a jury, then pull the bill out of the record, pop the Rules Committee amendment out of Senator Dillard's, attach it and we can all be happy. But let's not pretend that this is not an agenda to move a jury pool in a particular direction. In other words, don't pump any sunshine. This is not about universal anything. This is about focusing in on -- on a very narrow group of people. There's problems in terms that -- that Senator Lauzen has pointed out, in terms of the -- the -- the unprecedented disclosure of confidential information, and there's -- I think there is very, very difficult problems in terms of keeping a straight face and acting as if this is for a universal jury pool. So, with all due respect, Senator - Senator, the previous speaker - let's call it what it is, and what this is, is a manipulation. We should vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator Roskam. Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. First of all, to respond to the Senator from Aurora, I believe that -- I'll make it clear that no financial information is going to be disclosed. Just the name is going to be disclosed to the jury commissioners and the person will get a summons. So, we're not -- we're not breaking any rules of privacy. The goal here, of course, is to have people serve on a jury, just like other goals for disclosing information is to get people to

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pay child support or to -- to not cheat on their taxes. Senator Dillard, as I told you in committee, I am open to those types of concepts, but I don't think at this last day, that we have time to consider it -- your amendment right now. And -- and I -- I would point out that there actually is a category of people -- to say this is a special group of people is not really fair, because there's a special group of people who apply for driver's licenses who are now eligible for jury duty, a special group of people who decide to register to vote who are eligible for jury duty. You know, remember, there are -- there are immigrants who are not citizens who cannot register to vote. We don't let 'em get a driver's license, I remind you, but they do pay taxes, and they would be eligible to be on jury duty because we pass this law. So, I think it's a good idea. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 958 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 32 Ayes, 26 Nays, 0 voting Present. House Bill 958, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading. Excuse me. Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

To request a verification.

PRESIDING OFFICER: (SENATOR DeLEO)

That order is always in request -- or, that request is always in order. Senator Roskam has requested a verification. Will all Members be in their seats? Mr. Secretary, will you read the affirmative votes, please?

ACTING SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Mr. -- thank you, Mr. Secretary. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Well, Mr. President, I'm not certain that the request for a verification was in order, because you had moved on to the next order of business. So, I do not -- I do not understand why we're even -- why you're even allowing... Senator, I'm not shouting across the -- the -- the way to you. I'd appreciate -- and I did mention earlier that you've spoken on sixty-five percent of the bills today. I haven't gotten up that often. At least give me the opportunity to say what I have to say, since you've talked so much today, and you have spoken on sixty-five percent of the bills. So, I'm not certain, Mr. President - it is my opinion; I'd like a ruling from the Chair - if a verification is even in order when you have -- had moved on to the next order of business. I know you're trying to be nice and accommodating, but jeez, I mean, how far are we going to go? We going to bend over backwards, you know, to accommodate the other side on a issue -- on every issue that comes up? Because this will continue to be a pattern here. So, I simply would like an opinion from the Chair even if the verification is in order in the first place. I -- I'm truly stunned by this, and I certainly do not believe that we should be moving forward with this verification. I -- I'd like a ruling from the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HENDON:

I was -- I was still -- I know you spoke with the Parliamentarian just now. I believe -- I'm asking for an opinion from the Chair of even if the verification was -- was in order, and if they disagree with the rule of the Chair, then they could, of course, appeal your ruling, which they have a right to do. But I don't believe the verification's in order because you had moved on to the next order of business. I'd like an opinion from the Chair on -- on that issue.

PRESIDING OFFICER: (SENATOR DeLEO)

The Parliamentarian and I will be issuing a ruling from the Chair in just a very short minute. Senator Cullerton, for what purpose do you rise?

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SENATOR CULLERTON:

Just wanted to indicate that I'm the sponsor of the bill, but I painfully remember the ten years that we were in the Minority here. And I think that, personally, the request for the verification is in order, and I welcome it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cullerton. Ladies and Gentlemen, in our Rules of the Senate, on page 29, Senate Rule 7-6, under the rules of verification: After any roll call vote, except for a vote that requires a specific number of affirmative votes, that has not received the required votes, and before intervening business, it shall be the order of the Senator -- any Senator of this Chamber to request a verification of the results of a roll call. So, following the Rules of the Senate, the Chair -- the Chair rules that a verification is in order, sir. Continuing back on our verification, Senator Roskam, do you question the presence of any Member voting in the affirmative?

SENATOR ROSKAM:

Senator Sandoval.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval is in the Chamber underneath the voting board, sir.

SENATOR ROSKAM:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. If not -- on a verified -- on a verified roll call, there are 32 Ayes, 26 Nays, and 0 voting Present. House Bill 958, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 976. Senator Garrett, do you wish to proceed, ma'am? Senator Susan Garrett, on 976. I'm sorry. Can we hold that for a moment? Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, please give the speaker your attention. Please state your point, sir.

SENATOR RAUSCHENBERGER:

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Well, as a Member of this Body for thirteen years, with absolutely no bills on the Calendar, I just would like to remind Senator Hendon that I need and am interested in the Floor debate on these bills. These are final action, in many cases, on bills that are going to go to the Governor's desk; in some cases, amendments to go back to the House. I do not think it's appropriate to target the spokesman for the Republican side. The questions he's raised and asked have not been dilatory. We have been a reasonable Minority. I have not risen on every bill. I don't have a -- a darn bill on the Calendar, Senator Hendon, and have not had for almost eighteen months. If anyone should be standing up lecturing you about the amount of time you spend on the Floor, it might be me. So, I would appreciate, Senator Hendon, you respecting the Members of the Senate on this side of the aisle.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Rauschenberger, for those comments. Senator Schoenberg, what purpose do you rise, sir?

SENATOR SCHOENBERG:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to address something that the previous speaker just made. I have a great deal of regard for him, but I want to remind the Body that on a very complex and controversial matter yesterday, it was a deliberate, strategic decision made not to have anybody listen to any discussion relating to the stem cell research bill on House Bill 3589. Whether it would change any outcomes or not, who knows? But the fact of the matter is, we all know what happened. We know how it happened. There was no discussion. I would have been interested in hearing dissenting views so as perhaps I can make my bill better, and I'll have plenty of time to make my bill better. But to suggest that we are stifling discussion, I think, is a little out of order. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

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Please state your point, sir.

SENATOR BRADY:

I would like to introduce to the Chamber my Page of the Day, T.J. Laughlin, and his mother, Laurie, who's in the President's Gallery.

PRESIDING OFFICER: (SENATOR DeLEO)

T.J., welcome to the Illinois Senate. Will our guest in the gallery please rise and be recognized? And welcome to the Illinois Senate. Okay. Ladies and Gentlemen, let's continue on House Bills 3rd Reading. On the bottom of page 11 of our Calendar is House Bill 976. Senator Garrett. Out of the record. Ladies and Gentlemen, on the page -- on top of page 12 is Senate {sic} Bill 999. Senator Emil Jones. Out of the record. Leave of the Body, we'll come back to it. There's -- following 999 is Senate -- House Bill 1004. 1004. Senator Jones. Out of the record. House Bill 1007. Senator Jones. With leave of the Body, we'll come back to it. Senator John Cullerton, on House Bills -- on House Bill 1018, sir. Mr. Secretary, he indicates he wishes to proceed. Please read the bill.

ACTING SECRETARY HARRY:

House Bill 1018.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senate -- Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a really good, noncontroversial, bipartisan bill which creates the Illinois Crime Stoppers Program Act which would limit the use of the name "Crime Stoppers" to programs certified by the Illinois Crime Stoppers Association, and also to amend the Code of Civil Procedure to protect the identity of Crime Stoppers tipsters modeled on the current identify protection provided to police informants. This comes out of an incident that occurred down in Quincy where the identity of a Crime Stoppers tipster was unfortunately revealed. And, again, good idea. Happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator Cullerton. Is there any discussion? Any discussion? Seeing no discussion, Senator Cullerton, to close. The question is, shall House Bill 1018 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 1018, having received the required constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1020. Senator Welch. Leave of the Body, we'll come back to it. House Bills 3rd Reading. 1041. Senator Harmon. Senator Don Harmon, would you wish to proceed? Mr. Secretary, he indicates he does. Please read the bill.

ACTING SECRETARY HARRY:

House Bill 1041.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 1041 amends the Uniform Commercial Code. It restores some language inadvertently deleted, as I understand it, in the last rewrite of the UCC. It provides for the allocation of -- of fees collected for financing statements. It does not change the fees. It simply codifies current practice as to how those monies are allocated. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, the gentleman -- the question is, shall House Bill 1041 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 Ayes, 0 Nays, 0 voting Present. House Bill 1041, having received the required constitutional majority, is declared passed. Senator Jacobs, on House Bill 1067. Out of the record. Senator John Cullerton, on House Bill 1075, sir. Do you wish to proceed? No. Senator John Cullerton, on House Bill 1080. Indicates he does not. Out of

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the record. Senator Martinez, on -- on House Bill 1082. Ma'am, do you wish to proceed? The lady indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 1082.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 1082 requires physicians, medical students, advanced practice nurses, registered nurses and physicians' assistants to inform patients of the professional -- of their profession upon providing treatment or care, including all physical examinations. In the case of an unconscious patient, all care must be related to the patient's illness, condition or disease. This comes into effect because of the -- of an article in the Ohio newspaper where a gynecologist was sentenced to forty-five years in prison for raping a patient and fondling more than a dozen others during medical examination, and also, another reason also is because of the fact that some of the cases happened here in Illinois. There's also been accusations of physicians instructing medical students to perform pelvic examinations on unconscious patients to gain experience with procedure. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MARTINEZ:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 1082 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. House Bill 1082, having received the required constitutional majority, is declared passed. House Bills 3rd

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Reading, in the middle of page 12. House Bill 1083. Senator Harmon. Out of the record. Senator Pat Welch in the Chair.

PRESIDING OFFICER: (SENATOR WELCH)

House Bill 1086. Senator Ronen. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1086.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill relates to the -- the Health Facilities Planning Board and changes notifications. It arises out of a situation in State Representative Deborah Graham's district. It does several minor things, really. Defines "charity care." It -- in addition to posting in general circulation papers, it requires wider posting areas and defines newspaper of limited circulation as a newspaper that is intended to serve a particular defined population and then sets deadlines for when meetings can be held after posting. Know of no opposition and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. I rise in support of the bill. The bill passed out of the Senate's Health and Human Services Committee with unanimous support, and I would urge its passage.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1086 pass. All those in favor, vote Aye. Opposed, Nay. The Ayes -- 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 voted Yes, no Members voted No, and none voted Present. House Bill 1086, having received the required constitutional majority, is declared passed. House Bill 1111. Senator Emil Jones. Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

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On a point of -- I guess it's parliamentary. My switch did not work. I would like the record to reflect I would have voted Aye had I been able to make my switch work correctly.

PRESIDING OFFICER: (SENATOR WELCH)

The record will so reflect. Senate -- House Bill 1191. Senator Cullerton. 1191. Senator Cullerton. Top of page 13. House Bill 1269. Senator Cullerton. House Bill 1300. Senator -- House Bill 1269. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1269.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill deals with the Chicago Teachers Pension Fund, and it would increase the annual limit on reimbursement to annuitants of the Teachers Pension Fund for health insurance costs from forty million to sixty-five million and it creates a statutory reimbursement rate at seventy-five percent of the cost, which is the same as the downstate teachers. Again, this is just not extending any more money to the Fund. It just raises the cap that has been set by statute as to how much they can use for health insurance. They need to raise the cap. The teachers, since April 1st, have been paying about half of the cost of the total premium. This would allow them to have seventy-five percent of it -- paid for by the Teachers Pension Fund, and it, again, does not cost any more money to the State. Please ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Brady.

SENATOR BRADY:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield for a question, Senator.

SENATOR BRADY:

Senator, in committee we discussed this legislation and the fact that some of us felt a little concerned about advancing

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this legislation which we -- when we hadn't yet come up with a solution to the downstate teachers' health insurance. You emphasized compassion for our problem, pledged your support to helping us solve this problem, along with Chairman Jacobs. Can you give us an update of where we are? 'Cause I think some of the Members on this side of the aisle will be concerned about how we can forward legislation helping the Chicago teachers when our downstate teachers are at risk at losing all their health insurance benefits.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I think that Senator Jacobs, as the Chairman of the committee, can bring you up to date on the status of those negotiations. I'd just say, in general, that I don't -- you know, we have two different systems for retirees - one Chicago teachers, one the rest of the State. These retirees, after they retire, they move throughout the State, they move out of State. They don't just live in Chicago. So, I don't view this as just a -- you know, a regional issue. I -- I agree that we need to help those Downstate Teacher Fund folks as well as this, and I -- I -- Senator Jacobs can probably bring you up to speed as to where those negotiations are.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senator Brady, I -- it's a concern that you and I share, and we have House Bill 3002, which is going to come out of Rules, and the deadline will be extended, to be used for the agreement that I guess is back on now because the Health Alliance fiasco was -- all of a sudden fell apart. So, I understand that now most of the groups are back together, and hopefully - not hopefully - we will do something before the end of this Session with that issue.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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Senator Cullerton, can you tell me if the use -- the -- the -- if this bill requires a contingency appropriation from the General Assembly in order to make this work?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

It -- no. As -- as I understand it, Senator Rauschenberger, and you -- you know this better than I do, but you know that the State pays some money into the Chicago Teachers Pension Fund and they pay money into the Downstate Teachers Pension Fund. The amount that they pay into the Chicago Pension Fund is sixty-five million dollars. For some reason, the law -- current law caps at forty million how much money they can spend on the health insurance costs. All this bill does is two things: It increases -- it lifts that cap up to sixty-five million so they can internally spend the money, that sixty-five million, on health insurance costs, and it statutorily sets the -- the rate at seventy-five percent of the retiree health insurance cost.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

For people's background and for the -- to the best of my understanding, during the decade of the eighties, the State contribution to the Chicago Teachers Pension Plan was around forty million dollars, probably where the forty-million-dollar cap came from. There was an IRS ruling in mid-nineties, I think, that precluded the use of retirement investment profits for the -- for retiree health plans, which occasioned the whole TRIP insurance crisis that we deal with annually here as -- for the downstate teachers. What I guess I would caution people, is by lifting the cap, you're setting the cap now at the level of the sixty-five million dollars of the contingent appropriation that has -- was last year made to the Teachers Pension -- Chicago Teachers Pension Plan from the State General Revenue. So, I just caution people in a way. If we're not careful, we're going to end up backing in, because I don't think the Chicago Board of Education can use other pension proceeds to fund this. I think we're -- we're backing into a program where that sixty-five

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million's going to become an obligation of the State. So, just wanted people aware of that.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR CULLERTON:

Yes. I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1269 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, 45 Members voted Yes, 12 Members voted No, 1 Member voted Present. House Bill 1269, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we'll have a very short recess for a meeting of the Rules Committee in the Anteroom behind the President's Chair. We'll stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

Mr. Secretary, Committee Reports.

