

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

5/18/2004

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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Senator Jacqui Collins.

SENATOR COLLINS:

(Prayer by Senator Collins)

PRESIDING OFFICER: (SENATOR HALVORSON)

Please remain standing for the Pledge. Senator Hunter.

SENATOR HUNTER:

(Pledge of Allegiance, led by Senator Hunter)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Monday, May 17, 2004.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

Senate Resolution 550, offered by Senator Harmon and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar. Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

Thank you, Madam President. For purpose of an announcement, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR DeLEO:

Just for information to all Members, today the -- the State Office of Comptroller will be assisting Members with their

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benefits. The Comptroller's Office will be available today between 9 and 3 p.m. in the little room behind the Senate Chambers. So, all Members that want to talk about their benefits, the State Comptroller's Office will have staff available all day behind the Senate Chambers. Thank you very much, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. We will be going to Secretary's Desk Resolutions. I would encourage everybody to come to the Floor, because the first two resolutions will take an actual roll. There'll be a Rules meeting immediately in the President's Anteroom. Rules Committee immediately. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Floor Amendment No. 4 to Senate Bill 3000 and Floor Amendment 2 to Senate Bill 3001; refer to Executive Committee - Floor Amendment 3 to House Bill 622, Floor Amendment 4 to House Bill 649, Floor Amendment 3 to House Bill 729 and Floor Amendments 1, 2, 3 and 4 to House Bill 4847; refer to Health and Human Services Committee - Floor Amendment 2 to House Bill 1660, Floor Amendment 4 to House Bill 2268, Floor Amendment 2 to House Bill 4154 and Floor Amendment 3 to House Bill 4502; refer to Insurance and Pensions Committee - Floor Amendment 2 to House Bill 1075; refer to Judiciary Committee - Floor Amendment 3 to House Bill 1080, Floor Amendment 3 to House Bill 1875 and Floor Amendment 1 to House Bill 4771; refer to Local Government Committee - Floor Amendment 2 to House Bill 690, Floor Amendment 1 to House Bill 1300, Floor Amendment 2 to House Bill 4280 and Floor Amendment 4 to House Bill 5017; refer to Revenue Committee - Floor Amendment 1 to House Bill 848, Floor Amendment 1 to House Bill 849, Floor Amendment 1 to House Bill 851, and Floor Amendment 1 to House Bill 855, and Floor Amendment 1 to House Bill 4977; refer to State Government Committee - Floor Amendment 3 to House Bill 4996; refer to Transportation Committee - Floor Amendment 4 to House Bill 2587, Floor Amendment 2 to House Bill 3835 and Floor Amendment 1 to House Bill 4086; refer -- from Licensed Activities Committee to

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Executive Committee - Floor Amendment 3 to House Bill 4283; and
Be Approved for Consideration - House Bills 2220 and 875.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Thank you, Madam President. For an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR SHADID:

Transportation Committee will meet at 10:30 in A-1
Stratton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR DEL VALLE:

The Senate Education Committee will be -- meet at 11
o'clock in Room 212. 11 o'clock in 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR CULLERTON:

Judiciary Committee would meet one hour from right now in
Room 400.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Purpose of announcement, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your...

SENATOR JACOBS:

The Insurance and Pensions Committee will meet in Room 400
at 11 o'clock sharp. Only have two amendments and we can get
out of there quickly.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR COLLINS:

The Revenue Committee will meet in Room 400 at 12:30 p.m.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

For the purpose of announcement, Madam Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR HUNTER:

The Health and Human Services Committee will meet in Room 400 at 12 noon today. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR MEEKS:

State Government will meet today at -- sometime. They did give me a time. Let's see, I'll find it. State Government meets today. Everybody on State Government should find out when and where.

PRESIDING OFFICER: (SENATOR HALVORSON)

We'll find out what time State Government meets, Senator Meeks. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Purpose of an announcement, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR SILVERSTEIN:

The Senate Executive meeting -- Committee will meet at 12:30 today in Room 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Meeks, did you find the time?

