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PRESIDING OFFICER: (SENATOR DEL VALLE)

The regular Session of the 94th 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 Chaplin Don -- Dan Lovin, Camp Grounds Baptist Church, Mt. Vernon.

CHAPLIN DAN LOVIN:

(Remarks and Prayer led by Chaplin Dan Lovin)

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, April 13, 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that reading -- the approval of the Journal of Wednesday, April 13th, in the year 2005, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 154, offered by Senator Lauzen and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Resolutions Consent Calendar. 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

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House Bills 1349, 2449, 3475, 3517, 121, 480, 904, 1411, 1445, 1527, 1656, 3621, 4014, 298, 876, 1177, 2250, 2418, 3158, 3463, 3498, 3499, 220, 561, 672, 930, 1094, 1404, 2525, 3478, 3485, 3749 and 4030.

Passed the House, April 13, 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the Secretary of State, dated April 7, 2005.

Dear Members - I am nominating James Taylor for reappointment to the Secretary of State's Merit Commission. I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Sincerely, Jesse White, Secretary of State.

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs. April 7th {sic} (8), 2005.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 94th General Assembly - I have nominated the -- I have withdrawn the nomination of the following named person to the office enumerated below and respectfully ask concurrence {sic} of this withdrawal to be officially reflected in the record of your Honorable Body.

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, dated April 8, 2005.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 94th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will all Members please come to the Floor? We will be soon going to 3rd Reading - 3rd Reading. Please come to the Floor. At this time we are going to introduce a guest. We have with us today Mohammed Ali Al Alawi, a Fulbright Scholar who will briefly

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address the Senate.

MOHAMMED ALI AL ALAWI:

(Remarks by Mohammed Ali Al Alawi)

PRESIDING OFFICER: (SENATOR DEL VALLE)

We will be soon going to page 43 - top of page 43. 3rd Reading. Will all the Members please come to the Floor? Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Please state your point.

SENATOR ROSKAM:

Mr. President, would you help me to welcome my Page for today, Zachary Bayless, from Homer Glen, Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator J. Jones, for what purpose do you rise?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR J. JONES:

This morning we had the opening prayer by a -- a minister from my district, Pastor Dan Lovin, and his wife, Sue, is here. I -- I wanted to mention this, because down in front of me here he has brought a lot of pictures from -- from Ground Zero in New York City. Dan Lovin is the Chaplain of the Mt. Vernon Police Department and the Jefferson County Sheriff's Department and he belongs to an association where, when there's a major disaster in this country, he may be called there to console our police officers. And, so on September the 11th, when that happened in 2001, at 10 o'clock the next morning, Dan got a call to come to New York. On September the 12th, he got that call. Of course, there were no flights available and so it was September the 17th before he was able to fly out of Evansville and go to New York. So, he has lots of pictures about that. He'd be more than happy to -- to show 'em to you and explain some of 'em to you of what went on back in 2001 in New York. So, thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator Jones. Thank you for your work. Senator

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Pankau, for what purpose do you rise? Senator Pankau. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to introduce today my shadow. This is Sheila Yvonne Chalmers. She's in the Class of 2005 of the Illinois Women's Institute for Leadership. She has a interest in being a public servant and -- so, I think, we will all be on our good behavior today to show -- show her the advantage of being in politics. Please welcome Miss Chalmers.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR HUNTER:

I, too, would like to introduce to you a young lady who is also a member of the Illinois Women's Institute of -- for Leadership. Her name is Miss Dian Powell. She is of the Class of 2005. And she, too, has an interest in serving -- making -- serving in the public industry. Please welcome Miss Dian Powell to the Senate, please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR HALVORSON:

Today I have with me Breton O'Neill, she's a -- a State Police Officer, as well as a new Jackson County board member. She's also with the Illinois Women's Institute for Leadership. So I'd like everybody to welcome Breton to the Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to the Illinois Senate. Senator Demuzio, for what purpose do you rise?

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SENATOR DEMUZIO:

Yes. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR DEMUZIO:

Thank you. I, too, also have with me today, I have Alice Mullenax, from Olney, Illinois. Alice works in the Richland County -- County Clerk's Office and she, too, is with the Illinois Women's Institute for Leadership.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR RAOUL:

I'd like to introduce my Page for the Day, Robert Hoagland, a student at the Franklin Middle School here in Springfield, Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR WOJCIK:

Thank you, Mr. President. I, too, have a Page for the Day. I have lovely Cristen O'Meara, who attends Saint Viator High School, and she lives in Barrington Hills. And she -- her parents purchased a Page for a Day from the Shelter, Inc. And her mother is Sue O'Meara and she's up in the President's Gallery. Let's welcome you to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR ALTHOFF:

I, too, have two Pages with me today. I have Leah Coleman from Huntley High School. She's a junior, and she has with her

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her foreign exchange student's sister, Phyllis Oezdemir, from Germany. Might we give 'em a warm welcome from Springfield. Oh! And her father is also in the gallery, the Republican gallery behind me, Frank Coleman from Huntley, Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR RADOGNO:

Thank you, Mr. President, I'd like to introduce my Page, who is actually the brother {sic} of Senator Roskam's Page - Andrea Bayless who is visiting here from Homer Glen. She's in the sixth grade.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. We, again, ask all Members to please come to the Floor. We will begin on page 43, top of page 43. 3rd Reading. House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 120, offered by Senator Brady.