ACTING SECRETARY HARRY:

Senator Viverito, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Re-referred from the Education Committee to the Rules Committee - Senate Bill 3000 and Senate Bill 3001; and re-referred from Insurance and Pensions Committee to the Rules Committee - Senate Bill 3002; Be Approved for Consideration - Senate Bills 3000, 3001 and 3002.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

For a personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR SILVERSTEIN:

Just want to -- with -- with me today to my left is Deborah Alexander, who's a Commissioner of the Skokie Park District.

PRESIDING OFFICER: (SENATOR WELCH)

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Welcome to Springfield, Deborah. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. To request a Republican Caucus. Duration would be thirty minutes. And if our Members can get there very quickly, perhaps even more quickly than that.

PRESIDING OFFICER: (SENATOR WELCH)

That request is in order. The Senate will stand in recess for thirty minutes, approximately 1:45. Senate will stand adjourned till the call of the Chair. Senate will stand in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

The Senate will come to order. Messages from the House.

SECRETARY HAWKER:

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

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

House Joint Resolution 85.

Adopted by the House, May 13, 2004.

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

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

Senate Bill 2148, together with House Amendment 1.

Passed the House, as amended, May 13, 2004.

I have like Messages on House -- pardon me, Senate Bill 2165, with House Amendment 1; Senate Bill 2424, with House Amendment 1; and Senate Bill 2724, with House Amendment 1.

All passed the House, as amended, May 13, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, for what purpose do you seek recognition?

SENATOR CROTTY:

I guess you would call this an announcement.

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PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR CROTTY:

Okay. Every so often - and it seems this month, it's been quite often - we come together and we celebrate things like birthdays, and today we're going to celebrate two birthdays: Linda Hawker and Senator Patrick Welch. So, if you'd join with me in -- in giving them a hand on becoming another year wiser, and also join us for cake. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. But before anybody gets really excited about wishing Senator Welch a happy birthday, it really isn't. He's complaining because nobody ever gets to celebrate his birthday because it's in December. So, we want to make sure we pick a day and celebrate Pat Welch's birthday, which happens to be today. However, you're very fortunate to celebrate it with our wonderful Linda Hawker.

PRESIDING OFFICER: (SENATOR WELCH)

I just wanted a little birthday equity in the Senate. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Well, Mr. President, I must say that I don't know how old you are, but you look ten years younger than you did when you came in here. So, must be Linda's influence.

PRESIDING OFFICER: (SENATOR WELCH)

Could you speak louder, Senator Geo-Karis?

SENATOR GEO-KARIS:

I'll repeat what I said. You look ten years younger than you were -- than ten years ago when I saw you then. And it must be Linda Hawker's good influence on you, because I can't tell how old you are, and you probably won't tell me. I always tell my age, 'cause I'm not afraid of it. But anyhow, I want to wish you a happy birthday, because I won't be seeing you in December. I hope not anyway. But who knows when the Senate will convene. We might be here in December, too. But, congratulations to both of you, and God bless you both.

PRESIDING OFFICER: (SENATOR WELCH)

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Thank you. There's a cake in the front over on the Democratic side. Just don't cut into my name. House Bill 1300. Senator Emil Jones. House Bill 1336. Senator Emil Jones. House Bill 1659. Senator Silverstein. House Bill -- 1660. Senator Crotty. House Bill 1875. Senator Cullerton. House Bill 2028. Senator Silverstein. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2028.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Illinois Plumbing License Law by changing the insurance requirement for contractors. A contractor -- contractor must carry general liability insurance with a hundred dollars per thousand per occurrence, a minimum of three hundred thousand aggregate for bodily injury, property damage insurance with a minimum of fifty thousand or a minimum of three hundred thousand combined single limit, and worker compensation insurance with a minimum of five hundred thousand employee's liability -- employer's liability.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2028 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 no Members voted Present. House Bill 2028, having received the required constitutional majority, is declared passed. House Bill 2268. Senator Obama. House Bill 2587. Senator Meeks. 2587. House Bill 2981. Senator Cullerton. House Bill 3589. Senator Schoenberg. House Bill 3715. Senator Emil Jones. House Bill 3716. Senator Link. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

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State your point.

SENATOR ALTHOFF:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have with me this afternoon James Amos, who is a winner of the Medal of Honor {sic} (Valor) that he received today at the firefighters' ceremony. He is the first firefighter paramedic who has been awarded this from the McHenry Township Fire Protection Agency in the eleven years. I also have behind me in the gallery his very proud parents, grandparents, brother and his colleagues from the McHenry Township Fire Protection District. May we give them a warm welcome?

PRESIDING OFFICER: (SENATOR WELCH)

Would our guests please rise in the gallery? Congratulations from the Illinois Senate. Ladies and Gentlemen, on page 14. Top of the page. House Bill 3828. Senator John Sullivan. House Bill 3835. Senator Shadid. House Bill 3882. Senator Haine. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3882.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

This is a bill, quite simply, which is the initiative of the -- of the State's Attorney of Tazewell County who had an incident, some years ago, involving a methamphetamine manufacturing site which exploded, causing -- injury. What this does, quite simply, is change the law to provide a mandatory prison term if someone is so irresponsible as to make methamphetamines at a site and it -- it causes a fire injuring the firefighters who are there, the police officers, innocent bystanders. It's -- it's a Class 1 felony now. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 3882 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Members voting Aye, no Members voting No, and no Members voting Present. House Bill 3882, having received the required constitutional majority, is declared passed. Channel 20 would like permission to videotape. Is there any objection? If not, leave is granted. House Bill 3977. Senator Haine. House Bill 3979. Senator Lightford. House Bill 3985. Senator Link. House Bill 4005. Senator Emil Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4005.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Emil Jones.

SENATOR E. JONES:

Thank -- thank you, Mr. President. House Bill 405 {sic} expands the current law allowing employees of the State or any local agency who is a certified disaster service volunteer with the American Red Cross or assigned to the Illinois Emergency Management in accordance with the Emergency Management Assistance Compact Act or any other applicable rules to take up to twenty working days leave of absence to -- to -- with pay to participate in disaster relief services within the United States or -- or within the State of Illinois. They only can do it in the State of Illinois now. But what this does is allow them to be able to go to any other part of the country and have that same privilege in -- in emergency situations. They must be for the Red Cross or any Illinois Emergency Management Agency, and leave must be requested by the American Red Cross or the Illinois Emergency Management Agency. That what the bill does. It expands the opportunity for them to work in other parts of the country. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4005 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, none voted No, and none

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voted Present. House Bill 4005, having received the required constitutional majority, is declared passed. House Bill 4012. Senator Munoz. House Bill 4027. Senator Martinez. House Bill 4057. Senator Munoz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4057.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. House Bill 4057 amends the Commercial and Public Building Asbestos (Abatement) Act. Effective immediately, no person may act as asbestos air -- sampling professional, project manager or management planner unless licensed in that capacity by the Department of Public Health. Beginning January 1 of '05, persons acting as asbestos abatement consultants must be licensed by DPH. The legislation exempts designated individuals who are employed by local education agencies and are acting as agents of that agency, as well as State agency employees, while engaged in professional duties, from asbestos consultant licensure requirement. I know of no opposition and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4057 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, 2 voted No, no Member voted Present. House Bill 4057, having received the required constitutional majority, is declared passed. House Bill 4086. Senator Cullerton. On the top of page 15, House Bill 4092. Senator Crotty. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4092.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Crotty.

SENATOR CROTTY:

Thank you very much. House Bill 4092, the purpose of the bill is to determine the scope, the magnitude and the consequences to individuals with mental illness. It asks the Department to gather all information and to -- and to collate it, not only with the State agencies, but also with the private facilities. That information would be the admissions, the discharges, the average daily census data and the legal basis for admission, average length of stay, the commitment petitions, petitions for involuntary treatment, number of -- individuals on conditional release by any State-operated facility, denials of admissions to the State-operated facilities, admissions by number of prior admissions to that facility of current admission and also the type of placement for discharged persons by category of facilities, such as jails, prisons, nursing homes, shelters, community-integrated living arrangements, family or relatives, supported or assisted housing, State-operated facilities, residential facilities or independent living. Basically, what the bill does is bring all of this information so that we can better serve persons with mental illness in a seamless way, instead of a fragmented. I would be happy to answer any questions. There is no opposition to this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Well, Senator Righter has sought recognition. Senator?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield.

SENATOR RIGHTER:

Senator Crotty, could you repeat that list again, please? We didn't catch that over here. We're having trouble hearing over here on this side of the aisle. Mr. -- Mr. President, I rise in support of the bill. It passed out of Health and Human Services Committee unanimously. I urge a Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4092 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, 58 Members voted Yes, none voted No, and none voted Present. House Bill 4092, having received the required constitutional majority, is declared passed. House Bill 4099. Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4099.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill allows the Capital Development Board to consult with the Department of Commerce and Economic Opportunity to develop an Energy Efficient (Commercial) Building Code that will apply to the construction of, renovations to, and additions to all commercial buildings in the State.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

To the bill. I just rise in support of this bill. I've talked to colleagues of mine in engineering, also those from the architectural industry, and they think that it's -- we are well in need of this kind of bill. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR LAUZEN:

Senator, knowing how thorough you are, you've probably already taken care of this. I noticed in some earlier notes that the Illinois Association of Realtors was opposed. Is that still the case, and what's the basis of any opposition?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

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SENATOR JACOBS:

That's a tough one for me to answer, Senator, because I've never been approached by -- by the -- the Realtors. They have not mentioned any -- any opposition to me, as well as also one of our notes shows that the Manufacturers' Association are opposed. I've not had any contact with them. So, I really could not respond to that question with -- with a great amount of authority. But it would seem to me that I think that when they first saw this bill, they thought it also meant residential.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. Senator, in committee, if -- if -- help refresh my memory. Was the Municipal League and the Mayors and Managers opposed to it? And I -- and if so, are they yet today? 'Cause there's been no change in the bill, I think.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Yes. They brought -- they brought forth some proposals that we couldn't -- didn't feel would -- would really solve their problem or really make this any better. And so, yes, they're still in opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. Mr. -- Senator, then this would preempt any type of local unit of government's ability to have local ordinances with regards to energy-efficient type of buildings and requirements. It would set a standard for all even if they do not, and may that well be the reason that the local units of government would be opposed to this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Absolutely. And as a former mayor, I know that we're very protective of -- of all of our local issues, but this is one that I feel -- it's still going to be in local control. The

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difference is, we have -- we have established some minimum standards.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I rise in strong support of this legislation. I think it's time for Illinois to get serious about energy conservation. We're one of only twelve states - one of only twelve states - that does not have a code for energy efficiency in commercial buildings. Doesn't apply to residential buildings. This is commercial buildings only. One of only twelve states not to have this, it's time that we adopt it. Secondly, I think when you look at crude oil prices over forty dollars a barrel, natural gas shortages, prices that we've not seen historically, gasoline prices over two dollars a barrel, how long is it going to take for this State to get serious about our energy conservation programs? This is excellent legislation. The responsibility really falls on the design professionals, as Senator Risinger said, to implement these codes as they build new -- prospectively new commercial buildings. So, I ask for an Aye vote. Everybody that's serious about conservation should support his legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator Jacobs, just following up on one of the questions that Senator Rutherford asked you. Does -- would this -- if -- for example, if DuPage County, and I don't know if they have this, but if DuPage County has a standard, would this preempt that standard, or would it just create a standard where none other exists?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

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And I'll try to do this with a straight face. No. In -- in all candor, the -- the -- it establishes a minimum standard. If their standard is greater than the minimum standard, theirs would still remain in effect.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR HARMON:

Senator, I am a supporter of this bill, and in fact, I'm a cosponsor. I know that some questions have been raised, and for purposes of legislative intent, I would hope that we could ask a couple of questions and get them on the record. First off, does this bill permit municipalities to adopt codes that meet or exceed the energy efficiency standards contained in the bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

The -- the Illinois Municipal League has found an agency that would be willing to provide training for implementation of this specific Code. Under this bill, would municipalities be able to adopt that Code and take advantage of the training?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Yes. Both the definitions contained in this bill and the standards included in this bill specifically reference that Code, ASHRAE 90-1 1999 {sic} (90.1-1999). We specifically added that reference to the bill to try to assist IML's concerns.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

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Thank you. Does the Capital Development Board have to approve municipal codes to establish whether they meet or exceed the standards contained in this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Not really. This determination will not require an -- involved approval process. Local governments normally adopt a model code and it will be obvious whether any given model code is as stringent as the Code referenced in the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. Just one last question. Does the bill limit the power of municipalities to regulate historic buildings, residential buildings and other buildings exempt from State regulation under this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs, to close.

SENATOR JACOBS:

Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

I'm sorry. Senator Soden.