SENATOR MEEKS:

Yes, Senator. You know, some of us it takes longer than others. State Government meets today in A-1 at 12:30.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. We'll now be going to resolutions on page 21. Senator Cullerton. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 53, offered by Senator Cullerton. The Committee on Judiciary adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Senate Joint Resolution 53 creates a Task Force on Trial of Juveniles in Adult Court to study and make recommendations for improvements in the laws transferring juveniles from juvenile court to adult court for criminal prosecution. It certainly -- this resolution does not prevent the trying of juveniles as adults but merely creates a Task Force. There was an amendment that was adopted at the suggestion of the Department of Corrections to add a -- the Director of the Department of Corrections to the Task Force. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? It is the opinion of the Chair that this resolution requires the expenditure of State funds and therefore a roll call vote must be taken. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the question. On that question, there are 54 Ayes, none voting Nay, none voting Present. And Senate Joint Resolution 53, having received the required votes, the resolution is adopted. Senator Schoenberg. Senator Schoenberg. Senator del Valle. Senator Obama. Senator Martinez, on Senate Resolution 487. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 487, offered by Senator Martinez. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. Senate Resolution 487, the Workforce Investment Act, requests that the core principles should be maintained in the upcoming reauthorization of the federal Workforce Investment Act. The resolution spotlights the current process of -- reauthorization in Congress of the -- of the federal Workforce Investment Act that provides funding for Illinois' workforce development system and urges that the workforce development system maintain the core principle of local decision-making and to address local needs, and it continues to support the -- authority and the accountability of the chief local elected officials for the direction and the oversight of workforce program in their jurisdiction; that the workforce system continues to offer comprehensive services to both residents and employers and the funding formulas continues to consider State and local needs, including those who are unemployed, underemployed, recently dislocated workers and at-risk youth.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Martinez moves the adoption of Senate Resolution 487. All those in favor will say Aye. Those opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Walsh. The Senate will stand in recess till the call of the Chair. After committee meetings, the Senate will reconvene at approximately 2 p.m. to receive Committee Reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

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 concurred with the Senate in the passage of a bill of the following title, to wit:

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Senate Bill 2395, together with House Amendment No. 1.

Passed the House, as amended, May 18, 2004.

I have like Messages on Senate Bill 2548, with House Amendment 1; Senate Bill -- pardon me, 2607, with House Amendments 1 and 2; 2665, with House Amendment 1; 2768, with House Amendment 2; 2845, with House Amendments 1 and 2; 2982, with House Amendment 1; and 3211, with House Amendment 1.

All passed the House, as amended, May 18, 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 refused to concur with the Senate in the passage of their amendment to a bill of the following title, to wit:

House Bill 599, with Senate Amendment No. 1.

Nonconcurrent by the House, May 18, 2004.

PRESIDING OFFICER: (SENATOR HALVORSON)

Can all Members within the sound of my voice please come to the Senate Chambers? We will be going to House Bills 3rd Reading soon. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 551, offered by Senator Dillard and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 552, offered by Senator Trotter.

It is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 3 to House Bill -- 1080 and Senate Amendment 1 to House Bill 4771, all Be Adopted.

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendment No. 2 to House Bill 3835 and Senate Amendment 1 to House Bill 4086, all Be Adopted.

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Senator del Valle, Chairperson of the Committee on Education, reports Senate Amendment No. 4 to Senate Bill 3000 and Senate Amendment 2 to Senate Bill 3001, all Be Adopted.

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports Senate Amendment No. 2 to House Bill 1075 Be Adopted.

Senator Haine, Chairperson of the Committee on Local Government, reports Senate Amendment 2 to House Bill 690, Senate Amendment 1 to House Bill 1300, Senate Amendment 2 to House Bill 4280 and Senate Amendment 4 to House Bill 5017, all Be Approved for Consideration.

Senator Obama, Chairperson of the Committee on Health and Human Services, reports Senate Amendment 2 to House Bill 1660, Senate Amendment 4 to House Bill 2268 and Senate Amendment 3 to House Bill 4502, all Be Approved for Consideration.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 2 to House Bill 622 and Senate Amendment 3 to House Bill 729, all Be Adopted.

Senator Link, Chairperson of the Committee on Revenue, reports Senate Amendment No. 1 to House Bill 848, Senate Amendment 1 to House Bill 855 and Senate Amendment 1 to House Bill 4977, all Be Approved for Consideration.