(Secretary reads title of bill)

House Bill 310, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 551, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 561, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 721, offered by Senator Risinger.

(Secretary reads title of bill)

House Bill 728, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 864, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 881, offered by Senator del Valle.

(Secretary reads title of bill)

House Bill 1384, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 1411, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 1791 -- pardon me, 1971, offered by Senator Ronen.

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(Secretary reads title of bill)

House Bill 2441, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 2446, offered by Senator Petka.

(Secretary reads title of bill)

House Bill 2515, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 2528, offered by Senator Forby.

(Secretary reads title of bill)

House Bill 2920, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 3646, offered by Senator John Sullivan.

(Secretary reads title of bill)

House Bill 3678, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 3711, offered by Senator Brady.

(Secretary reads title of bill)

House Bill 3724, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 3749, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 2250, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 3463, offered by Senators Cullerton and Munoz.

(Secretary reads title of bill)

House Bill 220, offered by Senator Cullerton.

(Secretary reads title of bill)

And House Bill 672, offered by Senator Cullerton.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We will now proceed to page 43, top of the page. Senate Bill 1995. Senator Clayborne. This is 3rd Reading. Senate Bill 1995. Senator Clayborne. Senate Bill 1998. Senator Clayborne. Senate Bill 2006. Senator Cullerton. Madam Secretary. Senate Bill 2012. Senator Munoz. Senate Bill 2013. Senator Lauzen. Senate Bill 2015. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

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Senate Bill 2015.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Yes. Thank you, Mr. President. Senate Bill 2015 has to do with absentee ballots and the rejection of absentee ballots. We recently found out that if somebody applies to vote absentee, when the vote is being counted, if their signature -- if there's a discrepancy in their signature based on their voter application form, the election judges can disqualify that vote. So what we have done to tighten up that process to make sure that every vote does count, that votes aren't unnecessarily being rejected, was to put this legislation forward. So what we have done is included on the application for the absentee ballot the last four digits of the Social Security number, the voter's birth date, which complies with their voter application form, and then we have also asked that there's a stipulation that says when you sign for your voter -- your absentee ballot application, that your signature must be as close to your official signature as possible. So this would eliminate any rejected absentee ballots. Then there's one other point to this that I -- I think is very critical. As you know, in the last consolidated election, people won or lost by just a handful of votes. When absentee ballots are rejected, there is no accounting for them. There's no reporting to the State Board of Elections. So, what we're also asking for in this legislation is to make sure that every absentee ballot that's been rejected is reported to the State Board of Elections so we can determine if there's a trend and how many of these are out there. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yeah. Thank you, Mr. President. To the bill: This bill came through the State Government Committee. It passed unanimously. We all want to make sure that all the votes count. That's important. But we also want to make sure that the votes,

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the individual votes, are protected against fraud. And there were some things put in the bill that ensures that protection and I think the bill is a good bill and -- and the Senator did a lot of good work on it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2015 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2015, having received the required constitutional majority, is declared passed. Senate Bill 2028. Senator Collins. Senate Bill 2030. Senator Collins. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2030.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 2030 is a shell bill. We're working on the language. What -- the intent of the shell bill is to raise money and restore money for the Teen REACH program. The Teen REACH program is an after school program that serves over thirty-two thousand young people annually at two-hundred-and-sixty-nine sites across the State. We're still working out the language. The Governor cut -- in his fiscal year '06 budget, he cut the funding for this organization by thirteen percent, causing a 2.68 million deficit. So we're working on it. We would -- we'd like to continue work on it in the House and would just ask for your support to get it out of the Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR ROSKAM:

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Senator Collins, will this have a -- a revenue-generating source in it? In other words, will there be a tax increase in this bill in all likelihood?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Well, the problem we had in committee was -- what we wanted to do was to have an excise tax on video games, but the question came up whether or not we could actually do that. Some people were uncomfortable with the tax increase. So we're willing to continue working on it to see -- it is trying to get a revenue stream, that is true.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2030 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 the question, there are 33 Ayes, 23 Nays, none voting Present. Senate Bill 2030, having received the required constitutional majority, is declared passed. Senate Bill 2031. Senator... Senator Wilhelmi, for what purpose do you rise?