SENATOR SODEN:

Thank you, Mr. President. To the sponsor of the bill, question.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR SODEN:

What's the rationale for not including public buildings, such as this? We would be saving taxpayers' money if we entered into the program of -- that's designed here to conserve energy.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

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Public buildings would be included. The only difference is -- in the reference we just made is to historic buildings, which are covered under a -- different guidelines.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, Senator Jacobs, I think, closed. The question is, shall House Bill 4099 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, 45 Members voted Yes, 11 Members voted No, no Member voted Present. House Bill 4099, having received the required constitutional majority, is declared passed. House Bill 4108. Senator Harmon. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 4108 creates the Addison Creek Restoration Commission which generally would be charged with addressing flooding issues around Addison Creek, which starts in my district and runs through Senator Lightford's district. Senator Wendell Jones was kind enough to amend the bill, I believe, to address all concerns raised in committee by the Republican Caucus. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. I'd like to speak in favor of the bill. The amendment did come out of committee unanimously and we are in support of it. Recommend a Yes vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4108 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 voted Yes, no Members voted no, and no Members voted Present. House

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Bill 4108, having received the required constitutional majority, is declared passed. House Bill -- Senator Wojcik, for what purpose do you seek recognition?

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR WOJCIK:

I have sitting next to me Ms. Gayle Gerson. She is with the Illinois Education Association and she lives in my district. So, I would like the august Body to welcome her.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to Springfield. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. For purposes of announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR LUECHTEFELD:

There's a person on this side of the aisle who also has a birthday on Saturday. He is rather cheap, would I know not to bring a cake. I personal -- I personal -- in fact, personally I know he's cheap, but his birthday is Saturday. It's Senator Bill Brady. And there's a cake here already. So, Senator, would you rise, please?

PRESIDING OFFICER: (SENATOR WELCH)

House Bill 4135. Senator Collins. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4135.

(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. House Bill 4135 creates the offense of child photography by a sex offender, making it illegal for a child sex offender to -- to conduct or operate any business that photographs, videotapes, or takes a digital image of a child.

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Under current law, child sex offenders are restricted from being in school buildings when children are present and from approaching, contacting and communicating with a child at a public park. This bill will create another restriction by prohibiting child sex offenders from being involved in the business of taking images of children. I would appreciate -- I'm open for questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4135 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 voted Yes, no Member voted No, none voted Present. House Bill 4135, having received the required constitutional majority, is declared passed. House Bill 4154. Senator Schoenberg. House Bill 4176. Senator del Valle. House Bill 4197. Senator Emil Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4197.

(Secretary reads title of bill)

3rd Reading of the bill

PRESIDING OFFICER: (SENATOR WELCH)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. House Bill 4197, which has a bipartisan sponsorship, with a recommendation from Giant Steps Illinois, has strong support from the Illinois Federation of Teachers, Special Education Coalition, Coalition of Citizens with Disabilities in -- in Illinois and many, many more. What the bill does is it expands a pilot program which begun with the State Board of Education in 1997 that provided for a study, an evaluation of autism and related teacher training. And what the bill does is expand that program whereby children with autism will be able to be -- go to school on a full- or part-time basis with the proper training for its teachers. Youngsters with -- autism affects many, many youngsters, and I think one in four are girls. Most of them are boys. And this -- it's a program that Giant Steps have been working very, very hard on in getting these youngsters into school, get them trained where they can

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grow up and be citizens, where they can take care of themselves. It's a very, very good bill. I became involved with the program because my -- in my district office, my administrative assistant there has a child with autism, and I understand the problem that they go through and their parents go through in dealing with children. So, it's a very good bill and I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4197 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 Aye, none voted No, and none voted Present. House Bill 4197, having received the required constitutional majority, is declared passed. House Bill 4200. Senator Silverstein. House Bill 4225. Senator Wendell Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4225.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This is basically a block grant bill that block grants the extraordinary services reimbursement into four payments. It should save the school districts a lot of bureaucratic costs at the local level. It came out of the Education Committee unanimously and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4225 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, none voted No, and none voted Present. House Bill 4225, having received the required constitutional majority, is declared passed. House Bill 4227. Senator Halvorson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

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House Bill 4227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 4227 amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code regarding Illinois goods and services website. It would require that DCEO would establish, maintain and advertise an Internet website devoted to marketing of Illinois goods and services by linking potential purchasers with producers of goods and services who are located in the State. This was something -- an idea that was gotten from Pennsylvania. It's been very successful. And I think it's important that we do everything we can to encourage Illinois purchasers to buy Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4227 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, none voted No, and none voted Present. House Bill 4227, having received the required constitutional majority, is declared passed. House Bill 4232. Senator Sandoval. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4232.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 4232 is the Colleen O'Sullivan bill. This is a bill that has been -- is an evolution of much work that has preceded me several years back. It has -- the evolution of work has -- that has involved the participation and development and dedication of Representative Osmond and Representative Burke, as well as some

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of my colleagues here in this Chamber, Senator Syverson, Senator Obama, Senator Silverstein, and my colleague, Senator Crotty, who even received the recognition by the American Heart Association last year for her efforts in trying to pass this bill, Senate Bill 777, that passed this Chamber last Session. The Colleen O'Sullivan bill basically is -- is named the Colleen O'Sullivan bill because Colleen O'Sullivan was an attorney who worked in the -- in the Speaker's Office in the House for many years and died all the sudden of cardiac arrest working out at a sports facility in Chicago. She died several weeks later as a result of, perhaps, a -- a defibrillator not being present that would have saved her life. According to the American Heart Association and the American Red Cross, an estimated two hundred fifty thousand people in the United States die every year from sudden cardiac arrest. It's estimated that even fifty thousand lives per year could be saved through the widespread deployment of AEDs. House Bill 42 {sic}, Physical Fitness Facility Medical Emergency Preparedness Act, is created to mandate certain indoor physical fitness facilities to have at least one properly maintained automatic external defibrillator, AED, and trained AED user on the premises. This Act allows a right of action in cases where there is a willful or wanton misconduct in connection with the use of an AED. House Bill 4232 reflects the amendatory veto's changes of Governor Blagojevich that he made last fall to Senate Bill 777 that passed this house. House Bill 4232, the bill before us, passed out of the House unanimously. This bill -- this bill excludes golf courses, and as a result of many discussions around the economic impact of the implementation of this bill, I proactively have extended the implementation of this bill, if it passes, to the year 2006. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RADOGNO:

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Well, first of all, this is, I think, a much better version of the bill than we saw last year. It's tightened up quite a bit. But in committee there was still quite a bit of concern over the fact that every school building would be required to have AEDs. And I certainly think everyone agrees with the concept of physical fitness facilities, but it's a pretty big mandate for the schools, and they're opposed. At the time we had the discussion in committee, Senator Wojcik and I voted in favor of the bill to help you get it out of committee, and you indicated that you would be willing to work with the schools. Could you detail for us what's going on with respect to the school situation?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, Senator Radogno. During the committee hearing, I was asked by yourself and Senator Wojcik to consider meeting with the School Management Alliance in regards to language that may exclude the schools. I said that I would entertain the idea of meeting with the School Management Alliance and listening to what they had to say. I, in fact, have done that, and I would just have to disagree to agree -- or, agree to disagree that it is not the intention of this bill, nor was it the intention of the sponsor, nor was it the intention of the bill that passed this Chamber last year to exclude schools. So, regretfully, I was not able to entertain any language that they had proposed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Radogno.

SENATOR RADOGNO:

Did -- did they, in fact, propose some compromises?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

No. They -- they did not show us -- till this very day, they have not presented any language. They have not submitted any written proposal, Senator Radogno.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

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Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon moves the previous question. That's in order. There are one, two, three, four, five speakers left. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR LUECHTEFELD:

So, are -- are you saying, Senator, that every school building must have a defibrillator in 'em?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

And also train people to run them. Is that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, just a -- a comment. I spent a lot of time in school buildings and one of the things I think that -- all of us a lot of school buildings in our -- in our -- in our districts. And one of the things that really concern me is the -- you know, the fact that we want those school buildings used as much as possible. We want -- we want them to be open to Little League kids to come in. We want -- you know, whether it be cheerleaders, whether it be band members, whatever it might be, we want them to be there and use that -- those buildings as much as possible. I really see a situation -- and, you know, I -- I just think this is a really, really bad bill. I mean, the intentions are good. You know, we all want to save lives. No

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question about that. But, honestly, we also are going to, I think, lose a lot of use of those buildings. If I'm an administrator, if you're an administrator of those buildings, I'm going to have an awful lot of second thoughts about the liability that I'm going to face by bringing someone into those buildings to use -- someone has to be there who can run that -- who can run that defibrillator. And -- and I -- and I think you're going to be limiting the use of those buildings tremendously, more than you think you are. Administrators are going to be scared to death of this, that they are going to have the liability that someone's not there who qualified to run that. You know -- defibrillator's no problem. It's going to be there. But it's no good if you don't have someone who can run it. And -- and I -- if I were a -- if I were a school administrator, I'd be scared to death of these -- of that happening, and I would limit the amount of people who can use that school. You know, I -- I was in the schools for thirty-three years and never once did we ever need a defibrillator, that I know of, that would have saved somebody's life. So, again, I think you mean well with this bill. Everyone wants to save lives, but I think the -- the overall repercussions of what you're doing is going to really be a deficit to the -- to the ability to use those schools the way we'd like to use them. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR WOJCIK:

Senator, in the committee when we approached you, we told you that we would give you an Aye vote to get the bill out of committee. We asked you then if you would hold it on 2nd Reading. Your comment to us was that you would entertain ideas brought to you. The very next day they called for 3rd Reading and you put the bill on 3rd Reading. Only after that time did you see and meet with the school people. Now, I have great regard for this issue. My school districts are doing this

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already. But I think the way it was done was a disservice to some of our constituents who wanted to have a say. If they had a say, they feel good about it. They can tell you how they feel and they feel like we're listening. There was no listening on this issue. I'm in favor of this bill. I'm not going to vote against it. But I would just like to say that when you talk about trust and word, that's very important down here. And we certainly should follow it through - not only for us, but for the people who are down here attending those committees and witnessing what we have to say about such issues. So, thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

Senator Sandoval, how many school buildings are there that these will have to be placed into pursuant to this law?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Every school in the State of Illinois, Senator Righter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator Sandoval, how many buildings will there be that these will have to be placed in?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

I can provide that information to you later, Senator Righter. By the way, the name is Sandoval.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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Well, Senator, we're going to vote on it later? No, we're going to vote on it now. So, that would be good information for you, as the sponsor, to have now as someone who's preparing to place an unfunded mandate on the schools. Senator, do you know how much money will have to be paid by the schools in total in order to comply with this unfunded mandate?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

My internal -- my internal estimates is about four million dollars for the entire State.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

How did you arrive at that number, Senator, if you don't know how many buildings there are that these will have to be placed in?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

There are approximately four thousand buildings in the State of Illinois that will be required to provide these AEDs, Senator Righter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, if as -- I want to follow up on something that Senator Luechtefeld was talking about. In my school districts in my district, the -- the communities utilize the buildings as much as possible. And let's say that the school district would like to have, in one of its gymnasiums, an open shoot around on summer, for kids to come in and play basketball or whatever. Under this bill, will there be required that the school districts will have to have an employee there who is trained on the use of an AED if there's one in that building?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

As the bill is written, Senator Righter, yes.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, the bill creates the Physical Fitness Facility Emergency Preparation Fund. What's the purpose of that fund?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

To help pay for the administration of the program.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Might there be purchased AEDs out of that fund, Senator?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

No, that would not be included, Senator Righter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

What assistance is there going to be available to the school districts in this bill, Senator, to help pay for those AEDs, if any?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Part of the assistance is that they will have more time to allocate into their budgets. As we are in the Fiscal Year 2004, I have proactively pushed back the date of implementation to 2006 to allow two budget cycles to go through so they can make ample budget priorities in their budgets.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: Ladies and Gentlemen of the Senate, there isn't anyone in this building, no one, who doesn't repeatedly voice their concern for the amount of money that are going to the school districts here in Illinois. There isn't anyone who says we don't need to get more

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funding to the schools, because education's our number-one priority. But now we're going to turn around and say, "By the way, we're going to tell you to do something and you have to pay for it." We have such courage of our convictions that we're willing to tell someone else they have to do something and tell them they have to pay for it. It is more than just a little bit hypocritical to on one hand say, "We have a crisis of funding for schools in Illinois; we don't have enough money," and then on -- right on the other hand, in the -- in the same Session, turn around and say, "By the way, we're going to tell you more things that you have to do that we're not going to pay for." Ladies and Gentlemen, I appreciate the intent of this bill. This is not the -- not the time to be laying more unfunded mandates on our schools. It makes us look hypocritical. It makes us look like we're not serious when we talk about education. Please vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR D. SULLIVAN:

Senator, as you know, I support this bill. I voted for it last time. My father dropped dead of a heart attack at a very young age. But I do have one question for you. Do you foresee life safety funds being used to pay for AEDs in schools?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Sullivan, in committee I agreed to work with the School Management Alliance. In discussions with them to carry out my promise, we agree that life safety funds should be a source of funding for AEDs in schools. And upon the Alliance's request, I further agreed that I would put this formally into the record.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator, as we struggle to make policy decisions in the deployment, really, of resources - and you're - you're deploying public health resources here - what is it about this population group - essentially, younger people - that makes you think that this is the best use of - what did you say? - four million plus dollars? Why spend this money on this population? There's always one or two examples. We can come up with one or two examples of people that will probably be -- be killed today in traffic in Illinois, but we don't deploy all of the resources, you know, to make people stop driving. What is it about this population that rises to the level where this type of energy and this type of money needs to go? In other words, why target under-twenty-one-year-olds for defibrillators?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

Well, I'm not -- Senator Roskam, I'm not necessarily targeting the younger population, for, in fact, in regards to the schools, I'd be looking also to pay special attention and target some of our faculty, the aging faculty of the teachers in our school districts who perhaps may be saved by an AED in their facility.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

You're -- you're kidding me, right? I mean, this is not a bill that you're arguing on the Senate Floor whose primary motivation is to help the aging population of school faculties. That's -- that's not what's driving this, right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Sandoval.

