

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

19th Legislative Day

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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desks and will the guests in the galleries please rise? The invocation today will be given by Reverend Brandon Boyd from Loami Christian Church, Loami, Illinois.

THE REVEREND BRANDON BOYD:

(Prayer by the Reverend Brandon Boyd)

PRESIDING OFFICER: (SENATOR HALVORSON)

Please remain standing for the Pledge. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, March 8, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

Senate Resolution 109, offered by Senator Collins.

It is a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 110, offered by Senator Emil Jones.

It is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Messages.

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 passed bills of the following

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titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 808, 816, 823, 847, 893, 907, 908, 992, 997, 1002, 1051, 1055, 1059.

Passed the House, March 8, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Haine, Chairperson of the Committee on Insurance, reports Senate Bills 12, 505, 552, 555, 776, 710 -- pardon me, make that 910, 912, 913, 914, 915, 916, 917, 918, 919, 920 and 1449 Do Pass.

Senator Crotty, Chairperson of the Committee on Local Government, reports Senate Bills 207, 528, 1503, 1504, 1505, 1506, 1637, 1649, 1696, 1697, 1714, 1822, 1826, 2054 and 2085 Do Pass; Senate Bills 204 and 1882 Do Pass, as Amended; and Senate Amendment No. 3 to Senate Bill 171 Be Adopted.

Senator Meeks, Chairperson of the Committee on Housing and Community Affairs, reports Senate Bills 553, 1839, 1969 and 2071 Do Pass; and Senate Bills 167, 320, 526 Do Pass, as Amended; and Senate Joint Resolution 2 Be Adopted.

Senator Munoz, Chairperson of the Committee on Transportation, reports Senate Bills 1221, 1485, 1666, 1738, 1741 and 1825 Do Pass; and Senate Bills 25, 66, 300 and -- and 1235 Do Pass, as Amended.

Senator Martinez, Chairperson of the Committee on Pensions and Investments, reports Senate Bills 446, 763, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 1660, 1691, 1692, 1693 and 1883 -- pardon me, that was 1833 Do Pass.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Bills 304, 511, 544, 1458, 1491, 1494, 1646, 1647, 1669, 1670, 1740, 1838, 1840 -- pardon me, that is 1884, 1895, 1907, 1915, 2090 and 2094 Do Pass; and Senate Bills 245, 326, 530, 849 and 1930 Do Pass, as Amended.

Senator Sandoval, Chairperson of the Committee on Commerce and -- Economic Development, reports Senate Bills 7, 548, 1354 and 1645 Do Pass; and Senate Bills 1442 and 1699 Do Pass, as

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Amended.

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports Senate Bills 213, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1879, 1894 and 2088 Do Pass; and Senate Bill 490 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator David Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR D. SULLIVAN:

Thank you. If the Senate could join me in welcoming my two Pages today. Cara Soto from Chicago and Marlene Winters, who's actually the mother of one of my grade school classmates. They're my Pages today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. The Senate welcomes you. Senator Radogno, for what purpose do you rise?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RADOGNO:

Thank you. I'd like to introduce to the Chamber my Page for the day, Billy Delaney, from Lockport, Illinois. He is a eighth grader at St. Dennis School.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR BURZYNSKI:

Thank you, Madam Secretary. Just to announce that Senator Jones will be out of State on personal business today, the 9th, and tomorrow, the 10th.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

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SENATOR RIGHTER:

Personal privilege, ma'am.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RIGHTER:

I would like to introduce to the Body, Miss Charis Grubbs. She is paging for me today. She is seven years old and she is from Chatham.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR BOMKE:

I have paging with me today Jamison Kerr from -- goes to Southeast High School.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CLAYBORNE:

I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR CLAYBORNE:

I have paging with me La Toya Young, who's a twelfth grader at East St. Louis Senior High, JaNai Harris, who's a eleventh grader and Brittany Carpenter, who's a twelfth grader. They all go to my alma mater, East St. Louis Senior High. So I'd like for you all to welcome them.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. We will be going to 3rd Readings. So if you're not in the Chamber, I suggest you get here soon. House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 766, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 785, offered by Senator Martinez.

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(Secretary reads title of bill)

House Bill 806, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 816, offered by Senator Haine.

(Secretary reads title of bill)

House Bill -- pardon me, House Bill 847, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 1002, offered by Senator Harmon.