SENATOR WILHELMI:

Thank you, Mr. President. I have today with me from the University of St. Francis, Professor Ron Dodd, who's in the gallery with eleven students who are Parks and Recreation majors. I'd like to give them a warm welcome to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to the Illinois Senate. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Up in the gallery behind the Republican area, we have - and I think all of you will be called out today with the League of Women Voters - and we have the Chapter from Senator Maloney's area from Palos Park/Palos Heights. I'd like you all to welcome 'em.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? It's great to have the League of Women Voters here. Welcome. Senator Hendon,

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for what purpose do you rise?

SENATOR HENDON:

Just to make an announcement, Mr. President, and remind the Body we have a lot of business to do today. And President would appreciate if we could hold off on some of the announcements until there's a break, because we have a lot of business to do today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator Hendon, for that statement. I will remind the Members that we do have a lot of work. We're going to go through all of 3rd Reading. And a lot of the bills are going to require debate and so we would appreciate it if we could keep the introductions at a minimum in order to be able to get through the Calendar. Senator John Sullivan. Senate Bill 2031. Senator Lauzen. Senate Bill 2038. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 2038 - I'd like to provide a little background. In 1965 the State of Illinois transferred two hundred and thirty acres of land to the City of Elgin. The transfer was pursuant to legislation that limited usage to public education or recreational purposes. Today the property is the site of a community college and public recreational facility, including a golf course. A small parcel of that two hundred and thirty acres, under nine acres, is contiguous to land that the city proposes to use for economic development. Accordingly, Senate Bill 2038 removes the legislative use restriction on those nine acres to facilitate the development of this land and thereby create economic development for the City of Elgin. It is not a conveyance. It merely removes a restriction. It's received the unanimous support of the city council in Elgin and also the unanimous support of the Executive Committee, which I'm grateful for. Be happy to answer any questions, or I'd ask you for an Aye

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vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I would just like for Senator Lauzen to get a copy of this roll call so he can see and know that we will give him votes sometimes and we would like the same from him every now and then. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2038 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 the question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 2038, having received the required constitutional majority, is declared passed. Senate Bill 2040. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2040.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. This -- Senate Bill 2040 amends the EPA Act and -- which would require no further remediation letters. What happened is that this came to our attention from one of my constituents, and after looking at some of the language, this is basically making some changes, in that the -- IEPA added a clause to clarify that the NFR letter would not apply to those off-site owners who do not agree to provide access to the owner or operator of the LUST for off-site remediation purposes. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You may see on your roll call that -- in committee this came out on a partisan roll call on a -- on a shell bill, but

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with the amendment, it's a good bill. I urge its support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2040 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 the question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 2040, having received the required constitutional majority, is declared passed. Senate Bill 2041. Senator Cullerton. Senate Bill 2043. Senator Martinez. Senate Bill 2049. Senator Harmon. Madam Secretary, read the bill. Senator Harmon seeks leave of this Body to return Senate Bill 2049 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 Senate Bill 2049. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Bill 2049 replaces a provision of the original bill that would permit the Public Building Commission in Chicago to engage in lease/lease-back transactions with a generic provision that would apply to all public building commissions in the State. I look forward to debating the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 2049. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2049. Senator Harmon.

SENATOR HARMON:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Excuse me. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2049.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate Bill 2049, as amended, amends the Public Building Commission Act to do several things. It permits the intergovernmental lease/lease-back transactions. It increases, very modestly, some relocation expenses for folks who are impacted by a public building commission project. And it increases the threshold for bidding from -- to ten thousand from five thousand dollars. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. To the bill: Following the amendment, the members of the Local Government Committee unanimously approved this. We recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2049 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 the question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 2049, having received the required constitutional majority, is declared passed. Senate Bill 2050. Senator Harmon. Senate Bill 2051. Senator Harmon. Senate Bill 2053. Senator Harmon. Senator Harmon seeks leave of this Body to return Senate Bill 2053 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 Senate Bill 2053. Madam Secretary, are there any amendments approved for consideration?

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SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. It is a -- regarding tax sales in error. I look forward to debating the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Harmon moves the adoption of Amendment No. 14? -- Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 2053. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Harmon, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2053.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2053 is a pro-taxpayer bill supported primarily by the Cook County Treasurer's Office. It reforms the tax sale in error provisions in a pro-taxpayer way. First of all, it eliminates the one-year time period that county collectors have to declare an administrative sale in error. Right now, there's two years to redeem the property, but taxpayers are disadvantaged by the one-year cutoff for being able to declare the tax sale in error. Second, it provides that a tax buyer is not owed interest if the sale is declared in error and the court rules in favor of the county collector. This prevents some tax buyers from forcing litigation only to extend the period