Senator Schoenberg, Chairperson of the Committee on State Government, reports Senate Amendment No. 3 to House Bill 4996 Be Adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR FORBY:

I got a good friend here of mine and I think a good friend of everybody here in the Senate today. He's a former -- it's Ned Mitchell. He's a mayor down in my hometown. So he wanted to come back and say hi to everybody. So, how about giving a good welcome today?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Welcome to Springfield. It's good to see you. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ROSKAM:

Madam President and Members of the Senate, I'd like to introduce to you to my Page for the Day, Lindsay Graff from Wheaton, Illinois, and her mom and dad, Mike and Rhonda Graff, and her brother, Brian, who are joining us in the President's Gallery.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield, Lindsay. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR GEO-KARIS:

I'd like to introduce a young lady from the Philippines. Her name is Maribel Cruz, C-R-U-Z, M-A-R-I-B-E-L, who's with us this week.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield, Maribel. Thank you. Senator Link, for what purpose do you rise?

SENATOR LINK:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LINK:

I'd like to introduce my former seatmate who has finally made it big into this State, the Honorable Attorney General Lisa Madigan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to the Senate Chambers, Attorney General. It's good to see you. No, Senator Viverito, we're not talking about you. Senator Crotty, for what purpose do you rise?

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SENATOR CROTTY:

Thank you very much. It's for an introduction. I'd like to introduce Sydney Muchnik from Champaign, Urbana. She is a constituent of Senator Rick Winkel. And also her mother, April, is up in -- in the gallery. And Sydney is paging for us. So, if you need anything, call us.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome, Sydney, to Springfield. And will our guest in the gallery please rise? Welcome. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR VIVERITO:

We have a gentleman on the Republican side, up in the gallery with his wife, a man who served here with honor for a couple of terms. He also went on to be the Clerk of the Circuit Court, a confidante of the late, Mayor Richard J. Daley, our good friend Morgan Finley and his wife, Judy. How about giving them a nice round of applause?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise and be welcomed? Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Madam President. In light of some of the outstanding legislation we've seen in our committees today, we request a Republican Caucus.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski, that's always in order. How long do you think it's going to take? One minute?

SENATOR BURZYNSKI:

One hour, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Hold on one second. Okay. The -- the caucus you requested, Senator Burzynski, is in order. We will be back here at 4:15. Senate will stand at ease till -- recess till the call of the Chair. Approximately 4:15.

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(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

The Senate will come to order. If everybody could please come to the Senate Chambers. Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 5056, offered by Senator Munoz.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 553, offered by Senator Forby and all Members.

It is a death resolution.

And Senate Resolution 554, also offered by Senator Forby and all Members.

And it, too, is a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar. All Members within the sound of my voice please come to the Senate Chambers. We will be going to House Bills 3rd Reading, final action. We'll be starting at the top of page 9 on House Bills 3rd Reading. House Bill 486. Senator Trotter. House Bill 575. Senator Cullerton. House Bill 578. Senator Cullerton. 616. Senator Jones. House Bill 622. Senator Jones. Nope. Senator Clayborne. Senator Clayborne seeks leave of this Body to return House Bill 622 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 622. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne, to explain your amendment.

SENATOR CLAYBORNE:

Yes. The amendment becomes the bill. This creates the Southeastern Illinois Economic Development Authority in Fayette,

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Cumberland, Clark, Effingham, Jasper, Crawford, Marion, Clay, Richland, Lawrence, Jefferson, Wayne, Edwards, Wabash, Hamilton, and White Counties.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR PETERSON:

Senator Clayborne, is there any quick-take in this bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

No. I -- I don't know. Staff's checking.

PRESIDING OFFICER: (SENATOR HALVORSON)

We're waiting for his answer on quick-take. Senator John Jones. Senator Jones, for what purpose do you rise?

SENATOR J. JONES:

Thank you, Mr. -- Madam President. Let me look at it here real quick.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

We don't -- we don't see any quick-take in here. But we will go through the bill to make sure. Yeah. We're only adopting the amendment, so...