(Secretary reads title of bill)

And House Bill 1043, offered by Senator Althoff.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HALVORSON)

Rules Committee is meeting -- will meet immediately in the Senate President's Anteroom. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Re-refer to Rules Committee - Senate Bills 851, 1727, 1905 and 1964; refer to Agriculture and Conservation Committee - Senate Bill 59; refer to Commerce and Economic Development Committee - Senate Bill 1934; refer to Education Committee - Senate Bill 1493; refer to Environment and Energy Committee - Senate Bills 429 and 566; refer to Executive Committee - Senate Bills 766, 851, 1628, 1727, 1905, 1964, 2038, Committee Amendment No. 1 to Senate Bill 51, Committee Amendment 1 to Senate Bill 559, Committee Amendment 1 to Senate Bill 1658, Committee Amendment 1 to Senate Bill 1835, Committee Amendment 1 to Senate Bill 1977, and Senate Joint Resolution 18; refer to Financial Institutions Committee - Senate Bill 1629, Committee Amendment 1 to Senate Bill 23 and Committee Amendment 1 to Senate Bill 2069; refer to Health and Human Services Committee - Senate Bills 538 and 1983; refer to Labor Committee - Committee Amendment 1 to Senate Bill 1627 and Committee Amendment 1 to Senate Bill 1750; refer to Licensed Activities Committee - Committee Amendment 1 to Senate Bill 1876; refer to Local Government Committee - Senate Bills 291, 502, 1672; refer to Revenue Committee - Senate Bills {sic} 1811, Committee Report -- pardon me, Committee Amendment No. 1 to

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Senate Bill 532, Committee Amendment 1 to Senate Bill 1454 and Committee Amendment 1 to Senate Bill 1664 (CA 1 to Senate Bill 1865); refer to State Government Committee -- Committee Amendment 2 to Senate Bill 334, Committee Amendment 1 to Senate Bill 350, Committee Amendment 1 to Senate Bill 1453 and Committee Amendment 1 to Senate Bill 2015. (Amendment to Senate Bill in parentheses submitted in writing, but inadvertently not read into the record.)

PRESIDING OFFICER: (SENATOR HALVORSON)

If we could go to page 8. We're going to start with Senate Bill 178 on 3rd Readings. So if you're not in the Chamber, please get here. So, Senator Crotty, on Senate Bill 178. Senator Crotty, on Senate Bill 179. Senator Crotty, on 180. Senator Crotty, on 181. Senator Link, on Senate Bill 182. Senator Haine, on Senate Bill 189. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 189.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

I'm sorry, Madam President. We're waiting for a Floor amendment from the police standards/training board.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Haine, on Senate Bill 190. Madam Secretary, read the bill. With leave of the Body, we will return to Senate Bill 190. Senator Harmon, on Senate Bill 194. Senator Harmon, on Senate Bill 196. Senator Cullerton, on Senate Bill 198. Senator Trotter, on Senate Bill 200. Top of page 9. Senator Sandoval, on Senate Bill 208. Senator Hunter, on Senate Bill 211. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 211.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

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SENATOR HUNTER:

Thank you, Madam Chair. Senate Bill 211 calls for school boards -- allows school boards to excuse students from grades nine to twelve from physical education requirements. They must use the time set aside for physical ed to receive special education support of {sic} (and) services. The proponents are the Illinois Association of Health, Physical Education and Recreation and Dance, American Heart and Stroke Associations. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 211 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 52 Yeas, none voting Nay, none voting Present. And Senate Bill 211, having received the required constitutional majority, is declared passed. With leave of the Body, we will now return to Senate Bill 190 on page 8. Senator Haine. Senate Bill 190. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill enhances penalties for the offense of obstructing an emergency management worker. It's similar to other enhanced penalties and it's -- apparently there was a gap in the statute enhancing these if someone was not doing certain things. So the emergency management agencies and the emergency workers came in. It's an initiative of them. And I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is shall Senate Bill 190 pass. Those in favor will say {sic} 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

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record. On that question, there are 55 Yeas, none voting Nay, none vote Present. And Senate Bill 190, having received the required constitutional majority, is declared passed. Senator John Sullivan, on Senate Bill 215. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 215.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam President. Senate Bill 215 amends the Grain Code. Authorizes the use of warehouse receipts in electronic form. Provides that electronic receipts are as valid and -- and enforceable as paper receipts. Provides that references in the Code to written or printed receipts include electronic receipts. I know of no opposition to the bill and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