SENATOR SANDOVAL:

You asked me if this bill was targeted towards a younger population only, and the answer is no. It's targeted to the total population of the State of Illinois of those people who

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attend schools and those people who participate at sports facilities and at park recreation facilities.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, it's true that the majority of people who attend schools, who attend, in the language of your bill, a public or private elementary or secondary school, college, university or technical or trade school, those tend to be people, on average, overwhelmingly to be younger people. That's right, isn't it?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

SENATOR SANDOVAL:

High school students drop dead also, Senator Roskam.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Okay. Well, that's what I'm trying to get to. What I'm saying is, that there's always an exception. There's always one or two particular situations that we know of that are sad and tragic. A minute ago I said that there will be people today who will end up dead in the United States, probably even in Illinois, because of traffic accidents. And yet we don't go and say nobody can drive cars. We do our best to create a safe environment. So, my question is to you, at a time when the State is in desperate financial shape, at a time when group after group comes down here and says that we're -- we're -- we're chronically underfunded - the developmentally disabled, mental health folks, everybody who would have a priority position, arguably - why is it that you're saying we need to deploy these resources at this time for this incredibly low-risk group? I'm not saying that there's not one or two people, but when you put this and you compare it with the priority of people with developmental disabilities, you put that as a priority against people with mental illness, why use a heart machine on people who are basically twenty-one years old and under? Why in the world is that the priority here?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval.

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SENATOR SANDOVAL:

Well, Senator Roskam, it -- it may be a tough -- may be a tough price to pay to save lives. But if -- if this would have saved the life of Colleen O'Sullivan, it would have been worth it. If this would have saved the life of my sister, Socorro Sandoval, outside of the school on 55th and St. Louis, it would have been worth it. If Colleen O'Sullivan or my sister were your relative, you would be worth it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Okay. Well, we've got choices to make in the Illinois Senate. We have a limited amount of resources in the Illinois Senate. We have an unprecedented budget situation. We've got local school districts that are screaming under State mandates that we continue to plop on them. We create expectation after expectation after expectation on local schools that they're going to achieve X, Y and Z with very limited resources, and we've got choices to make. Unfortunately, we don't have the luxury that the sponsor is trying to claim that we do. We don't, unfortunately, have the luxury of trying to fix every particular situation, and we have tough decisions to make. We're like trauma surgeons, Ladies and Gentlemen. We're like people -- the doctors that come in when there's a triage and we have fifty-four billion dollars and then some to try and allocate and trying to figure out how to use wisely. By the sponsor's own admission, he said - you know what? - this really is going at younger people. His best response was that this is sort of statistically aimed at an older population of faculty members. I'm sympathetic to the loss that people have felt, but what I'm suggesting is that we shouldn't get up -- caught up in the emotion of mis-deploying resources and we need to look at where those resources are best used. And the resources are not best and most wisely used at targeting a population of schoolchildren at a time when we have such incredible other needs. I urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

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Ladies and Gentlemen, could we have a little of quiet? We're having trouble hearing the speakers. Senator Sandoval, to close.

SENATOR SANDOVAL:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4232 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, 31 Members voted Yes, 24 voted No, 2 voted Present. House Bill 4232, having received the required constitutional majority, is declared passed. Senator Roskam, for what purpose do you seek recognition?

SENATOR ROSKAM:

I'd request a -- I -- I'm -- making a timely verification request.

PRESIDING OFFICER: (SENATOR WELCH)

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

ACTING SECRETARY HARRY:

Following voted in the affirmative: Althoff, Clayborne, Collins, Cronin, Crotty, Cullerton, DeLeo, del Valle, Dillard, Geo-Karis, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Ronen, Sandoval, Schoenberg, Silverstein, David Sullivan, Trotter, Viverito, Wojcik and Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Does Senator Roskam question the presence of any Member voting in the affirmative?

SENATOR ROSKAM:

Senator Silverstein.

PRESIDING OFFICER: (SENATOR WELCH)

Is Senator Silverstein in the Chamber? Senator Silverstein. Senator Silverstein is in the back. The taller person waving. Senator Roskam.

SENATOR ROSKAM:

Senator del Valle.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle. Senator del Valle is in the back of the Chamber by the telephone.

SENATOR ROSKAM:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

On a verified roll call, there are 31 Members voting Aye, 24 Members voting No, and 2 Members voting Present. House Bill -- 4332, having received the required constitutional majority, is declared passed. With leave of the Body, we will turn to page 14. House Bill 3985. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 3985.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Just getting my notes in order. Basically, what this does, this offers language regarding services to notices -- requiring tax deeds and sales, but retains property that is offered at public tax sales may be offered only to forfeit -- forfeited to the State if there is no bids on the property. Currently, if there's an identical simultaneous bid, the auctioneer may forfeit the property to the State. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I rise in reluctant opposition to this bill, having great respect for the sponsor and probably should know better than to get up an debate a Leader. But I would speak to the bill. This -- this bill seeks to overturn a pro-taxpayer Supreme Court decision, and given the magnitude of that, I think it's important to call out a few facts. I've read the Appellate Court opinion, which was affirmed by the Supreme Court. And some facts that are important to know, the court held that the General Assembly gave the treasurers the implicit

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authority to impose the sort of rule that this bill seeks to -- to undo. This arbitrary rule, as it's been characterized by the -- the proponents, has been exercised all of five times since it was imposed, and only, only when properties were stalled in the bidding process at the maximum penalty rate of thirty-six percent a year - the price our constituents pay to redeem their -- their properties. Perhaps the most important thing is that this rule works. Before the rule was enacted, ninety-five percent of tax bills that were sold, were sold at the maximum rate of thirty-six percent a year. With the rule in place, fewer than one percent sold at the maximum rate. When the rule was suspended based on the district court's opinion, the rates returned right back up to the maximum. One final point, the -- the -- the threat that these properties would be forfeited to the State is really a question of legal nomenclature. They're not actually forfeited. It's simply disposed of. The taxes are collected through another means. So, we're not losing the money. Again, I respect the sponsor greatly, but felt compelled to rise in opposition, and I'd ask my colleagues to vote No or Present.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I, too, rise in opposition to this bill. It was very well articulated by Senator Harmon, but if I could, I'm going to reiterate just some small points of what this bill does. This bill is designed to overturn the rule relating to an annual tax sale that prevented noncompetitive bidding, or basically collusion by tax buyers. Prior to implementing this bill, the rule -- tax buyers made simultaneous bids for delinquent taxes at eighteen percent. The rate at which a buyer obtains a bid governs the rate a constituent would have to pay to redeem. So, as a consequence of that, this bill is an anti-taxpayer, special interest bill which will hurt our constituents. In many cases, it'll make it too expensive for them to redeem their own property. And these delinquencies are homeowners who are not deadbeats, mind you, but may be well people who've just fallen to hard times. As presented by Senator Harmon, this rule was upheld by the

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Appellate and Illinois Supreme Courts with very strong public policy language saying that this rule helps to ensure competitive bidding, which leads to a lower cost of redemption, which, in turn, to more redemptions. This bill is opposed by the Cook County Board President, John Stroger, the Cook County State's Attorney and the Cook County Clerk and the Cook County Treasurer. And I ask for our Members to vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

Senator Link, I'm new to this subject and I'll -- I'm not sure I have a clear understanding of -- of what this bill does and I want you to walk through it with me. It's my understanding that when someone is purchasing a property that has delinquent taxes on it, that one of the components of that purchase is the percentage penalty that the property owner will have to pay if they choose to redeem the property. Is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

That's correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

And that the bidding on this percentage that they'll have to pay starts at -- Senator Harmon referred to thirty-six percent. That's over a twelve-month period. It's eighteen percent over a six-month period. So, it's the same thing either way. But that eighteen-percent figure is the maximum, and then the buyers are supposed to bid down what they're willing to let the homeowner buy the property back by with the lower percentage penalty. So, the bidding would start at eighteen. Presumably, if it's truly competitive bidding, it's going to go down to

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thirteen, fourteen whatever it might be. Is that -- is that your understanding?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

That is correct pertaining to what types of property it is and depending on how many types of bidders there are on it. Yes, that is the way it would go.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

There has apparently been a rule put in place whereby if the bidders won't go below eighteen percent, then that property is pulled out and is quote, unquote, "forfeited" to the State, which my understanding means that it goes to a -- some kind of scavenger sale, which the maximum percentage then is twelve percent. So, if the property goes to that kind of sale, then the maximum that the property owner will have to pay, in terms of penalty, would drop from the eighteen that all the bidders stopped at in the delinquent tax sale to the twelve percent in the scavenger sale. Is that -- is that fair characterization of what happens?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

That -- that is correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Your bill would make it more difficult for the -- for the treasurer to move the property off the bidding that starts at eighteen percent into the twelve-percent category. That's my understanding. And if that's the case then, isn't the net effect of your bill to make it more difficult for more property owners to redeem their properties, because it's more likely they'll have to redeem at eighteen percent or whatever, but something higher than twelve percent, because there are going to be fewer properties that get referred to the twelve-percent category. Is that -- is that fair?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Well -- well, let's put it this way, Senator. In essence of what you're saying is correct, but a hundred and one counties do not have a problem with this bill. A hundred and one counties are taking care of this. And I checked with my county. They have no problem with this. I've checked with other counties. They have no problems with this. This is working in a hundred and one counties fine. When we talk about eighteen percent, that's the max. You're correct. That's the max. They could stop at fourteen percent. They could arbitrarily stop at less than twelve percent, what you're saying. And it's the treasurer's determination. And in this particular case, Cook County, the treasurer arbitrarily could say, "I don't want anything at three percent today." So, nothing above three percent will be sold today. So, it's an arbitrary figure by the treasurer, who is not anywhere in the statute allowed to do that, but arbitrarily allowing them to do this. What we're doing is codifying law, saying that if an auction is what an auction is, that you sell something at an auction starting at a percentage -- we set at eighteen percent each six months. We set that ceiling at that point. We set the ceiling at eighteen percent. We could have set the ceiling at sixteen percent. We could have set it at twelve percent. We could have set it at any figure that we wanted to. We decided in the General Assembly that it would be eighteen percent. So, what -- we could have set it at any figure. But, arbitrarily, the treasurer decided on that. So, I mean, I think an auction is an auction. If two people decided that they're not going to go below eighteen percent, I think it's the auctioneer's decision to decide when one of those people should be getting that piece of property.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter, could you wrap it up?

SENATOR RIGHTER:

Absolutely, Mr. President. Thank you. To the bill: Thank you, Senator Link, for those -- those answers. I think that the point needs to be made here, and I hope there are other

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people asking questions and people think this through - I don't know how I'm going to vote on this yet; I hope that there's some more debate on it - because the net effect of this -- if this bill becomes law, will be that there will be more properties that -- that property owners are trying to redeem that will be above that twelve-percent figure, which means they're paying a higher penalty in order to get their property back. And also a point that Senator Link made that a hundred and one counties don't have a problem with the rule as exists now, which tells us that this bill is being moved because of one county, and one local official's decision. And whether or not that's appropriate for us to do, I don't know. Thank you very much, Mr. President, for your indulgence.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. A question for the sponsor. First of all, I -- I also have great respect for the sponsor and -- and the work and the perseverance in pressing this bill. Can you tell us who has brought this forward? Who wants this legislation?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

The tax purchasers.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Okay. Then to the bill: When I first came to committee, I thought, well, this makes sense and -- and I think that it's the sponsor's habit to bring good legislation forward. In this case, though, after I listened to the debate in committee, came to the conclusion that the tax buyers, the people who will benefit from what Senator Righter just referred to, they benefit, and then you see the lineup of the opponents on the other side. All the people who have to conduct the -- the county business and the State business, they're all lined up against it. So, it's the Cook County State's Attorney, the Clerk David Orr, Office of the Cook County Board President, the

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Illinois Property Tax Lawyers Association, Illinois State Bar Association, Larry Suffredin, a Cook County Commissioner, the Cook County Treasurer and the Cook County Assessors. They're all opposed to it. Why would we be for it? They are close to the problem. I think Senator Righter's questions indicated and the previous speakers against it indicate that this is going to hurt taxpayers. It's going to hurt the people who are trying to get the job done. I think we should vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon. Hendon.

SENATOR HENDON:

Thank you, Mr. President. And, of course, everyone knows of my close, personal association with the sponsor of this great bill, and I can't even recall in the twelve years that I've been here, that I've -- I've voted against a Link bill. It's -- you know, it's like I'm a "Linkletter" or something. But this time I think I'm going to have to come down on the other side. And they -- I heard about the Treasurer, Maria Pappas, in Cook County. She can be a bit interesting at times, but she is quite a bright and intelligent lady and a personal friend of mine. So, I think that she might be on to something here. My question is, is -- is -- is the City of Chicago supportive of this bill or in opposition?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

I -- I think the City of Chicago, as of maybe about ten minutes ago, might be opposed to it. And that's what I know, but they haven't filed any opposition. But they're -- I think as of maybe ten minutes ago, they might be opposed to it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Well, I'm -- I'm certain you know that seals it for me. So, if Mayor Daley is against it, then you know how I'm going to vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Geo-Karis.

SENATOR GEO-KARIS:

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Just one question of the -- the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR GEO-KARIS:

Who did you say -- you -- you brought the bill up in -- on behalf of the purchasers at the tax sales?

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- please repeat the question, Senator.

SENATOR GEO-KARIS:

Did I understand correctly that you said that you brought this bill up at the request of the purchasers at the tax sales?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In an effort to help Senator Hendon, I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Thanks a lot. Senator Link, to close.