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Clayborne moves the adoption of Amendment No. 2 to House Bill 622. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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3rd Reading. Senator Cullerton, on House Bill 649. Senator Trotter, on 679. Senator Trotter, you wish to... Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 679.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. With leave of the Body, we can return if Senator Clayborne wishes to call 622 on 3rd Reading. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 622.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. And as I said before, this creates the Southeastern Illinois Economic Development Authority, and I've been assured that there's no quick-take in this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 622 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 voting Nay, none voting Present. And House Bill 622, having received the required constitutional majority, is declared passed. Is Senator Cullerton -- still not here. Okay. Senator Viverito, on House Bill 690. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 690.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Oh. My mistake. It's got a Floor Amendment. I apologize. Senator Viverito seeks leave of the Body to return House Bill

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690 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 690. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Viverito.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito, to explain your amendment.

SENATOR VIVERITO:

Thank you, Madam President. All this does is clarify the general assistance for the townships where the individuals that serve on that board will not be liable personally. It -- it's already accepted outside of Cook County, and this will allow the Cook County supervisors to have the same presence. I'll answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Viverito moves the adoption of Amendment No. 2 to House Bill 690. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading, House Bill 690. Senator Viverito, do you wish to call your bill? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 690.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

Thank you very much. I would appreciate an Aye vote. And it'll make it much easier for the township supervisor to be able to take care of their constituents more readily and able.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Seeing none, the question is, shall House Bill 690 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And House Bill 690, having received the required constitutional majority, is declared passed. Senator Shadid, on 714. Senator Shadid, on 722. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 722.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. House Bill 722 simply holds that when an emergency admission to a mental health facility by certification takes place, the Department of Human Services shall make arrangements to transport the patient to a mental health facility. When hospitalization has to be ordered -- has -- has been ordered by a court order, than a friend or relative may transport or the court may order DHS to transport the patient. If the court orders DHS to transport the patient, then the Department shall make arrangements either directly or through agreements with another public or private entity, including a licensed ambulance service. This bill was drafted by the Department of Human Services and represents an agreement between them and the Sheriffs' Association that we reached earlier this year. The amendment that became the bill came out of committee with a unanimous vote. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 722 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And House Bill 722, having received the

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required constitutional majority, is declared passed. Top of page 10, on House Bills 3rd Reading. Senator Harmon, do you wish to -- Senator Harmon seeks leave of the Body to return House Bill 729 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 729. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 3, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Madam President. The amendment is a technical amendment to -- designed to address some concerns raised by the Executive Committee. I would ask for its adoption and look forward to debating the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Amendment No. 3 to House Bill 729. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Harmon, on -- now on the Order of 3rd Reading, House Bill 729. Senator Harmon, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Senate Bill 729, as amended, would provide for the consolidation of the Suburban Cook County Tuberculosis Sanitarium District into the Cook County Department of Public Health. This is the same sort of model that has been

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followed in the City of Chicago in 1973 in DuPage County, more recently than that in the eighties, I believe. Provides for a seventh-month transition plan. It would protect the taxpayers' moneys that have been collected and are being held. It would ensure the continuation of tuberculosis prevention services and the protection of the personnel, the programs and the infrastructure all remaining in place. It also, in addition, to abolishing the -- the district, an unnecessary unit of local government, it -- the bill expressly eliminates the tax levy that the district has imposed. The amendments have, I believe, addressed the concerns of the committee, and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR W. JONES:

Senator Harmon, isn't it true that the -- a portion of this bill allows for the reinstatement of the tax levy by the Cook County Board at a future time?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Senator, there's language in the bill which affirms Cook County's existing home rule authority to impose and raise taxes on its own. It's an acknowledgement by the General Assembly, certainly, that if the need arose, if the resources of the district that would be transferred to Cook County are spent down, the County, as a home rule unit, whether we act or not, could impose a tax to pay for these services.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

So, it isn't an additional tax that would go back in for tuberculosis and have the same line item? The line item on our tax bill will be gone?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Harmon.