Madam President, this bill came out of committee -- Ag Committee and we're all in support of it. Thank you. I vote a - - recommend a Yes vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 215 pass. Those in favor will say {sic} 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 Senate Bill 215, having received the required constitutional majority, is declared passed. Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Point of personal privilege, Madam Chairman.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR SHADID:

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I rise on a point of personal privilege. In the gallery are constituents of mine and Senator Risinger's. And these -- our guests are members of the Peoria Chamber of Commerce Leadership Academy. Please join me in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the galleries please rise? Welcome to Springfield. Senator Cullerton, on Senate Bill 226. Senator Cullerton, on 230. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is an initiative of the National Kidney Foundation and the Gift of Hope Organ & Tissue Donor Network. Bill passed out of the Revenue Committee unanimously. It allows for a one-time deduction of up to ten thousand dollars for a taxpayer if, while living, the taxpayer or -- or their dependent donates one or more of their human organs to another human being. Last year we had about three hundred and thirty organ donations throughout the State. We want to encourage organ donations throughout the State. And know of no -- well, I shouldn't say that. I would -- I would ask for an Aye vote. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 230 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 Yeas, none voting Nay, none voting Present. And Senate Bill 230, having received the required constitutional majority, is declared passed. Senator Viverito, on Senate Bill 232. Senator del Valle, on Senate Bill 244. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 244.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This bill pertains to one business establishment in my district, a business called Hilary's Urban Eatery. And it's tailor-made to allow them to obtain a liquor license, to serve in a family restaurant. The restaurant is located in a restaurant -- what has become a restaurant district, and we want to be able to allow them to be able to compete. And they've met all the requirements as established in the bill. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator, you explained this very well in the Executive Committee and we supported it. Can you just -- just kind of refresh everybody's recollection on how small of a -- of an exception this is? And you're -- you're -- you're -- very narrowly crafting this for one particular place and this is not a big, broad policy change. I think it's well done, but just for the assurance of everybody on this side.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Senator Roskam. You're absolutely right. It is drafted in a way that it pertains to only that one establishment at that location and no other establishment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 244 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 40 Yeas, 13 voting Nay, none voting Present. And Senate Bill 244, having received the

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constitutional majority, has -- declared passed. Senator Cullerton, on Senate Bill 254. Senator Link, on Senate Bill 263. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 263.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This amends -- this bill amends the Corporate Fiduciary Act. This is the same bill we passed out here unanimously last year. Basically what we did is we just changed the Act in which it is enacted in. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 263 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 Yeas, none voting Nay, none voting Present. And Senate Bill 263, having received the required constitutional majority, is declared passed. Senator Lightford, on Senate Bill 272. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 272.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 272 was a request from the Village of Broadview. They're looking to expand in economic development areas and would like to have the opportunity to increase their tax imposed, on retailers' occupation and their use tax, from a half a percent not to exceed one percent. And it would go referendum. I'd be happy to answer any questions.

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Is there any discussion? Senator Garrett.

SENATOR GARRETT:

Thank you, Madam President. For a point of announcement. I just wanted to announce that State Government's going to be meeting today at 1 o'clock in A-1. Sorry.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you. We're addressing a bill at this moment, but we'll make a note of that. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. I would just like to -- let's see. To the bill: This -- this did pass out of committee, but there were -- over the objection of four No votes. The concern was that this enables a sales tax increase. It is in this location -- and I respect Senator Lightford's work to help this town in her area. I think that many of us recognize, along with the sponsor, may recognize that a sales tax is the most regressive type of tax that we have in the tax arsenal. The suggestion that increasing a tax, a sales tax, is going to help development is a contradiction in economic terms. So I would just suggest that those who are concerned about regressive taxes should vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President -- Madam President. I rise in strong support of this bill. Senator Lightford clearly knows the needs of her community, and I'd ask for support for her on this legislation. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR LIGHTFORD:

Thank you, Madam President. In -- in response to Senator Lauzen, there was four No votes, but they were all from his side of the aisle and I don't believe that they have anything to do with the actual legislation in itself. But the Village of Broadview is a non-home rule community. They're trying to expand in economic development and the correlation does work together. There's condominiums that they're trying to build and they're

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right in the heart of O'Hare and Midway Airports. They're just wanting to allow themselves the opportunity to grow and expand with the many communities around them. And because it is referendum, this gives the voters the opportunity to put the onus on them, in terms of what they're trying to accomplish in their village. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 272 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Yeas, 29 -- Nays, none voting Present. And the bill, not having received the required constitutional majority, is declared failed. Senator Lightford.