SENATOR LINK:

Thank you, Senator Rauschenberger. You know, obviously it's controversial in the type of -- but, you know, a hundred and one counties, have no problem with this whatsoever. A hundred and one counties, it's working admirably. I meant -- like I said, Senator Geo-Karis, I've talked to people in Lake County. They have no problem with this situation. It's working. It's working in the county. We have one county that it's not. Hopefully, it can be rectified. I think it's an arbitrary decision by one elected official. I think this can work out. I think we should give it a positive vote of a hundred and one counties that it's a positive endeavor. I don't think we're hurting the taxpayers on this, and I'd look for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 3985 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 19 Members voted Yes, 32 Members voted No, no Member voted Present. House Bill 3985, having failed to receive the required majority, is declared lost. On page 14 is House Bill 4027. Senator Martinez. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4027.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Today I have with me the family of Louie Limberopoulos. I have with me Angie, Christina, Amanda and Annette. For Members that were not in committee, I just wanted to give a real brief story on this. House Bill 4027, which is considered Louie's Law, is in response to a fourteen-year-old Des Plaines boy, Louie, who was riding home on a scooter when he was struck down by -- by an SUV at an intersection. His mother and his little sister were nearby and witnessed the accident. His mother rushed to her son's aid while the hit-and-run offender kept driving on. One week later Louie died. The driver who killed Louie was only charged with a misdemeanor because she informed police within the required one-hour reporting time, but only after making several other personal phone calls - fifty-eight minutes later. Ultimately, the driver only faced two misdemeanor charges amounting to only one year of non-reporting supervision and a five-hundred-dollar fine. Currently, any person involved in a car accident that causes personal injury or death must stop and remain at the scene of the accident. Failure to do so is a Class A misdemeanor. If the driver does -- does leave the scene of an accident resulting in death or personal injury, they are required to report it within one hour. Failure to do so is a Class 4 felon -- felony. This legislation changes the reporting-time requirement from one hour to a half an hour. Failure to do so will increase the punishment from a Class A felony to a Class 3 felony, two to five years jail time or --

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and/or twenty-five-thousand-dollar fine. Furthermore, it still retains the initial offense of leaving the accident, but increases it to a -- Class 4 felony. Current law says that you should not leave the scene of an accident, but if you do, you'll receive some sort of break for repenting and -- and reporting the accident within one hour. What we're doing here is a basic policy change that says it is never okay to leave the scene of an accident. Some have argued that what if you're in the middle of nowhere and it takes time for you -- forever to get to a nearest place to report the accident, but that's already covered under the current law that you are allowed to leave for the express purpose of seeking help. There was a concern raised in committee about an item in this bill in committee that was addressed with the adoption of Senate Floor Amendment 1 last week. What happened to this little boy is unjust -- is an injustice and a complete failure of the system top to bottom. It is ridiculous that anyone should get away with a heinous act. No human being should ever drive away from a scene of an accident, leaving someone dying or dead on the road. This is why we need to tighten up the laws on the hit-and-run accident and send a message to motorists that they will be responsible for their actions. While this -- this legislation will not bring back the son of -- of Angie, I know on behalf of the General Assembly, our condolences to this family, and -- and I hope that everyone can vote Aye and give this family some type of closure. We know that a loss of a member is not an easy thing and especially when it comes to a -- to a young boy at the age of fourteen who died, who was hit in front of his mother and his little sister. So, I would welcome any phone -- any phone calls -- welcome an Aye -- any questions. If not, I would like to have all the green lights go on.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, no one - no one - should leave the scene of an accident when he or she is involved in it. And I commend Senator Martinez, and I certainly give my condolences the Limberopoulos family, very well-known family and regret what happened to their son, Louie.

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I -- I appreciate you bringing this case -- this type of legislation before us. I think we should all vote for it unanimously, because no one - and I repeat, no one - should be allowed to get away from something they commit or involved in in an accident.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This young man was killed just a couple blocks from my former office. I -- I drive by the memorial that the family has there. It's a tremendous tragedy. This should never happen and I certainly urge everyone to support this. That's why I'm cosponsoring it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill is not quite as easy as some of the people who have risen in support of it lead you to believe. And I'm probably going to vote for this bill, but I do want to warn the Members and clearly let it be known on the record that we had extensive, extensive discussion on this bill in the Judiciary Committee. Senator Petka, a great former prosecutor, asked some very, very hard questions in committee, including pointing out that he was worried that this would perhaps have a chilling effect, where somebody would not come forward and report an accident. And, obviously, we have read it -- the tragedies in the newspaper, unfortunately a growing trend, not only in Chicago but in Detroit, where, literally, if you do have an accident in a very difficult or tough area of a major urban area, you may be fleeing for your own life or you're going to be pulled from your car and beaten by a mob. And there are reasons, right or wrong, sometimes when people do not stop at an accident scene. And these new incidents, a couple of 'em in Chicago and one or two in Detroit, of having people pulled out of cars and beaten, usually incorrectly, at the scene, shows us that this is not necessarily a slam dunk. I guess my question to the sponsor, Mr. President, is I'd like to hear Senator Martinez's response as to whether there's a chilling

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impact or we could have a chilling impact with the passage of this bill. What's her response to that argument?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. Senator Dillard, I think that this type of legislation at least will give that person really something to think about if they leave the scene of the accident just because they're too afraid to report it. I understand that we have seen, yes, in the -- in the newspaper and the radio -- I mean, you see -- you've seen it all the time where we've had a few lynchings that have occurred because of it. I just think that no one - no one - should ever leave the scene of an accident unless they're going to go get help. And I think that this is the purpose of this -- of this legislation. We have people that -- in this case, where the person drove away and waited fifty-eight minutes knowing that that was the law, within the hour, but did not even call the police. Called her pastor instead. I think that this gives people who do hit something on the road, let it be a person, let it be an animal, that you have to stop and see what's going on. Now, if you do see a lynching -- group around, maybe drive away, but, you know, call the police. Make a phone call. Make sure that you didn't leave someone dead on the road behind. And that is what the purpose of this legislation is.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. When this bill was heard in committee, I made a few observations that I think I'd like to make again. First of all, the whole question of the type of penalty that was given in this case, to me, was -- was certainly something that should be questioned. Getting court supervision and a five-hundred-dollar fine for leaving the scene of an accident is one of those dispositions which is absolutely inexcusable. Unfortunately, we're focusing not on the -- the statute -- or, not on the disposition that was given by a judge, but on what should be authorized. It wouldn't make any difference in the -- in -- in the thinking of this judge, who would give a five-hundred-dollar fine for the taking

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of a life of a human being, whether or not this was a Class 3 felony or a Class 4 felony. A mindset that -- that places such a low premium on human life is not going to be changed by the Legislature saying that we should have an even tougher penalty for a judge who simply does not understand that there is a premium to be paid, especially when a human life is taken. There is a real downside, in my opinion, and it -- Senator Dillard has pointed it out, in connection with people who -- who leave the scene of an accident. And I certainly agree with the sponsor of this legislation that that should never be the case. But there are circumstances and situations which, unfortunately, are all too common in this nation where people are involved in accidents, and because their own life are placed in jeopardy, that they leave the scene of -- of those accidents and -- and go to a safe harbor, so to speak, to make a phone call to report the accident. And in those circumstances, it seems to me that it -- it would be simply misplacing our obligation, in terms of what should be done when a person is forced to choose. I certainly commend the -- the -- the sponsor for bringing this matter to our attention, and I certainly feel heartfelt sympathy for the loss of any person, especially the people who are here on the Senate Floor who have lost a loved one. But I think that it is important to understand that the real -- the real problem in this scenario was not a failure of the law that the General Assembly had, but a failure of an official who -- who simply decided that a human life was only worth five hundred dollars.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the bill and just add to the great colloquy going on today on this bill that in our -- our experience, the ones who left the scene -- and I cast no aspersions on the defendant here. I -- I don't know if this was part of the case or not, but in many instances, the reason why there's a failure to report and there's a fleeing of the scene is that the person is intoxicated, or they believe that they are, and they are avoiding a test to determine that because the penalty would be reckless homicide. Now, this does not -- this

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reduces the time to report. And in the age of the cell phone, the instant communications that almost every American has, it seems to be, to me, not an unreasonable burden to report an accident in thirty minutes and to -- and to submit one's self to the operation of law. And -- and, again, I -- this is a reasonable thing. I do not quarrel with Senator Petka's description of what may be the root of this issue. But this is a good statute, a good proposed statute. It's reasonable, and again, I do believe that the majority of those who irresponsibly flee, in the words of Senator Geo-Karis, are not fleeing mobs - although, again, I agree with Senator Dillard that has happened, unfortunately, in some areas - but they are avoiding an investigation as to whether they are impaired. So, I ask for an Aye vote also. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you to all the previous speakers. I -- I think that when you look at the fact that, as Senator Petka said, the system failed, yes, the system failed this family. And I ask that today this Chamber doesn't fail this family. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4027. 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, 55 Members voted Yes, no Member voted No, and none voted Present. House Bill 4027, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, please turn to the top of page 16 where House Bill 4241 appears. Senator DeLeo. 4247. Senator Righter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4247.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 4247 is clean-up legislation from legislation that was passed last year creating the verbatim recording requirement in the Open Meetings Act in Illinois statute. Quite simply, this legislation will require that a court perform an in camera, or closed chamber, review of closed session meetings and records before they allow it to be disseminated to the public or in discovery. Both the Press Association and the Municipal League have worked together on this issue and are on board with this legislation. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4247 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 voted Yes, none voted No, 1 voted Present. House Bill 4247, having received the required constitutional majority, is declared passed. House Bill 4249 {sic}. Senator Schoenberg. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4269.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you -- thank you, Mr. -- thank you, Mr. President and Ladies and Gentlemen of the Senate. This -- House Bill 4269 provides that no identification card, Disabled Person Identification Card or driver's license should be issued to anyone who holds a valid foreign state identification card, license or permit unless that person firsts surrenders to the Secretary of State the valid foreign identification card, license or permit. In limited circumstances, this also permits release of some identifying information. There are -- this is an -- this is supported by the Secretary of State and the State Police. Current law doesn't require any surrender of these when applying for a State identification card. So, this is an

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attempt to really eliminate any situation where an individual would hold an identification card from more than one state. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I just rise in support. It came out of committee with no opposition. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR BURZYNSKI:

Thank you. Just very briefly, I -- I noticed in looking at the bill, Senator, that there's a provision that says that you must provide proof of residence. I was just curious what -- what would constitute proof of residence?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

My belief is proof of residence would be similar to other circumstances; for example, a utility bill or a phone bill, a gas bill, a -- a rent -- a lease, rent receipt. Same kind of documentation we require in other -- similar circumstances.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4269 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 none voted Present. House Bill 4269, having received the required constitutional majority, is declared passed. House Bill 4280. Senator Hunter. House Bill

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4283. Senator Munoz. House Bill 4285. Senator Halvorson. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 4285 would lower the threshold for EDGE tax credit eligibility for businesses with one hundred or fewer employees. Specifically, these businesses would need to make one million in capital investment instead of the current five million, and hire five additional employees instead of the current twenty-five.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just rise in support of the bill. It applies a good program to more people. Compliments to the sponsor, and urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4285 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, none voted No, and none voted Present. House Bill 4285, having received the required constitutional majority, is declared passed. House Bill 4302. Senator Meeks. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4302.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. President and Ladies and Gentlemen of the Assembly. House Bill 4302 creates the display for

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tobacco products. What we're doing here is asking that all single packs of cigarettes be sold from behind the counter or in a restricted area in a sealed display case. I'd be happy to take any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4302 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, none voted No, none voted Present. House Bill 4302, having received the required constitutional majority, is declared passed. House Bill 4318. Senator Cullerton. read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4318.

(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. Turns out that Illinois is the only State in the nation that doesn't have a -- a grandparent visitation bill -- statute, and that's because the Supreme Court, in a series of three decisions, had struck down as unconstitutional our statute. Those were the Troxel, Whickham and Lulay cases. And so, one of the -- the attorneys in one of those cases, who actually was successful in turning down -- in -- in overturning the -- the statute, decided on -- on his own to draft a piece of legislation that Representative Lindner passed out of the House in an attempt to draft and fine-tune a statute that would be constitutional. And so, I believe we've done this. It does allow for grandparents, great-grandparents or siblings to file a petition for visitation rights, and there's a -- a scheme that's set up in the -- in the statute that, again, is -- is written with the Supreme Court decision in mind. There -- there would be one of five different circumstances that must exist before they could file it. There's a presumption that the parent is fit and that their decisions regarding their visitation are not harmful to the

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child's mental and physical, emotional health, but -- the moving party would have to have -- prove that the parent's actions regarding visitations are -- are harmful in order to prevail and there's some guidelines that the court should consider in determining it. And it also limits the ability of the -- if the visitation rights are granted, to have them be modified by having people run -- run to the court to modify 'em in a -- over a two-year period. So, it's -- it's a -- I think, a finely tuned bill. We - again, I say, we're the only State in the nation that doesn't have a grandparent visitation rights Act. And I believe it's constitutional, although I'm sure it'll be challenged, and I would ask for an Aye vote. And -- happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I commend the sponsor of this bill. It's about time we had something like this, because - let's not kid ourselves - grandparents are important, too. And I certainly urge wholehearted support for your bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill: I, too, commend the sponsor and proud to join him in sponsoring this legislation. You know, in my district there's more and more grandparents today raising their grandchildren and being responsible for the lack of their children's involvement in their life. And I believe this would be legislation to assist in their efforts. And I, too, ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Just a question for the Senator, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR LAUZEN:

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Senator, is this -- this provides rights for grandparents over an objection of a parent?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Yes. And -- but the standard is different than the standard that we had in the -- in the law that was declared unconstitutional. The law that we had that was declared unconstitutional had the standard dealing with the best interest of the child. This standard is -- is called the "harm to the child" standard. So, it -- it would be still a very difficult standard to -- to meet. We acknowledge that. But it -- it does allow for, over the objection of one parent, the opportunity to have a visitation ordered by the court under very -- stringent circumstances.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Senator. Do you feel that this will lead to more or less intra-family litigation?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Well, in -- in an effort to respond to that concern, one part of the bill deals with how often you can seek to modify a court order. So, if you were successful in -- in these limited circumstances of getting visitation rights, we're saying, basically, over a two-year period, unless something dramatic occurs, you can't come back to court and constantly cause the friction that can be caused with -- with these -- with these court orders being amended.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you for your attention. I think this is a very important bill. We, again, are the only State in the nation that doesn't have a grandparents visitation Act. We have an increasing -- an increase in the number of grandparents as our society ages, and it'll affect almost a hundred million people,