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during which they would be paid interest if, in fact, the sale were declared in error. I'm aware of no opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I'd like to commend the sponsor on his legislation. I would like to point out to Senator Hendon that I would like to recommend our entire vote supporting this good legislation. Thank you to my colleagues on the other side of the aisle. I'd recommend a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2053 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2053, having received the required constitutional majority, is declared passed. Senate Bill 2054. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2054.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2054 amends the Park District Code to correct a technical defect in the Code that punishes park districts if they attempt to prudently manage their debt portfolio. Right now park districts can issue bonds either pursuant to referendum of the voters or subject to a very low statutory cap without a referendum. If the interest rate market is such that it's advantageous to refinance bonds issued at referendum, they should be able to do so. Under current law, because of a technical problem, if they issue refunding bonds for bonds the voters have already approved, those refunding bonds are double-counted. They're counted against their non-referendum

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limit as well. This corrects it. It is consistent with the -- the other provisions -- the bonding provisions for the park district and the will of the voters. I'm aware of no opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. The Local Government Committee approves this legislation. I recommend a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2054 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2054, having received the required constitutional majority, is declared passed. Senate Bill 2056. Senator Harmon. Senate Bill 2057. Senator Harmon. Senate Bill 2060. Senator Dave Sullivan. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2060.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2060 is a patriot plan for our young men and women who are serving in the armed services. It basically helps them out with their cell phone bills, their long-distance phone charges, life insurance policy, utility, rent and credit card. We need to do what we can to help out these young men and women as they fight for us. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 2060 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

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the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2060, having received the required constitutional majority, is declared passed. Senate Bill 2062. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2062.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Senate Bill 2062 is an initiative of AARP and it's obviously supported by that organization, as well as the Alzheimer's Association. It would simply allow the Director of the Department on Aging to appoint additional citizen members to the Older Adult Services Board -- Advisory Board. Those individuals would have to be either age sixty or older or have to be volunteers -- volunteers when it comes to assisting with older adult services. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If -- if not, the question is, shall Senate Bill 2062 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 the question, there are 58 Ayes, none voting Nay, none voting Present. Senate Bill 2062, having received the required constitutional majority, is declared passed. Senate Bill 2064. Senator Garrett. Senator Garrett seeks leave of this Body to return Senate Bill 2064 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 Senate Bill 2064. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1 {sic}, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett, to explain your amendment.

SENATOR GARRETT:

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Thank you, Mr. President. Floor Amendment No. 2 retains the underlying bill, as amended, adding that the nursing evaluation service shall be the organization making the recommendation allowing the Department to waive the requirement that the applicant pass the Test of English as a Foreign Language. The waiving of such requirement is subject to the applicant submitting verification of successful completion of a nursing education program conducted in English. I'd be happy to answer questions when we discuss the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

For the record, we are discussing Floor Amendment No..

SENATOR GARRETT:

The Floor amendment.

PRESIDING OFFICER: (SENATOR DEL VALLE)

...2. No. 2. Senator Garrett moves the adoption of Floor Amendment No. 2 to Senate Bill 2064. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2064. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2064.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. I -- I -- the reason for this particular bill is to make sure that we do everything we can to provide more nurses in the State of Illinois. This just removes a requirement that is redundant. The State of Illinois is the only state that requires this extra step in testing, and with this bill, we'll be able to remove it. It's a good bill. There is no opposition whatsoever.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President. I rise in support of this. The sponsor agreed to hold it on 2nd Reading and she did, and then she did settle the differences. So I ask my side of the aisle to vote in favor of this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2064 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 the question, there are 59 Ayes, none voting Nay, none voting Present. Senate Bill 2064, having received the required constitutional majority, is declared passed. Senate Bill 2069. Senator Harmon. Senate Bill 2071. Senator Harmon. Senator Harmon seeks leave of this Body to return Senate Bill 2071 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 Senate Bill 2071. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The -- the amendment itself makes a very technical amendment to the -- to the underlying bill. I'd be happy to discuss the whole bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 2071. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2071. Senator Harmon, do you wish to proceed? Madam Secretary,

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read the bill.

SECRETARY HAWKER:

Senate Bill 2071.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, on 2071.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2071, as amended, amends the Illinois Procurement Code with respect to contracts for the purchase of bond or mortgage insurance securing bonds with respect to housing. The amendment would permit the State or a State agency to enter into contracts for longer than ten years - in fact, as long as the underlying mortgage on the property existed, often thirty years or more. This will save the State a great deal of money, while between 1.2 and 1.5 million per year in money that would otherwise be paid to bond insurers. Right now, the -- they have to pay for the full thirty years up front. This would allow them to pay incrementally as needed. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. This is bonding legislation. However, I rise in support of it. It came out of committee unanimously and I, too, would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2071 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 the question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 2071, having received the required constitutional majority, is declared passed. Senate Bill 2072. Senator Harmon seeks leave of this Body to return Senate Bill 2072 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 Senate Bill 2072. Madam Secretary, are there any amendments approved for consideration?