SENATOR LIGHTFORD:

Madam President, I request Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Always in order, Senator.

SENATOR LIGHTFORD:

Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford requests that Senate Bill 272 be postponed. The bill will be placed on the Order of Postponed Consideration. Senator DeLeo, on Senate Bill 273. Senator Haine, on Senate Bill 277. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 277.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is a bill which makes changes to the probationary period for teachers, which, many of you recall, was changed I think in 1998 to the current time period. This same bill passed the Senate 58 to nothing last year, but was held for inexplicable reasons in the House. So, I would appreciate an Aye vote. This is an initiative of the IEA joined with the IFT, and it's the

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result of -- of extensive negotiations with the School Management Alliance. So, I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 277 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 Senate Bill 277, having received the required constitutional majority, is declared passed. Senator Haine, on Senate Bill 279. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 279.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This amends the Regulatory Sunset Act, as well as the Dental Practice Act. It extends the repeal date to January 1, 2016. It goes further and defines titration as the administration of a drug in small increments until the desired effect is reached. Creates a penalty for exceeding the maximum dosage. Allows licensing requirements for certain specialties. It's supported strongly by the Illinois Dental Society and the Illinois Dental Hygienists' Association. And I would ask for an Aye vote, if -- if you would assist me in extracting this bill from the Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WOJCIK:

Senator, I've heard via the grapevine that there is some discussion going on between the Medical Society. Have you heard

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anything about this on this bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Yes, that may be. Now, they -- they are listed as an opponent, but I thought they were talking about it because of the -- there's another Dental Society bill coming up today, I believe. But -- which means that they might amend it in the House if it would pass the Senate. They weren't tremendously exercised, but they were opposed to it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

Okay. Senator, you're saying, then, if there is an amendment regarding this bill, it would probably be put on in the House?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Senator, I don't know that -- I -- I presume that that would be the process, that they would amend it. And I would have no problem with an amendment if it brought everybody on board. I don't think it's a -- again, I can't speak for the Medical Society, but I didn't detect this was on their "top ten don't want" list.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

Okay. Thank you very, very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HAINE:

Well, again, thank you, Madam President. I think it's a good bill. Again, we'll work out some differences in the House if there are any. It seems to be strongly supported by the dentists and the hygienists -- dental hygienists. So, if it advanced their interests, I believe it'd be good public policy. Thank you.

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PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 279 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 57 Yeas, none voting Nay, none voting Present. And Senate Bill 279, having -- received the required constitutional majority, is declared passed. Senator Sandoval, on Senate Bill 288. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Madam President, Members of the Senate. Senate Bill 288 provides that the assistant director of personnel shall be appointed by the General Superintendent of the -- Metropolitan Water Reclamation District upon the recommendation of the department head. This -- this amendment is a technical amendment to a personnel regulation. I ask a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Madam President. Just for this side of the aisle, this passed out of committee unanimously and we support it wholeheartedly. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 288 pass. 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 54 Yeas, 2 voting Nay, none voting Present. And Senate Bill 288, having received the required constitutional majority, is declared passed. Senator Risinger, on Senate Bill 292. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 292.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill amends the Juvenile Court Act of 1987. It was brought forth by the State's Attorney from Henry County. It changes the reference from "victim" to "crime victim" and then brings that definition to include both parents of a deceased minor who is a crime victim. There was no opposition that I know of, and it passed unanimously out of committee. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Maloney. If there's no further discussion, the question is, shall Senate Bill 292 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 57 Yeas, none voting Nay, none voting Present. And Senate Bill 292, having received the required constitutional majority, is declared passed. We can turn to page 10. Senate Bill 297. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill deals with driver's education. We amend the School Code. It's supported by the Driver's Education Association and the Illinois Education Association. Currently, under State law, school districts are reimbursed for providing driver's training and the bill -- the law calls for six hours of driving a -- a car on -- on the road. There is a loophole in the law that allows for school districts to only have three hours of driving if they pass a proficiency exam, and unfortunately there's been abuses of