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to give them certain rights in limited circumstances. I believe it's written in constitutional fashion, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4318 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, none voted No, and none voted Present. House Bill 4318, having received the required constitutional majority, is declared passed. House Bill 4361. Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4361.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4361 creates the Fire Sprinkler Dormitory Act, which would create the Fire Sprinkler Dormitory Revolving Loan Fund, which would be jointly administered by the Office of the State Fire Marshal, State Finance -- and the State Finance Authority. The program would provide low-interest loans for the installation of fire sprinkler systems in dormitories. The funding would come from the sale of bonds. Subject to the establishment of the -- of the loan fund, would require all public and private colleges and universities to have a fire sprinkler system in their dormitories and have this planned and -- and put together by the year 2013. As a Member of the Fire Caucus, I attended a fire service meeting in -- in Tinley Park last fall, along with Representative Moffitt and Representative Mike Smith. And in our discussions, we were shocked to hear the number of dormitories that we have in this State at our universities that do not have fire sprinkler systems in them. So, this basically has been an initiative of our Fire Service Caucus, initiative that we, like we did last year, create a revolving fund, a loan fund, in order for these universities to be able to come and borrow the money, pay it back on a low-

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interest loan. This bill passed unanimously out of the House, and I would be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This bill did pass unanimously out of the State Government Committee, but I do want to alert everybody there is a cost to this bill. We certainly want our students to be safe, and we certainly ought to have the sprinkler system in -- in the dormitories. The estimate that I had is somewhere around sixty million dollars to -- to get this done. I did have a chance to talk to the President of Illinois State University. They -- they projected that it costs about twelve million dollars to have the sprinkler systems installed in their dormitories. We are providing a loan to get that done. We are not providing the money for the universities to do this. So, it's something that I think that needs to be done. I support the program. But I want to make everybody aware that it is a -- a costly mandate for the universities.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

Senator Walsh, I have a particular interest in this, I suppose, because recently there was a fire at Eastern Illinois University. Thankfully, it wasn't in one of the dorms. That was in a classroom building, but nonetheless, in looking at the -- the bill, there doesn't appear be -- there's a new fund set up, but there's not a mechanism to put funds into that new fund. And you mentioned in your opening that the -- it would be from the proceeds of bond sales. Can you tell me more about -- maybe enlighten us all about what -- where that money's going to come from, what kind of bonds, and -- and whether that would fit under the State's current debt structure?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

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SENATOR WALSH:

Well, Senator, it's my understanding what we would do is put together -- give all the universities the opportunity to put their plans together and come up with what they feel is going to be a necessity for taking care of the projects that they have on their respective facilities. At that time, what we would be doing then is general obligation bonds, selling the bonds to underwrite this. All of this is -- all of this depends on the administration supporting us in the appropriations and the bond sale.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Walsh, it's my understanding from staff that the fund that's being created is not exempt from the eight-percent chargeback provision that the administration is levying on all funds in the State Treasury. If that's the case then, are we going to lose -- I mean, if we put fifty million in there, are we going to lose four million just to be siphoned off and put into the General Fund then, rather than going to the universities for sprinkler systems?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

I have not been informed of that, Senator, but that is not the intent. And if that needs to be worked on, that would be -- I concur with your thoughts that if we are going to do this, we want the money going to -- for the purposes of what it's supposed to be raised for, which would be totally to help the universities get this job accomplished. I would -- I would follow up with legislation, Senator, in regards to that, to make sure that that did not take place.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. I just want to remind the Members of the Body that not only is this a very sound initiative, but that this is also subject to appropriation. And that is -- and I -- I'm confident that Senator Walsh will be able to enlist the support

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of the Governor for both public and private institutions to ensure that we'd be able to do this. So, I would urge my colleagues to be mindful of the fact that it's subject to appropriation, which also means that these institutions, whether it's Northwestern in my area or Illinois State or any other institution, that they, in turn, can also seek to raise funds from private donors so as to be able to cover the costs of this, as well. So, I would urge everybody to vote Aye. I think it's a very responsible bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh, to close.

SENATOR WALSH:

Thank you, Mr. President and I thank the Members for their interest and comment and this is a -- this is a -- a unique initiative that we are -- we are -- taking on. The Fire Service was out in Washington, D.C., just this last week, and when the Illinois Fire Service people talked about this issue in Washington, that - they were very well received. They were actually astounded that we were taking this initiative on to try and bring this act of public safety to our communities, to our colleges. We firmly believe that we are giving the universities the opportunity to work with us, tell us what they need. The University of Illinois is expending four and a half million dollars of their own money this year to provide sprinkler systems in their dormitories. I've received a letter from David Tretter, who is the President of the Federation of Independent Colleges, and he thanks me for my letter in regards to House Bill 4361. "The Federation is officially neutral on the bill, but we certainly endorse the idea of increased safety in Illinois independent college and university dormitories." Yes, it's a major undertaking, but I think it's a move in the right direction. And I think if we all work together and administration work with us, we can come up with a model program right here in Illinois. We always talk about being forty-eighth in this and forty-seventh in that. Let's try being number one in something. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4361 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 52 Members voted Yes, 1 voted No, 1 Member voted Present. House Bill 4361, having received the required constitutional majority, is declared passed. House Bill 4371. Senator Obama. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4371.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Human Rights Act to include military reservists in the definition of active military personnel who cannot be discriminated against on the basis of status. I know of no opposition. I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4371 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, none voted No, and none voted Present. House Bill 4371, having received the required constitutional majority, is declared passed. House Bill 4372. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4372.

(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 4372 amends the Service Men's Employment Tenure Act in regards to reserve members. Currently the State statute's military service includes service with the State of

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Illinois pursuant to the orders of the Governor. This language is amended in order to allow the Illinois reservists who are called to federal duty by the President of the United States, that they are afforded the same protection under the Act. I know of no opposition and be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes. To the bill. This bill came through unanimously through State Government Operations. It's a good bill, and we support it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4372 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, none No, and none Present. House Bill 4372, having received the required constitutional majority, is declared passed. At the top of page 17 is House Bill 4393. Senator Silverstein. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

...President. House Bill 4393 would regulate private collection -- private child support collection agency in four additional ways. It will prohibit the private collections agency from imposing fees or charges on child support payments collected through the efforts of a government agency. It would require that they provide documentation to custodial parents demonstrating what payments resulted from the actions from the private collection -- agency. It would also prohibit them from taking any fee out of current support collections, and allows -- and allows fees for arrearage and collection. And I think -- under the bill, it would set the maximum rate -- the contingency

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rate between twenty-five and thirty-five percent of child support payments collected.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: Ladies and Gentlemen of the Senate, this is one of those issues that is complicated for a lot of us, me included. We heard a great deal of testimony in the Senate Judiciary Committee on this issue, and -- here -- here's the backdrop. The backdrop is, how do you -- how do you create the best possible environment where child support is collected fairly, promptly and that children are not lost in the shuffle? State of Illinois has one of the most abysmal records around nationwide, and I think that's why Senator Silverstein has decided to take up this issue, to his credit. We have a real problem in this State. I think the Attorney General -- this is the Attorney General's initiative, if I'm not mistaken. They testified quite a bit on it. But what was interesting to me is during the -- the testimony in the Judiciary Committee -- I voted for this bill the first time around, and -- and I'm not comfortable with it anymore. And the proof was sort of in the pudding for me. The -- the people that spoke on behalf of the bill were lawyers and technical people and government lawyer types, well-intentioned, but you know the type. The people that spoke against the bill were basically moms. They came in and they said, "You know, we have been terribly mis-served by this system over the years, and we have been told by a system that we are going to be taken care of. We've been told by a system that the deadbeat parent to whom we were previously married is -- is going to be forthcoming." And these moms have been left with nothing. So, they've hired a private company to come in and do the job for them. And their response is very simple. Their response is: When we hired this private company, we got money. Before we had nothing, and now we have something. The difficulty that I think we have in this bill is some sort of highly technical definitions of current arrearages, and Senator Silverstein can talk to -- you through all of those types of things. But what I heard in the Senate Judiciary Committee was the plea of mothers who said, "Please

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don't take this tool away from us. Don't give us a highly technical legal argument about current and past and so forth. Give us the ability to hire people that give us money." So, as somebody who was previously a supporter of this bill in committee and the more I heard about it and the more I thought about it and the more people spoke to me, I'm rising in reluctant opposition, not to the underlying concept of the integrity of the process, but of the notion of tying any mom's hands. So, I urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I actually share Senator Roskam's anxiety with -- with much of this -- this -- the process of putting this bill together and have certainly spent much more time, I think, than I expected - I know others have too - talking to both proponents and opponents. I share Senator Roskam's goal, too, which would be a world where custodial mothers get their money and are able to take care of their kids. But I reached a different conclusion than Senator Roskam. I think that this clearly is a system that needs to be broken, and something needs to be done. I applaud Senator Silverstein for taking on the issue, and having talked to him, I -- I believe that if we do this and it works, great. If we do this and it doesn't work, we'll be back to fix it, 'cause I think we all share the -- the desire to make sure that custodial parents get the support to which they're entitled. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, share Senator Roskam's concern. I know one of those people that was involved in -- in the testimony is from my area. And it seems like every time we stick our nose into -- to this child support issue, we end up making it worse. When we took it away from the locals and gave to the State, and then the State had to give it back. And it -- it was just a mess. It's still a mess. And I would agree with Senator Roskam. And I'm not asking any of my Members to join me, but -- but I -- but I

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will just state this: That I think that we have to offer those mothers, as Senator Roskam said, every opportunity. If they can't get taken care of by this State that should be taking care of them, then I think they should have the ability to -- to go wherever they have to in order to get that done. And I know that the mother that testified in my area had been trying for years and was able to -- to get nothing accomplished, and when she went to the agency, she got results. She got money for her children. She had to give some up, of course, but that was her prerogative, and she swears by this and I swear by her. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. I have a couple of problems with this bill. First of all, I've asked many people to explain the current and the arrears problem and I have never gotten the same answer twice. These women have been in my office many times and I don't think anybody in this Chamber understands the predicament that they are in. These are people that go through a divorce process and are told they're going to get a certain amount of money, and now five, ten, fifteen years has gone past. They haven't got it. I don't think anybody understands what it's like to try to put food on your plate, keep a roof over your head when you're not getting the money you're supposed to. The State has failed these mothers, and there's many of them. There's not only three or four, like were in our offices. There's a lot. And I don't think we should do anything that is going to impair our mothers or fathers from getting the money that is due them so they can take care of their children. So, until I can get an answer of what current and arrears are, because what I believe is nothing from nothing is nothing. And if these parents are told they're supposed to get a certain amount of money and they haven't and ten years has gone by, and finally someone out there is going to give them hope. They get this agency -- and you know what? That's the other thing: This is slap in the face to smart women. Somebody said that they enter into these contracts and they don't know that agencies are going to take a portion of this money. Shame on everybody who

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thinks that these are not educated women who sit down and make a contract in good faith. They know exactly, and I'm not sure there's one person in here that is worried about -- they don't care that someone's going to take a few of those dollars, because if they can get ten thousand dollars of that twelve thousand that is owed them, it is worth it. So, when we're talking about going after money in the past that they haven't got, we need to make sure that that stays in place. And nobody thinks that an agency should get a portion of the money going forward. That is not the problem. But if it's the money going back, there's no -- nothing that we should do to parents who cannot get their money.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. After the soul-searching that Senator Harmon and others spoke about, and not contradicting any of the good points made by Senator Halvorson, Senator Roskam and others, I rise in support of this bill. There have been some changes in the bill. The -- and I speak as one that -- that ran a child support collection unit in the State's Attorney's Office. So, we're familiar with these issues. And it was a very good -- agency. The -- the point of the bill is to prevent abuse of those whose judgment may be clouded by their need, their need for support. And they are not as facile as some of us in dealing -- in signing a contract or negotiating terms when they are in such need. And this regulates, basically, what might be termed contracts of adhesion, unfair agreements in the -- marketplace, and they're unfair because people are in such need. This is not to say that these agencies do not do good things. They do. Some of them do and some of them don't. This is to prevent those that may be a little bit fast and loose with their clients. Now, in voting for this bill, and I said this to representatives of our Attorney General, whose support means a lot to me in voting for this bill - she -- her agency runs a child support agency also, along with many State's attorneys of Illinois - this should be the beginning of an effort going into next year to improve, just as was indicated by Senator Halvorson

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and Senator Roskam, to improve these collection efforts. And that means the Department of Public Aid has to be given the resources to give to the local State's attorneys and our Attorney General's Office to accomplish this so we do not have women in such need that they're out there searching for a remedy. And that's the -- that's -- so I expect by my Aye vote to send a message that we want to begin the process of further improving these efforts. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR LUECHTEFELD:

You know, I don't know as -- obviously, as much about this. I'm sure you know a lot about this, because, you know, you've had this bill and you've researched it. I do know that in my office, and I'm going to guess many of your offices, one of the most frustrating things that comes into our office is that so and so, my husband, owes me so many dollars and I can't get it. And -- and we don't really have a good answer for them of how to -- how to make that happen. But since this bill has been talked about, I've had several mothers come into my office and say, "For goodness sakes, don't take away from us something that gives us hope that we can get our money and the only thing that's working for us to get our money." And, you know, I know that there will be some -- some people taken advantage of. But that doesn't necessarily make it right to stop it for those people who are, you know, doing it right, who are actually seeing results. And I -- and I guess my question to you, because I don't know what the answer is and I wasn't real sure how I was going to vote on this bill, and -- and my question to you, Senator, is, what do you say to those mothers who come in and say that to you? I don't understand it was well as you do. What -- what would you say to -- I didn't know what to say to them.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

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SENATOR SILVERSTEIN:

...minutes or less. First of all, I'm going to answer your question and address everybody. The bill is really designed to protect these women and men who are trying to collect child support. You've got to realize that, yeah -- I -- and I agree with Peter, Senator Roskam. We have a horrible child support collection problem in this State. These companies - and -- and if you look at your analysis, it's only one, Supportkids - charge an excessive amount of money to collect child support. Fifty, sixty percent. Whatever. What we're doing is, we're limiting them down to twenty-five or thirty percent. They're staying in Illinois. As much as they tell you they're going to leave, they're not going to leave. This is a viable business for them. They're just reducing the fees. That's more money that goes back to the parent. That's number one. And if I may address Senator Halvorson's question and other people's questions -- I'll -- and I'll go back to you is, what is current support and what is past support? Well, a court order says what's current support and what's past support. It's very simple. And -- and if any money does come in, the State -- distribution agency -- State -- distribution unit would also decipher what is current in child support -- current and past support. There's a mechanism there. That's a flawed argument. So, Senator Luechtefeld, we're just trying to regulate these agencies. They're not going to leave the State. We're just trying -- give more money back to mom or dad. That's it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So, these agencies have lied to the mothers that this -- this is still -- they're still going to be there and they're still going to do these things for these mothers?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

I can't speak for the agencies, but I don't think they're going to leave the State if we reduce their contingency from ten or fifteen percent. I -- I think they'll still stay here.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Luechtefeld.