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SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I look forward to discussing it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 2072. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. On the Order of 3rd Reading, Senate Bill 2072. Senator Harmon, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2072.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2072 is a modernization of the Physical Fitness Services Act in recognition of the profound evolution in the health club and health care and physical fitness business over the last twenty years, since we last addressed the issue. Expands the definitions to account for new services being offered, and -- and corrects -- or updates the -- the limitations on the -- on the contracts. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? The question is, shall Senate Bill 2072 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On the question, there are 58 Ayes, 1 voting Nay, none voting Present. Senate Bill 2072, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 2073. Senator Harmon. Senate Bill 2075. Senator Harmon. Senate Bill... Senator Harmon seeks leave of this Body to return Senate Bill 2075 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 Senate Bill 2075. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I'd be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 2075. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2075. Senator Harmon, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2075.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, on Senate Bill 2075.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2075, as amended, amends the Illinois Wage Payment and Collection Act. The intent here is to clarify that

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the -- the Act itself is really designed to protect working men and women and ensure that their wages aren't garnished inappropriately, especially after they leave employment. However, there's some clarification required because high-paid executives who are participating in -- in upper-level incentive plans or deferred compensation plans are being brought under the jurisdiction of the Act. This clarifies that those plans can be maintained consistent with the Act. There was some concern raised in committee and the AFL-CIO indicated its -- its concern that we would be capturing too much. There is an agreement, on behalf of the proponents, to amend the bill in the House to raise the threshold from one hundred thousand dollars per year as a salary cutoff to a hundred and eighty thousand dollars per year. We're also going to continue to work with the Department of Labor to make sure some technical changes are addressed when the bill is amended in the House. Other than that, I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. The sponsor has been working with many groups on this bill. I would particularly draw your attention to the fact that this will be amended again in the House to raise the income level from a hundred thousand up to a hundred and eighty thousand. And if there are any other issues at that time, you will be happy to talk about those and negotiate it. So this is an Act in progress, but it is a good Act right now and it will get even better. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2075 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2075, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 2077. Senator Harmon. Senate Bill 2078. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2078.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

And I'm sorry, Mr. President. The amendment's already been adopted? I apologize. I'm losing track. Senate Bill 2078 is the product of many years of negotiation and extensive hearings held over the summer, co-chaired by Senator Geo-Karis. It creates the Illinois Public Health and Safety Animal Population Control Act. This is essentially a subsidized spay and neuter program for folks who would not otherwise be able to afford to alter their animals. It really is not about the animal so much as it is about public health. We've all heard the stories, many of us in our own districts, about people being attacked by dogs running wild. This would make a significant stride forward in combating that problem. It's modeled after programs in other states that have been very successful. It is now an agreed bill. We had long debates with the Illinois Veterinary Medical Society over the mechanics and the funding for the program. So the Members know, we have eliminated the State surcharge on the rabies vaccination fee, which was really the sticking point. Instead, we are -- we are funding the program through a series of fines on irresponsible pet owners, folks who let their dogs run wild, who -- dogs who bite people, dogs who are deemed dangerous or vicious under the Animal Control Act. And, secondarily, we are deferring to the counties, who are currently mandated to impose a fine or a -- a registration fee on the -- on the rabies vaccination, we are -- we are mandating a differential fee for intact versus altered animals. Again, the notion being, we want the burden to fall on folks who are not behaving as responsibly as they could with their animals. Again, it is an agreed bill. I'm aware of no opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

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SENATOR RIGHTER:

First, Senator, this bill came out of committee with some opposition and I want to talk to you a little bit about that. The bill, as it stands now, would mandate - I want to see if I'm correct - would mandate the counties place a fifteen-dollar registration fee on dogs and cats, ten dollars of which would go into their -- their pet population control fund, or whatever that individual county calls it, and five dollars would be deposited in the county's general fund. Is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. And I'm sorry I didn't mention this in my opening remarks because we did talk and I -- I simply forgotten to mention it. We are reviewing that right now and I expect we will amend it in the House. We are not mandating a fifteen-dollar charge so much as at least a fifteen-dollar charge. We're going to amend that, or that's the plan. The end goal is that a county adopt at least a ten-dollar differential. If -- if they maintain their own animal control program, that money goes into the animal control fund. If they do not, it would go into the State fund to be used for the Statewide program. The -- the -- the -- the concern that you had about the differential between the ten dollars and the fifteen, that's really within the discretion of the county. We're -- we'll take that out so that they can -- they can still institute their own larger fee and that would -- they could put it in whatever fund they desired. We're not -- we're not going to mandate that they -- they put in an additional fund. It goes to their general revenue fund.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Well, I want to be clear for the -- for -- for the Members then. Are you saying, is -- is that what the bill -- the bill allows their flexibility now, or you're saying that's what you intend to change? But, as of right now, they are assessing at least a fifteen-dollar differential, a third of which goes into the general fund.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