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this and school districts have just been across the board exempting kids so that they only have three hours instead of six hours. So what we've done in this bill is to say, if the school does that, then the reimbursement would be reduced accordingly. Again, has -- I believe it passed unanimously - yes, it did - out of the Executive {sic} (Education) Committee, and supported by the IEA and the Driver's Education Association. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 297 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 Senate Bill 297, having received the required constitutional majority, is declared passed. Senator Forby, on Senate Bill 299. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you, Madam Chairman. Senate Bill 299 consists of the Rend Lake Conservancy District Board. Former U.S. Representative Glenn Poshard has done a great job in leading the effort to clean up the operation of the district. I am working with State Representative Kurt Granberg on this legislation to allow the county board of Franklin and Jefferson County and the Mayor of Mt. Vernon and West Frankfort and Benton to replace the members to establish a new board if they see fit. The legislation would stagger the terms of the new appointments. A provision would be permitted that a trustee to be removed in case of incompetent, negative -- of duty, or malfeasance. This is an ongoing problem we've had in Rend Lake Conservancy District. I think this will be the last thing that will probably clean things up down there and make things right. So, a lot of mayors has called me. A lot of county boards called me and a lot of the people in the

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district had called me, said "We still think there needs to be something done with the board." This will let the mayors or the county boards replace somebody if they want to. If they don't want to, they can put the same person back on. I'll try to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Madam President. To the bill. I -- I spoke last fall with Senator Forby. This Rend Lake Conservancy District is in both of our home -- home counties. There has been a lot of problems there over the past couple of years really, with misuse of funds and the like, and -- and I think the present board is -- is doing an awful lot in -- in cleaning that up. You know, they had a -- a temporary acting director there that -- that gave 'em a lot of guidance over the past several months. And they've hired a new executive director. And I think that -- that they're moving forward. But I still agree with Senator Forby to a certain extent that we need to do something to change this, and I have a bill that -- that hasn't been called yet in committee that -- that I think would do the right thing. My problem with this bill that -- that Senator Forby is presenting right now is I think it's going to set a precedence throughout this State that if people have problems with a board, they'll come to us to introduce a piece of legislation to dump that board and reappoint people. I think the appropriate way is, is the bill that I have introduced, Senate Bill 1951, that will make this board elected next year. The people in both of our home counties, Jefferson and Franklin County, will be able to go to the polls in November of next year and -- and vote a new board in there, and they will be responsible to all the elected officials and the constituents of the district, rather than just three mayors and two county board chairmen. So, I think this sets a bad precedence and -- and, reluctantly, I'm going to have to vote No on it. And I request that my Members on this side of the aisle do the same thing.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

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Thank you, Madam President. Question of -- of the Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LUECHTEFELD:

Senator, what you're doing basically is sort of like more of the same. Presently they are appointed. Am I right about that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Yes. That's right.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I -- I -- my problem, again, is, you know, they are appointed now. We -- I -- I take it that you don't like, you know, what has happened there, and I -- I don't think any of us have. But now we're going to appoint new people. How will that be different? You know, let's say that we don't -- you aren't happy or we're not happy with them, we -- are we going to do this again and appoint new people? It just -- it seems to me that it's sort of more of the same. Is -- is -- it -- tell me the difference between what we're doing now and what they -- what they presently do.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

You know, I don't disagree with John Jones, as to have 'em elected, but that's going to be a year down the road. The people want something done right now. So, if we do this now and it don't work, we still can have 'em elected down the road. I don't see a problem with that and that's why I -- why the people want to do it now. We have several different conservancy districts in the State and this is the way they appoint their boards and they haven't had any problem. So this system does work. I think the county board and the mayors think they can make it work. So I think they ought to have a chance to do that and I think we can see that in the next year. If that don't work, we can have -- be with John Jones and have 'em appointed.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Luechtefeld.

SENATOR LUECHTEFELD:

I -- I understand that -- that Senator Jones has a bill in now - am I right about that? - to possibly elect. Why don't we just do both things?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Well, I don't mind doing both of 'em, but I just want to make sure this gets done right now. The people at home -- phone rings off the wall. Say, "Gary, the board hasn't changed up here. They're still doing the same thing." And the county board and the mayors both said that. So, they're all willing to think this is the best way to go. The mayors and the county board people, and the -- the people in my county.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Again, these are basically the same people that appointed before. Will you -- could you get your leadership maybe to let his bill out of -- out of Rules? Would that be possible? The election bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

We would look at that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Forby, does -- does your bill only apply to Franklin and Jefferson counties?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