SENATOR LUECHTEFELD:

I'm going to guess that even these agencies certainly don't have a -- a very high success rate, because we certainly don't as a State. And you would -- and, therefore, your -- your rate that you would charge would probably have to be higher than -- than a normal rate, especially if you don't succeed very often. And so, I can see why the rate would be high. Maybe -- maybe, as you say, they're too high. But, you know, these women were convinced that this was a really bad bill, and -- and I -- again, I appreciate your answer.

PRESIDING OFFICER: (SENATOR WELCH)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I approached this issue from a -- a different perspective, I think. And I agree with Senator Silverstein that we are certainly trying to help these women. My wife was one of these women. I'm not interested in getting into the details, but -- trust me, it's difficult. This bill simply attempts to help these women, trying to reduce the contingency fees so these women get more money for their children. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. To the bill. I certainly agree with Senator Sullivan and with the intention of the sponsor. I do come to the conclusion that the opponents come to that we ought to give families who are struggling with child collection -- or, child support collection, the choice of service provision. We have had a -- just a terrible problem in Illinois in the past with about -- I think the statistic was thirty-eight percent of the child support that's supposed to be collected, actually being collected. But literally there is good news in that there's very substantial progress that is being made. I know that there are many Members of this Body who have worked hard, for the last couple of years especially, to put tools in the hands of the Illinois Department of Public Aid. As recently as this morning, I -- I met with Barry Maram, who is the

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Director of Public Aid; also Lonnie Nasatir, who is the administrator of the program; Melissa Hansen, who's -- who's the person who if you have problems with your -- you know, to solve for your constituents, Melissa is the person you call; and then our legislative liaison is Andrienne Jones. And they can help on these. But there's five major points that our child support system is evaluated on. Number one, percent of cases with court orders. Second is percent of cases with money actually coming in, where folks are getting paid. That is literally seven percentage points higher than it was a year ago. It's now -- not -- there's still a lot of progress, lot of progress that has to be made, but it's now up to forty-six, forty-seven percent. It's such good progress that the federal government has actually sent nine million dollars back to the State of Illinois as positive incentive to do more good work in this area. So, we do have a -- a tremendous problem, but literally because of the work that's been done over -- especially the last couple years, it's going in the right direction. The third area is percent of cases with paternity being established. That's now at fifty percent. Cost-effectiveness ratio - we're in the mid area there. And then overall collections are literally up fifty-four million dollars this year versus a year ago. It's now eight hundred million dollars a year. They hope to break through to the billion-dollar level each year of child support being collected. The tools that people in this room, this Body, have provided that have been having this positive impact are the website for deadbeats, the new-hire process. Now the State of Illinois has one certification. Where half the states in the country have -- have failed on that certification process, Department of Public Aid, State of Illinois, all of us can celebrate progress on the long journey in getting that certification. The asset recovery system now collects approximately seven hundred thousand dollars a month, because folks who are not fulfilling their obligation under child support can actually have their assets identified and locked to pay for those. And then automation and accuracy. One of the statistics that I was given this morning that I think that would be interest to most of the people in the Chamber is that five years ago we sent out two hundred confirmations of child support

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situation. Thirteen percent of those came back with a complaint that they were inaccurate. Recently we did something similar. Only two percent came back. So, progress is being made. So, I think that we just need to continue. I think that, unfortunately, this bill takes a choice of service provision away from the families facing the problem.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I rise in strong support of the Senator's proposal. I think this is a very important bill and I -- was going to say that, the beginning of Senator Lauzen's comments, I -- I totally agree with. I don't agree with the conclusion he came to. But it is true the Department of Public Aid, under Barry Maram and Lonnie Nasatir, has made great strides in improving child -- child support collection, and we all know how important that is to families and allowing families to support their children. This bill does not do anything to stop that progress that is being made. This bill still gives women choices as to whether they use a private company or not, but sets what are reasonable standards. I think Senator Silverstein has made that very clear. So, I would urge all of my colleagues to vote Yes for this very important bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Thank you, Mr. President. First of all, I appreciate all the comments. Briefly, there have been numerous -- amendments issued to this bill, and the only difference between the amendment and what the -- the Supportkids has offered is that they want to take a contingency on -- current support. They have agreed to these contingencies in other amendments, and I don't think we should take a -- a contingency on current support. So, what this bill does, basically, is two things. It helps the custodial parent by if money comes in, the first dollars that are current support, a contingency's not given, and it limits their contingency. Now, I look at my screen and I see who's in favor of this bill: Metropolitan Family Services, the Illinois Attorney General, the Chicago Bar Association, Chicago Council

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of Lawyers, the National -- Center for Poverty Law, Appleseed Fund for Justice, Voices for Illinois Children, Department of Public Aid, Cook County State's Attorney, and the Jewish Children's Bureau. I see one opponent and that's the company itself, Supportkids. I understand there's a problem with child support, but we're doing some good here and I would appreciate a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4393 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, 44 Members voted Yes, 14 voted No, none voted Present. House Bill 4393, having received the required constitutional majority, is declared passed. House Bill 4403. Senator Halvorson. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4403.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. House Bill 4403 is basically just a clean-up piece of legislation from the Secretary of State. It defines peace officer. It corrects a few errors with regards to learner's permit and a few other things. Just cleanup.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4403 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, none voted No, and none voted Present. House Bill 4403, having received the required constitutional majority, is declared passed. House Bill 4450. Senator Clayborne seeks leave of the Body to return House Bill 4450 to the Order of 2nd Reading for the purpose of amendment. Without objection, leave is granted. On the Order of 2nd

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Reading is House Bill 4450. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne, to explain Amendment No. 2.

SENATOR CLAYBORNE:

Thank you. Floor Amendment No. 2 retains the underlying bill and exempts any subsidiary or affiliates of banks.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, all those in -- Senator Ronen, on the amendment? All those in -- Senator Clayborne moves the adoption of Amendment No. 2 to House Bill 4450. 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, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4450. Senator Clayborne, do you wish to proceed? Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4450.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. A corporation that enters into a renewable contract with a consumer that spans twelve months or more and that may automatically renew -- and that may -- automatically renew for one month or more at a time must notify the consumer in writing of the automatic renewal. This exempts bank institutions, business-to-business contracts, exempts subsidiaries or affiliates of banks, as well as Mortgage License Act of 1987.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wojcik.

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SENATOR WOJCIK:

Thank you, Mr. President. I'm just going to say it's a fine piece of legislation. It's a good consumer -- protection bill and I urge my side of the aisle to vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Carol Ronen.

SENATOR RONEN:

Thank you, Mr. President. I want -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he will yield, Senator.

SENATOR RONEN:

Senator Clayborne, for the purpose of legislative intent, I wanted to ask you this question. Is it the intent of this legislation to apply to cemeteries and funeral homes that provide service on an as -- on an as-needed basis and that have an open account with the family until the costs are paid?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

No.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR CLAYBORNE:

I thank Senator Wojcik, and I would ask for a -- favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4450 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, none voted No, none voted Present. House Bill 4450, having received the required constitutional majority, is declared passed. House Bill 4469. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4469.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4469 amends the Downstate Forest Preserve District Act and the Park District Code in regards to procurement of contracts. This is an initiative of the Park District Association. Now park districts have to advertise for bids for contracts of ten thousand dollars or more. This bill raises the threshold to twenty thousand. For park districts, the last increase in the minimum level of mandated competitive bidding was back in 1988. Park districts are requesting the same change that we made for counties last year. Park districts believe this change will reduce their administrative costs and save time in processing those contracts between ten thousand and twenty thousand. I'd be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4469 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, 50 Members voted Yes, 7 voted No, none voted Present. House Bill 4469, having received the required constitutional majority, is declared passed. House Bill 4475. Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4475.

(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 4475, as amended, creates the Excellence in Alzheimer's Disease Center Treatment Act. This basically is a same piece of legislation, what we passed out of here under Senate Bill 2845. This bill came out of the House. We amended

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it from the committee's request. And I know of no opposition and would -- be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4475 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, none voted No, and none voted Present. House Bill 4475, having received the required constitutional majority, is declared passed. House Bill 4481. Senator Clayborne. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4481.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

House Bill 4481 just adds one representative from the Illinois paint and coating industry to the Lead Safety -- Lead-Safe House {sic} Advisory Council.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4481 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 voted Yes, none voted No, and none voted Present. House Bill 4481, having received the required constitutional majority, is declared passed. House Bill 4489. Senator Soden. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Soden.

SENATOR SODEN:

Thank you Mr. President, my fellow Senators. This is a very short bill. Has two prong to it. The first portion of the

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bill is to amend the Vehicle Code for Bronze Star and Silver Star license plates, eliminating the fifteen-dollar application fee.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4489 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, none voted No, and none voted Present. House Bill 4489, having received the required constitutional majority, is declared passed. House Bill 4502. Senator DeLeo. House Bill 4505. Senator Collins. House Bill 4522. Senator del Valle. House Bill 4558. Senator Ronen. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4558.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill relates to the problem of youth suicide, and it really started with Representative Pihos in the House who had the tragic incidents of three children on the same day committing suicide. And she put together what I think is a very comprehensive program for the State, formation of a Suicide Prevention Strategic Planning Committee, and an effort to pull together all the different resources of State government to work on this very important -- problem. Would -- know of no opposition. The Department is supportive. There is money within the Governor's budget to support all of these activities. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4558 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 56 Members voted Yes, no Members voted No, none are recorded voting Present. House Bill 4558, having received

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the required constitutional majority, is declared passed. On the top of page 18, House Bill 4566. Senator Collins. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4566.

(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. House Bill 4566 amends the Juvenile Court Act, giving the court discretion to expunge certain arrests and conviction records of juvenile offenses that were committed prior to a person's seventeenth birthday. Under current law, juveniles may have their records expunged; however, the court or arresting authorities are not required to inform juveniles of this right. House Bill 4566 applies only to offenses committed prior to a person's seventeenth birthday and does not apply to crime -- a crime committed as an adult. Under the bill, expungement will be allowed for a Class B or Class C misdemeanor, as well as petty and business offenses where the juvenile is now twenty-one years old and has no convictions since their seventeenth birthday. Expungement would also be allowed for arrest records for certain felonies, excluding first degree murder and sex offenses, where the juvenile was charged but not -- but the charges dismissed or not tried. In this case, young persons twenty-one years old with no convictions since their seventeenth birthday would be eligible to apply for expungement. And let me give you a little background. This bill is the culmination of two years of work by House Majority Leader -- or Assistant Majority Leader Lou Jones. She worked two years in conjunction with some of the proponents that have signed on to the bill: the Cook County State's Attorney's Office, the State Appellate Defender, ACLU, Illinois State Bar Association, Catholic Conference of Illinois, Juvenile Justice Initiative, the Department of Children and Family Services, the Voices for Illinois Children, African-American Family Commission and the Chicago Area Project. I'm open for any questions.

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PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR ROSKAM:

Senator Collins, what kind of -- felony offenses would -- would be expungable {sic} under your bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Only the one -- only the felonies that are charged or dismissed, or not tried. They don't even go to trial. And that's excluding murder and sex offenses.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

So, these would be things that people -- people were not found guilty of? When you say "charged", I'm not -- I'm not clear. Here's -- here's my question: Would this have an impact on things that people are -- are convicted of?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

So, these are simply things -- simply allegations? What I'm -- I'm -- I'm missing something. You know what I'm missing. Why don't you tell me what I'm missing?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

This applies -- or, this legislation applies to charges that were dismissed. Now, you're the attorney; I'm not the attorney. And when I brought the legislation before the Judiciary Committee, you did not raise this issue. And I don't

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foresee a problem in this because these are charges that were dismissed. They never were tried. And we know how the criminal justice system works in some parts, where some individuals have been charged and later found to be not guilty or there've been acquittals or dismissed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

If they're dismissed, then why do sex offenses and murders have to stay on here?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Those are excluded.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Why? If they're -- if they are charged and they were never brought to -- trial, presumably the person is not guilty of those offenses. Why would you -- why would you -- I -- I -- I -- you know, I'm -- you're moving the ball and I'm trying to figure out where the ball is moving. You're excluding some things that are highly charged and highly emotional, but you're including other things. And I -- I just don't understand it. I don't think of everything, Senator, in the committee, which is why the process isn't a one-day process.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

As I understand it, as the law is, is that these are offenses that even at this point do not allow sealing or expungement under any circumstances - sex offenses or murder.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, I'm confused. It's not the first time I've been confused. It's not the last time I've been confused -- or, I will be confused. My recommendation is that we follow Senator John Sullivan's lead.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I agree with the sponsor of the bill to exclude the sex offenses. And to me, those are serious things, and let's vote for the bill and get it over with.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? Senator Obama.

SENATOR OBAMA:

I have to say that that was one of Roskam's better lines today, and I compliment him. To the bill: The -- you know, this, as I see it, went out of committee without opposition - I may be reading this incorrectly - and I think it did because this is a carefully crafted bill. This is an issue that all of us have been working on for a very long period of time. The objective is simply to make sure that those juveniles who have made a mistake one time are not permanently penalized and unable to find gainful employment, which would then drive them into unlawful activities again and increase the rates of recidivism. It is restricted to those offenses that we would consider nonviolent. I think that the reason that arrest records for murder and sex crimes has been left off is partly political, because all of us would feel vulnerable voting for such highly charged issues. And the other reason is, is it may be, for example, in sex crimes, that an arrest might not lead to a conviction but nevertheless raise some troublesome issues, and we wouldn't want to be in a position where subsequently somebody did, in fact, commit a sex crime later and we have a Willie Horton situation on our hands. So, I think that's an understandable response to what is admittedly a difficult situation. But I think Senator Collins and the others who've worked on this bill have done an excellent job. And I don't know how John Sullivan's voting, but at least I'm voting Aye.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Collins, to close.