You -- you are both right and wrong, and -- and it's -- it's my fault because we didn't explain it well in committee. Some counties already have a much larger differential and they can do with it what they want. What we're trying to do, and what the bill does not do yet, but will do, is mandate that ten-dollar differential. Anything above that is still within the discretion of the county. Yes, right now we are mandating a larger differential then would be mandated into the -- the animal control fund and by default it would go to the general revenue fund. That's a drafting error. That's -- that's our fault here and -- and we will correct it when it's amended in the House.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: Very briefly. Ladies and gentlemen, first, I want to congratulate the sponsor. I know Senator Harmon has worked long and hard on this issue. Just for everyone's edification, the bill does mandate the counties place a fee. It's been my experience - I would assume it's been others' experiences - that when people are assessed such a fee and it's mandated by the State Legislature, but the county has to impose it, the county board members are going to say, "Well, wait a second, Springfield told us we had to do it." And we're the ones who will shoulder the responsibility for that. I would just urge caution with regards to your vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. I'd just like to point out to the Body that my opposition to this bill basically -- is concerning breeders. There is no relief or no provisions in this bill for those that breed animals and that's their business. So, obviously, they don't want their animals spayed or neutered. However, they would have to pay the fee just like everybody else. And I think maybe that could be worked out, but at least at committee time, it didn't seem like the sponsor had made any

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efforts in that area. And I would like to point that out to the Body. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to close.

SENATOR HARMON:

Thank you for those comments. And just a quick response to Senator Righter. I want to make sure that the Body understands, the current law mandates a county fee. We are changing the mandate but not instituting a new mandate. And, second, in response to Senator Pankau, I appreciate your comments. In committee I indicated we have wrestled with the issue of -- of how to separate the breeders. At your request, we will continue to wrestle with that as it goes to the House to see if we can't find a way to differentiate appropriately. But I appreciate your support and your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2078 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 the question, there are 32 Ayes, 21 Nays, 2 voting Present. Senate Bill 2078, having received the required constitutional majority, is declared passed. Senate Bill 2082. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2082.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a bill I've worked on with Senator Dillard and also Senator John Jones. It was brought to our attention that the Capital Litigation Trust Fund was being billed - in a case down in southern Illinois, lawyer got over a million dollars from this fund and the -- the judge in the case felt that the law did not allow him to deny that -- those fees. And this is an abuse of the -- of the fund. So, as a result, we had meetings and came up with this piece of legislation which requires that the defense

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lawyers in these death penalty cases, they have to submit a proposed litigation budget to the court up front before the trial to get approval and to make sure that they use the investigators and other resources of the State Appellate Defender when possible, and if -- if -- if their bills are not itemized, they shall not be paid. Appreciate the help of Senator Jones and Senator Dillard and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I just want to echo Senator Cullerton's comments. I know sometimes the Judiciary Committee on this Body has a reputation of being an all-male, lawyer-controlled committee since we lost Senator Geo-Karis. She at least provided some diversity to our committee. But it's Senator John O. Jones that really brought this to the head, where Senator Cullerton - as he always does - took a lot of time in a hearing room or a -- a actual conference room up on the sixth floor and worked on this. And I just want people to know that, you know, we lawyers on the Judiciary Committee do appreciate the input of laymen like Senator John Jones, a businessman. And, John, we appreciate you bringing this to our attention and fixing a potential problem and making our litigation system a lot better. So thank you, Senator John O. Jones.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill: First off, I want to thank Senator Cullerton and Senator Dillard, both, for -- for their work on this bill. It was brought to my attention last year in -- in my home county. We had a -- a death case, a -- a death penalty case where the gentleman had been in prison for about ten years, he got a retrial, the attorney from the northeastern part of the country came to him and told him he would take the case pro bono. Then he found out we had a litigation fund in -- in the State of Illinois and he actually drained over two million dollars out of this fund and then the private investigator that he hired actually took over five hundred thousand dollars out of this -- out of this fund. I

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think -- I thought it was a total abuse of the fund. The citizens back in my home county thought it was -- it was an abuse and I came to Senator Cullerton and Senator Dillard. Myself not being an attorney, didn't really know how to address this issue. And I just really want to thank both of them for their hard work on this and all the staff that was involved in it too. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2082 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 the question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 2082, having received the required constitutional majority, is declared passed. Senate Bill 2084. Senator Ronen. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2084.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill requires that surety companies that hold the bond for defaulted contractors promptly find a replacement. This bill is supported and brought to me by the Illinois Capital Development Board and the Illinois Construction Industry. Under this bill, the surety company would -- must find a replacement within fifteen working days if the original contractor is in default. Currently, there are no deadlines. I know of no opposition. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This is a good bill. It -- like the sponsor said, it came from the Capital Development Board and it -- and it takes care of some problems that they might have there. I -- I urge an Aye vote on this side of the aisle.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2084 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 the question, there are 57 Ayes, 1 voting Nay, none voting Present. Senate Bill 2084, having received the required constitutional majority, is declared passed. At this time, we will have Senator Shadid introducing guests. Senator Wojcik, for what purpose do you rise?