SENATOR HARMON:

The current line item on our tax bill will be gone. Whether the County chooses to break it out as a separate line in the future, if they decide that they need to either raise their existing general levy or impose a special levy for this particular purpose, I can't predict. But, at least, in the short run, I believe they will spend down the existing surplus that has been built -- built up over some time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR ROSKAM:

Senator Harmon, you're kind of developing -- as I'm sitting here and listening, you're kind of developing a reputation as being a -- sort of a consolidation specialist in units of government, I'm learning. But, for the benefit of the Members, could you describe what the genesis of this was? You know, this didn't just come out of thin air, I assume. We heard some testimony in the Executive Committee. And what assurance can you give the Body that the tuberculosis problem will not go unanswered in Cook County?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

An excellent question, Senator, and I appreciate the opportunity to answer it. What we are proposing to do here is something that has been done in many jurisdictions in Illinois, as well as across the -- the country. The Cook County Suburban Tuberculosis Sanitarium District is one of the last special-purpose tuberculosis districts in the nation. Almost all of them have been consolidated into a -- a broader public health department in -- in the jurisdiction. The tuberculosis district treats TB and TB only. It does not treat any other diseases that are often accompanying TB these days and, in fact, as I understand it, would ignore them and -- and would not even

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direct them to the appropriate services. So, this is an improvement in public health. It will provide for a more comprehensive, holistic approach. I have faith in the Cook County Department of Public Health to handle tuberculosis services just as they handle communicable diseases today. And I honestly would not advance this legislation if I didn't think it were good for the residents of my district and all the suburban Cook County districts.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HARMON:

I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 729 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Yeas, 8 Nays, none voting Present. And House Bill 729, having received the required constitutional majority, is declared passed. Senator Trotter, on 731. Senator Meeks, on House Bill 750. Senator Peterson, on House Bill 753. Senator del Valle, on 756. Senator Jones, on 759. Senator Jones, on House Bill 762. Senator Maloney, on House Bill 766. Senator Welch, on House Bill 770. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 770.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This is the bill that would allow for the Village of Utica, the school district to receive payment for the three days the kids were out of school during the tornado. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is -- oh, I'm sorry. Senator -- okay. Seeing none, the question is,

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shall House Bill 770 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 770, having received the required constitutional majority, is declared passed. Senator Clayborne, on House Bill 826. Senator Jones, 834. Top of page 11. Senator Sandoval, on House Bill 835. Senator Sandoval. House Bill 835. Senator Jones, on 843. Senator Jones, do you wish -- on House Bill 848? Senator Jones, on -- none of them. Okay. Senator Jones, on House Bill 849. Senator Jones, on 851. Senator Jones, on 853. Senator Jones, on House Bill 854. Senator Jones, on House Bill 855. Senator Jones, on 856. Senator Jones, on House Bill 857. Senator Link, on House Bill 862. Top of page 12. Senator Link, on House Bill 863. Senator Jones, on 864. Senator Jones, on 866. Senator Jones, on House Bill 867. 868. 870. 913. Senator Ronen, on House Bill 921. Senator Jones, on 934. Senator Jones, on 944. Senator Jones, on 966. Senator Garrett, on House Bill 976. Top of page 13. Senator Jones, on House Bill 999. Senator Jones, on 1004. Senator Jones, on 1007. Senator Welch, on House Bill 1020. Senator Jacobs, on House Bill 1067. Senator Cullerton, do you -- Senator Cullerton, on 1075? The amendment? Mr. Secretary. Oh, Senator Cullerton seeks leave of the Body to return House Bill 1075 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1075. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senators Brady and Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady, to explain Amendment No. 2.

SENATOR BRADY:

Amendment No. 2 would allow the Office of Special Deputy to seek reinsurance payments based on the estimation of a case development as -- on known claims. The language would prohibit the Office of Special Deputy for -- from attempting to compel payment from reinsurers on the basis of estimates of future unknown claims or estimations of unknown liabilities. The