SENATOR COLLINS:

Well, let me say this to my colleague, Senator Roskam: I had the pleasure of working with one of your Members, Senator

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Petka, on this legislation, and I feel very comfortable that I have his support. So, I would -- ask all your colleagues to vote with Senator Petka, who is a prosecutor and was very helpful with drafting this legislation, to restricting it. Now -- okay -- okay -- but, maybe that I see -- now that I see he's standing, maybe I shouldn't have mentioned his name. But I'll allow him to respond since I did mention his name, before I close.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka, you want to clear the record up?

SENATOR PETKA:

Yes. My name was taken in debate. I hate to take away your comfort level, but I did vote for the amendment, but, you know, I voted against the underlying bill. The amendment did make the bill better, but it's not something I'm still prepared to support.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins, to close again.

SENATOR COLLINS:

I'm asking for a favorable vote, and I -- I -- I appreciate your honesty. I make my appeal not on a partisan basis or a philosophical basis. I make my appeal on a -- on a position of justice. I feel that the expungement restrictions that we have written into this bill makes it beneficial to society on a whole because we're taking a proactive stance. Why penalize a youth for making a mistake? What this means is that he cannot only not go to college and receive financial aid, he cannot even receive employment. So this, in a way, in -- and if you look at on a cost-benefit analysis, the cost might be that you're uncomfortable with it in the long run -- in the short run, but in the long term, it upholds a society that a person has made a mistake, come to a mature decision that he made a mistake, he's not committed any offenses in the time from seventeen to twenty-one where he might be inhabiting the same community and dealing with the same individuals, but he's made a decision to turn his life around. And I think we as a society should be willing to have -- a -- to accept someone's redemption or to believe in redemption and be there to stand in support, their turn for the good that stabilizes society so that he can go on and be

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productive and effective citizen in this society. So, I just ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill -- 5566 {sic} 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, 33 Members voted Yes, 21 voted No, none voted Present. House Bill 4566, having received the required constitutional majority, is declared passed. House Bill 4612. Senator Schoenberg. Yes? Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4612 is an initiative of the Illinois Public Health Futures (Institute). It -- it -- it redefines certain terms for the State Board of Health. There's a change in the makeup of the State Board of Health, as recommended by the Department of Public Health. Namely, there's a reduction of one by -- of the number of physicians and a reduction of one of -- and a reduction of two of the number of citizens at large from four to two. It, in turn, adds one representative of the business community and one representative of the nonprofit public interest community. And, in addition, this provides that this Health Improvement Plan will be formulated and delivered by the State Board of Health rather than by a task force. We had passed a similar bill last year and these changes have been made in concert with the administration's wishes. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall House Bill 4612 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

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the record. On that question, there are 54 Members voting Yes, none voting No, and none voting Present. House Bill 4612, having received the required constitutional majority, is declared passed. House Bill 4652. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4652.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is an agreement with the Illinois Bankers Association and the Illinois Trial Lawyers and the Illinois State Bar Association. Clarify a permissive nature of Public Act 93-273 passed last year. It simply reinstates -- restates the fact that the law that -- was intended to be permissive and not a requirement on any ATM owners or operators to install reverse PIN technology at any of their ATM machines. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4652 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 voted Yes, none voted No, and none voted Present. House Bill 4652, having received the required constitutional majority, is declared passed. Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

Mr. President, the -- the bill before this one that just passed, I mistakenly did not vote on it. 4558. I wanted -- I'm sorry...

PRESIDING OFFICER: (SENATOR WELCH)

4612?

SENATOR HUNTER:

4612. Please register me as a Yes. My -- my button, there was something wrong with it.

PRESIDING OFFICER: (SENATOR WELCH)

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The record will so reflect. Senate -- House Bill 4716.
Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4716.

(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 4716 amends the Property Tax Code and Mobile Home Local -- Services Tax Enforcement Act in regards to the mailing of notices. 4716 is an initiative of the Illinois County Treasurers Association. Current law provides that the county collector shall mail not less than fifteen days prior to the date he or she applies to the circuit court to have a tax sale a certified or registered notice to the person shown by the current collector's warrant book to be the party in whose name the taxes were last assessed. House Bill -- or, excuse me, 4716 provides that the notice can be also sent now to the current owner of record. This change will make it substantially easier for the county collector to assure that the delinquent taxpayer received proper notices and their taxes are not about to be sold. I know of no opposition and would answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Are there any questions of Senator Walsh on this bill? If not, the question is, shall House Bill 4716 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 voted Yes, none voted No, none voted Present. House Bill 4716, having received the required constitutional majority, is declared passed. House Bill 4730. Senator Obama. House Bill 4751. Senator Dillard. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4751.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill comes from a case that emanated in DuPage County involving a shaken baby. And this bill would expand reckless conduct to include situations where the victim suffers permanent disability or disfigurement. In those cases, a judge "may" find or subject the person to a penalty of a Class 4 felony rather than just a Class A misdemeanor. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4751 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, no Member voted No, no Member voted Present. House Bill 4751, having received the required constitutional majority, is declared passed. House Bill 4769. Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4769.

(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 4769 creates the David A. Wirsing Food Animal Institute Act in regards to animal -- the food animal industry. Establishes the David A. Wirsing Food Animal Institute to review and encourage research and publish information about all aspects of the food animal industry. The Institute is governed by a board appointed by the Governor. Sets the various powers and rules of the institution, and requires the Institute to submit an annual report to the Governor, the Clerk of the House, Secretary of the Senate on the Institute's activity of the past twelve months. Amends the State Finances {sic} Act to create the Food Animal Institute Fund as a special fund for use in furthering the -- purposes of the Institute. This is an initiative of the Illinois Pork

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Producers and the Illinois Beef Association. We passed a bill similar to this last year, House Bill -- 3036. And I'd be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I just rise in support of this bill, obviously for a lot of different reasons. First of all, the content but, secondly, because of the name of -- of the name of the Act - the David A. Wirsing Food Animal Institute Act. Former Representative Wirsing had worked very hard on this, a former president of the Illinois Pork Producers, and passed away last fall. And I think it's very fitting that we pay tribute this way.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4769 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 voted Yes, no Member voted No, and none voted Present. House Bill 4769, having received the required constitutional majority, is declared passed. House Bill 4771. Senator Halvorson. Senator Halvorson? House Bill 4788. Senator Munoz. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President and Members of the Senate. House Bill 4788 creates the offense of criminal street gang recruitment on school grounds as a Class 1 felony. The offense covers both the threat of force to coerce or induce a person to join or remain a member of a street gang and conspiracy to do the same. "Criminal street gang" is defined as elsewhere in the Criminal Code. "School grounds," including buildings and real property on private or public elementary, secondary schools,

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community colleges and universities. I know of no opposition. I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4788 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, none voted No, none voted Present. House Bill 4788, having received the required constitutional majority, is declared passed. House Bill 4790. Senator Dillard. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4790.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This truly is a merely bill. It -- all it does is it resolves some ambiguities, a drafting problem in the Code of Corrections, involving extended-term sentences in murder cases in which there is a finding of a heinous battery. It just takes two parts of the statute and makes it consistent. I know of no opposition. It's noncontroversial. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4790 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, none voted No, and none voted Present. House Bill 4790, having received the required constitutional majority, is declared passed. House Bill 4818. Senator Obama. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4818.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As I mentioned during 2nd Reading, this is a bill that Senator Vince Demuzio had introduced that I'm now carrying. It basically just adjusts the shelter care rates in effect and is an initiative of the Department. I know of no opposition. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4818 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 voted Yes, none voted No, none voted Present. House Bill 4818, having received the required constitutional majority, is declared passed. House Bill 4487. Senator Jacobs. House Bill 4856. Senator Collins. Senator Collins seeks leave of the Body to return House Bill 4856 to the Order of 2nd Reading for purposes of an amendment. Without objection, leave is granted. House Bill 4856 appears on the Order of 2nd Reading. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR WELCH)

We can't hear very much. We...

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 1 deletes the underlying bill which requires landlords to provide a prospective tenant with an affidavit detailing utility services to be paid by the landlord. The Realtors -- this is a bill that -- the amendment I worked out with agreed language with the Illinois Realtors Association and they believe that this language should fall under the Rental Property Utility Service Act instead of the Tenant Utility Payment Disclosure Act. And I'm open to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WELCH)

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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, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is House Bill -- I'm sorry, 4856. Senator Collins. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4856.

(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. The new bill amends the Rental Property Utility Service Act to provide that whenever a landlord agrees to pay for any utility service - water, gas or electric - they must make timely payments to ensure that service is not interrupted. In the event the landlord does not pay in a timely manner, the bill allows tenants to terminate their lease or deduct the amount paid for the utilities from their monthly rents if they pick up the utility payment. This bill will help protect tenants from interruption in their covered utility service by ensuring that their landlords are fulfilling their obligations. Why this bill is important? This is especially important to senior citizens and low-income tenants who are depending on the utility service to be paid for by their landlord on a timely basis. This language was drafted by the Illinois Realtors Association and I have their support on this legislation. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As Senator Collins pointed out, this language has now

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been worked out with everyone. It passed out of committee unanimously. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, the question is, shall House Bill 4856 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and no Members are voting Present. House Bill 4856, having received the required constitutional majority, is declared passed. House Bill 4870. House Bill 4894. Senator Schoenberg. House Bill 4944. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4944.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This -- legislation creates the Technology Immersion Pilot Project and is identical to Senate Bill 2732 which passed the Senate 42-13. This three-year pilot project will provide a wireless laptop computer to each student, teacher and administrator in a participating school and will implement the use of software, on-line courses, and other appropriate learning technologies that have been shown to improve academic performance. It requires the State Board to select seven school districts and at least nine schools to participate in the project, with schools chosen from Chicago, the collar counties, and downstate. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this fine piece of legislation. I wanted to point out that this bill also creates a special fund in the State treasury. It's called the Technology Immersion Pilot Project Fund, and the money to

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implement this program must be appropriated by the General Assembly, of course. But, also, and -- and -- and more significantly at this time, in this time of difficult budgets, this Fund is set up in such a manner that it can receive gifts, grants, foundation awards and so forth from any private entity. And we think and the people are supportive of this measure think that that offers great promise for a private-public partnership. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR DEMUZIO:

Again, I ask for your favorable vote. This is a good project and -- and it increases educational opportunities for a number of school districts within our State. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4944 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 56 Members voting Yes, no Member voted No, and no Member voted Present. House Bill 4944, having received the required constitutional majority, is declared passed. Congratulations. House Bill -- Senator Geo-Karis, what purpose do you seek recognition?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I think that Senator Demuzio has filled those big shoes very well, and I certainly congratulate her on her first bill.

PRESIDING OFFICER: (SENATOR WELCH)

House Bill 4949. Senator Munoz. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 4949.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

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Thank you, Mr. President and Members of the Senate. House Bill 4949 increases the penalties for offenses committed while wearing body armor and for certain unlawful sales and transfers of firearms. It also creates a penalty scale for gunrunning based on the number of weapons transferred: one to ten weapons, Class 1 felony; eleven to twenty, Class X felony, eight to forty years; twenty-one or more firearms, Class X felony, ten to fifty years. It also increases the statute of limitation from three to six years for unlawful sale of firearms, unlawful purchase of firearms, gunrunning or defacing identification marks of firearms. I know of no opposition, and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4949 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, none voted No, none voted Present. House Bill 4949, having received the required constitutional majority, is declared passed. Mr. Secretary, Messages.

ACTING SECRETARY HARRY:

Message from the President dated May 13th, 2004, to the Secretary of the Senate.

Dear Madam Secretary - Pursuant to Rule 2-10, I hereby establish January 11th, 2005, as the House Bill 3rd Reading deadline for all House Bills that have been read a second or a third time and are in control of the Senate.

Signed by President Jones.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions.

ACTING SECRETARY HARRY:

Senate Resolution 537, offered by Senators Althoff and Sieben.

It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Motions in Writing. Have any motions been filed?

ACTING SECRETARY HARRY:

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Yes, Mr. President. Two motions have been filed by Senators Watson, Luechtefeld and Dillard with respect to House Bill 4847.

PRESIDING OFFICER: (SENATOR WELCH)

The motions will be placed on the Calendar. Resolutions Consent Calendar. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

ACTING SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it, the motion carries. The resolutions are adopted. Mr. Secretary, Member -- Messages from the House.

ACTING SECRETARY HARRY:

A Message from the House by Mr. Mahoney, 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 85

(Secretary reads HJR No. 85)

Adopted by the House, May 13, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

I rise, Mr. President, for an announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Proceed.

SENATOR HUNTER:

I'd like for all of you-all to -- to know that on this coming Monday, May 17th, is the fiftieth anniversary of Brown versus the Board of Ed. The Illinois Commission, which is Senate Joint Resolution 40, which I passed during the veto Session, we are -- we are -- conducting a reenactment of the

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Supreme Court ruling this coming Monday from 9 to 11 on the campus of Chicago State University. This is the very first time in the history of the State of Illinois in which we -- we have been able to get every single network station in this State to participate in this and to broadcast live. The State Board of Education, in -- in -- in -- in partnership with us, will ensure us that every school, whether it's private and parochial, in the State will be able to view this reenactment live, as well as the students will be able to interact with us in terms of asking us questions and we'll be able to answer questions. So, please join us. If you cannot join us on the campus of Chicago State University on Monday, please tune in to every -- any PBS station in your -- in your local area. You -- you will be able to see it. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator del Valle moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 85. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator del Valle moves for the adoption of House -- House Joint Resolution 85. All in favor, say Aye. And opposed, Nay. The Ayes have it, and the amendment is adopted. Pursuant to House Joint -- Ladies and Gentlemen, please listen. Pursuant to House Joint Resolution 85, the Senate stands adjourned until the hour of 4 o'clock p.m. on Monday, May 17th, 2004. The Senate stands adjourned.