SENATOR WOJCIK:

Mr. Speaker {sic}, on 2084 I'd like the record to show that I wanted to vote Yes, but I inadvertently hit the No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The record will so reflect. Senator Shadid.

SENATOR SHADID:

Thank you much -- very much, Mr. President. And Ladies and Gentlemen of the Senate, I have another -- bunch of champions here that I would like to introduce to you. I'll -- I'll try to be very brief if I can. I know we're very busy. This group of young men are from the Peoria Christ -- Christ Lutheran eighth-grade boys basketball team and they won the Lutheran Sports Association national championship and also the State of Illinois championship. How about a big welcome to these young men. And while I'm at it here, I'm going to introduce to you the coaches: Terry Mooney, Jr. and Sr., who is also -- Sr. is also the principal, and Dario Lamberti, Eric Fehl and Chris Taylor, and we have a couple parents here also, which I think is wonderful, and I'd like to introduce you to Terry Mooney, Jr., the coach.

COACH TERRY MOONEY, JR.:

(Remarks and Introductions by Coach Terry Mooney, Jr.)

SENATOR SHADID:

How about a big hand for 'em? Thank you very much. They represented us very well for the City of Peoria. Thank you very much. And thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo, on Senate Bill 2085. Senator DeLeo seeks leave of this Body to return Senate Bill 2085 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 Senate Bill

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2085. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment makes some technical changes to the bill to otherwise implement the purposes of the original bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon moves the adoption of Amendment No. 2 to Senate Bill 2085. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2085. Senator DeLeo, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2085.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2085, as amended, amends the Illinois Municipal Code. What this does is prevents a non-home rule municipality that is providing water and sewer services to another governmental agency, such as a park district, then from shutting off their services unless the park district agrees to annex the property being served by the municipality. This amendment is -- the Illinois Association of Park Districts supports it and I believe the amendment removes whatever concerns that were -- presently existed. I ask for a favorable roll call and -- this bill.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator, can you give us the genesis of this bill and why is it necessary for the General Assembly to intervene in what appears to be a local municipal matter in one community?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

I believe there's some situation out in the western suburbs near the O'Hare area that there's some intergovernmental feuding going on and there -- evidently there's been some threaten of shutting off the services to water for the park district. And the park district thought that the threat of them having to annex into that certain village and they're going to shut off their water and sewer was enough for them to come and want some remedy.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

This isn't in your district is it, Senator?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Every place in the State of Illinois I'm concerned about, Senator Roskam. Whether there's children in Cairo, Illinois, Waukegan, Rockford, I care about everybody.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Well, thank you, Senator, for your magnanimous and gracious attitude towards all hundred and two counties. I'm sure moms and dads are sleeping well at night, knowing that you're watching out over their children. Briefly, to the bill: You know, this is a local matter. This is a -- this is a dispute between two local units of government that is unresolved at this time. This is a

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bill that's opposed by the Illinois Municipal League. This is a bill that I am informed is opposed by the DuPage Mayors and Managers Conference. I think that it is -- it is best for us not to mess with this local situation - leave it alone and let this thing sort it out. This is the subject of -- has been the subject of litigation in the past, and for the life of me, I don't understand why we're -- we're getting involved in a very local matter that has nothing to do with the sponsor frankly, and I -- I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. I also urge a No vote. This is a very local matter in the Village of Bensenville. And the village has gone to court with the park district asking that -- the park district owns a -- a golf course and the village has said that they must annex. This has been to court. The -- the park district has de-annexed from the village. The -- the Mayor of Bensenville just ran against the president of the park district in a very tight race, but the mayor did win again. This is a way of bringing up, again, a local problem. This is their problem. I urge you to vote No, because we shouldn't be getting involved in these kind of local problems. Let them solve their own problems themselves. They should not be coming down here to Springfield to settle a local argument. And back in Bensenville, it's all turf and it's all ego involved in this fight. And I urge you to vote No and send them a message - solve your own problems back home. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Peterson.

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR PETERSON:

Senator DeLeo, this bill would be applicable to other units of government besides the park district?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

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SENATOR DeLEO:

Yes. That's correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Peterson.