That is correct.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you. How many counties appoint members to the board?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

There's two counties.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

It's just those two that -- appoint members to the board.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Then I'm going to ask you, Senator Forby, if someone is in charge of legislation that you say is aimed at trying to clean up or -- what happened there, how does allowing, basically, the same entity who appointed the board members before, still appoint the members, except it adds some kind of revocation clause, how does that help clean up what's happened down there?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Well, I think some of the things that's happened out there, they think this board is part of the problem out there. So what they want to do is clean things up and then they can clean up some of the board members, and they think that's the -- the last step of this program, is going to the board and get that cleaned up.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, let me ask you. The -- the board members who we could judge as being problematic before, were they appointed

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with the consent or the approval of the -- of the -- of the chair of the board itself? I mean, is it fair to say that, I mean, we're involving -- or, we're giving absolute authority to a person who, or at least whose office, was part of appointing a problem board member before?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

One of the biggest issues of that with the mayor and the county board, they appoint somebody, then they won't come back and report to 'em what's going on. That's what got 'em upset on this deal right now, because they will not report back to their mayors -- appointment. They will not report back to the county board. So what the county board and the mayors want to do, make sure whoever they appoint comes back to the county board, tells what's going on in Rend Lake Conservancy, and so to the mayor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter. Any other further discussion on the bill?
Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I rise in strong support of Senator Forby's bill and hope that folks on both sides of the aisle, especially this side, will give Senator Forby your support with an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Hendon -- or, Senator Forby, to close.

SENATOR FORBY:

Well, I think -- I think this is a good board and I think the mayors and the county board ought to have a chance, and if this chance don't work, there will be no problem - I will be a hundred percent for having 'em elected. But it's going to take over a year if we have that bill in effect, so I think this'll work right now. And I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 299 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 31 Yeas, 24

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Nays, 1 voting Present. And Senate Bill 299, having received the required constitutional majority, is declared passed. Senator Munoz, on Senate Bill... With leave of the Body, we will be going to page 8. Return to bills -- Senate Bill 200. Senator Trotter, do you wish to call your bill? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President, Members of the Senate. Senate Bill 200 repeals the sunset date for the Abandoned Newborn Infant Protection Act. As -- to refresh the memory of the Body, a couple years ago we passed the Abandoned Newborn Infant Protection Act which allows parents, or mothers, to drop off their babies at fire stations, hospitals, emergency care facilities, so that they can get adequate care in the -- the event that they -- no longer want the child. This bill just simply makes it a -- a permanent law.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Just for the benefit of the Members on our side of the aisle, this bill did pass out of committee unanimously. I think there's a consensus that this was put in place a few years ago. We weren't really sure how it was going to work, even though it had some success in other states, but it's demonstrated it is a success and I support the bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 200 pass. Those in favor will 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 58 Yeas, none voting Nay, none voting Present. And Senate Bill 200, having received the required constitutional majority, is declared passed. Senator

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Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Committee announcements, Madam...

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet at 1 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

Thank you, Madam Chairman. The purposes -- for purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR SCHOENBERG:

The Senate Appropriations II Committee will meet at 2:30 in Room 212. Approp II, 2:30, 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Purpose of announcement, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR MALONEY:

The Senate Higher Education Committee will meet in Room 400 at 4 o'clock.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank -- thank you, Madam President. Executive Appointments will meet tomorrow morning at 8:30 in Room 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Madam President. The Senate Revenue Committee will meet at 1 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby, for what purpose do you rise?

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SENATOR FORBY:

Point of announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR FORBY:

Labor Committee will meet in Room 400 at 2:30 today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you, Madam Chairman. A point of announcement, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR COLLINS:

Senate Committee on Financial Institutions will meet tomorrow morning at 9 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Point of announcement, Madam Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR HUNTER:

The Senate Appropriations Committee III will meet today at 4 o'clock in Room 212. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford, what -- what purpose do you rise?

SENATOR LIGHTFORD:

Point of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR LIGHTFORD:

Education will meet at 9:30 tomorrow morning in Room 212. 9:30 tomorrow morning in 212.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, Madam President. I'd like to make an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

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SENATOR DEMUZIO:

Licensed Activities will meet in A-1 at 2:30 today. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10:30 a.m. on Thursday, March 10th, 2005. 10:30 a.m. on Thursday, March 10th, 2005. The Senate stands adjourned.