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amendment would continue to allow the liquidator to negotiate a voluntary commutation of reinsurance contracts providing payments for future claims.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Brady moves the adoption of Amendment No. 2 to House Bill 1075. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading, House Bill 1075. Senator Cullerton, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1075.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. -- Madam President and Members of the Senate. The bill has two provisions. One was the amendment that Senator Brady just adopted, and I'll just indicate that it allows the Department of Insurance, Office of the Special Deputy to seek reinsurance payments based on the estimation of case development on known claims. Not controversial. The underlying bill, before the amendment, is an initiative of Allstate Property Casualty Insurance Association of Illinois -- Allstate and the Property, Casualty Insurance Association of Illinois, including State Farm. Provides that for arbitration and settlement of motor vehicle physical damage claims -- between insurers in accordance with an automobile subrogation program, program would be sponsored by the intercompany arbitration organization chosen by the insurer and the decision shall be binding for the amount of damages, not exceeding five thousand dollars. So, that -- that relates to an agreement between

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insurance companies. And, again, know of no opposition at this time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1075 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 voting Nay, none voting Present. And House Bill 1075, having received the required constitutional majority, is declared passed. Senator Cullerton, on 1083 -- 1080. Senator Cullerton seeks leave of the Body to return House Bill 1080 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1080. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 3, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This is a very confusing -- or, detailed amendment. Has to do with total return trusts, and it says that a total return trust may substitute a net trust accounting income for net fair market value as a distribution amount for determining reasonable current return. I refuse to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton moves the adoption -- Senator Roskam, on the amendment.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Well, he said he wouldn't, but maybe if you ask nicely.

SENATOR ROSKAM:

Will the sponsor give me eye contact?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senate -- he indicates he will.

SENATOR ROSKAM:

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Senator, what's the difference between a total return trust and a -- and a unitrust?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

I have an answer for you. This amendment is identical to House Bill 4594 sponsored by Senator Dillard, which is in the Rules Committee. Since Senator Dillard initially sponsored that bill, he would be a far better person to answer that question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Cullerton moves the adoption of Amendment No. 3 to House Bill 1080. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading, House Bill 1080. Senator Cullerton, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. This bill, then, has basically two provisions in it. The -- the first underlying bill actually was Amendment No. 2 that -- that was an initiative of the Illinois Bankers Association. That amendment had already been adopted, of course, and it has to do with the Uniform Transfer on Death Security Registration Act, and this would allow reinvestment accounts associated with securities and brokerage accounts to have beneficiary designations that take effect upon the death of the owner. This is a product which was not available when the Uniform Transfer on Death -- Security Registration Act was -- was initiated, and so it really is technical in that it makes it

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clear that these products can now be offered. And then the second part of the bill is the amendment that we just adopted that was the subject of House Bill 4594, Representative Beaubien and Dillard, which says that a total return trust may substitute net trust accounting income for net fair market value as the distribution amount for determining a reasonable current return.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1080 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 58 Yeas, none voting Nay, none voting Present. And House Bill 1080, having received the required constitutional majority, is declared passed. Senator Link, for what purpose do you rise?

SENATOR LINK:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State -- state your point.

SENATOR LINK:

Today in the gallery behind us we have the family of a soldier who gave the ultimate sacrifice for our country, who from my district, Marine PFC Geoffrey Morris, on April 4th, year 2004, in combat with enemy forces in -- in Iraq, lost his life in trying to protect our freedom. And with us today, in a resolution that we passed a couple weeks ago, is the family of PFC Geoffrey Morris: his father, Kirk; his stepmother, Vickie; his siblings, Jennifer, Lauren, Taylor, Austin and little Darren {sic}(Dylan), who are here with us today. And on behalf of the Senate, we'd just like to say, thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Thank you for being here. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, the Morrisses were my constituents until I was redistricted out of there. But I want to tell you, I knew the young man. He was a very fine young man, was very civic-minded, very kind and well-

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liked by all of us. And I know he made supreme sacrifice, and I can tell you that his family, Mr. and Mrs. Morris and all of their children up there, are still very patriotic and proud of Geoff's work. And his loss was really our gain because he died to keep us free. And I certainly applaud his family for their great patriotism.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HAINE:

For a point of information, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HAINE:

The Local Government Committee will be meeting tomorrow at 9 a.m. in A-1 of the Stratton Building to take up a bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator.

SENATOR HAINE:

Appreciate the attendance of the Members. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on Wednesday, May 19th, 2004. The Senate stands adjourned.