SENATOR PETERSON:

To the bill, Mr. President: I think this is an excellent bill and I'll tell you why. Too many times our local municipalities think they're big brother to every other unit of government that depends on them. I think this is a situation that is more prevalent than you realize. It's just not Bensenville and the park district. There are a lot of other issues that go on where municipalities are using this against other units of government: the park district, townships, counties, et cetera. And I recommend an Aye vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. The Senate Local Government Committee, I believe, concurs with the statements of the sponsor and with Senator Peterson. It's a question of forcible annexation and I think it is an issue that the General Assembly may want to -- want to get into. So the Committee on Local Government voted 9 to nothing. And I see nothing in the debate this morning that would change my view on that. So, I'd recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. If -- I'd take this bill out of the record, if I could have a commitment from Senator Roskam that you won't vote on anymore City of Chicago bills the rest of your career. And to address -- the -- the -- whose district it is, the 10th Senate District, which I've represented for the last twenty-some years, touches Bensenville, Illinois. I think my district has a lot closer proximity to -- than ninety percent of the people in the General Assembly. I touch -- I have -- touch part of Schiller Park and touch part of Bensenville, touch part of Norridge. So,

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I think an issue like this is very important. It's brought to our attention, I think we should address it. Whether it's landfills with in-laws or whether we have park districts that somebody's trying snatch -- annex their property, I think it's wrong. I think we -- as Members of this General Assembly, we should be responsible for everything. I ask for a favorable roll call in Senate Bill 2085, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2085 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 the question, there are 46 voting Aye, 10 voting Nay, 1 voting Present. Senate Bill 2085, having received the required constitutional majority, is declared passed. Senate Bill 2086. Senator Harmon seeks leave of the Body to return Senate Bill 2086 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 Senate Bill 2086. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment becomes the bill and is drafted to address concerns raised by the Home Builders, the apartment management folks and the Retail Merchants. And I'd be happy to discuss the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Harmon moves the adoption of Amendment No. 2 to Senate Bill 2086. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill

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2086. Senator Harmon, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2086.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The -- the bill, as amended, creates the Carbon Monoxide Alarm Detector Act, modeled after the current State law with respect to smoke alarms. It mandates that all residential units include a carbon monoxide detector. The amendment has been drafted to remove concerns raised about anticompetitive provisions and integration into new construction and a variety of other matters. With the amendment, I'm -- I'm not aware of any opposition, although there may be some technical corrections required in the House and those conversations are ongoing. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ALTHOFF:

Senator Harmon, I do commend you. I understand this is a life safety issue. However, can you answer a few questions? Number one, is this every residential unit or is this every structure?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

It's every dwelling unit.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. Is -- is there an enforcement idea on how we're

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going to inform every existing homeowner and landlord that this is now required?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Well, I imagine we'll -- we'll follow the same practical course we followed with the requirement for smoke alarms which seems to have been universally embraced. I don't anticipate a real issue with following the same path for carbon monoxide detectors.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

To the -- to the bill: I find -- I would urge a No vote on this piece of legislation. I find it extremely unusual that in a committee where we deal ninety percent of the time with affordable housing, that this specific piece of legislation is going to mandate an additional cost, an additional fee to every homeowner in the State of Illinois. Again, I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wojcik.

SENATOR WOJCIK:

Thank you. I'm just speaking to the bill, Mr. President. I -- I, too, feel that it's a, again, invasion of privacy of a private homeowner. We're getting a little silly down here in Springfield. I have a carbon monoxide detector. I did at my own free will, but I think this mandate is too dictatorial and where it's an invasion of privacy in a person's own home. So I would ask for a No vote. I have great respect for the sponsor, but I think the subject is not too -- too well -- well liking.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I -- this is the first indication I've had that we had this kind of legislation in front of us. And it just seems unconscionable to me that we're going to do this to private homeowners, that we're going to allow someone to come into their homes - and I don't even know who, Senator, 'cause I've not had a

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chance to look at the bill - but it -- it just seems totally unconscionable and I certainly would urge a -- a negative vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to close.

SENATOR HARMON:

Well, thank you, and I appreciate that everyone in -- on the Republican side of the aisle has changed their position since committee. I don't know what happened. But all the arguments that you've raised are arguments that probably were made against the requirement that we have smoke alarms. And if you think about the number of lives that have been saved by smoke alarms in every dwelling unit and if you think about the invasion, I don't know what invasion has occurred because of smoke alarms. The only thing it's done is, it's been -- we do mandate them. There's -- this is modeled after the State law that requires smoke alarms in dwelling units. The enforcement action, no one is storming our houses to make sure we have smoke alarms. They have become ubiquitous because of the State law. I think five or ten years from now we'll see the same thing with carbon monoxide detectors. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2086 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 the question, there are 29 voting Aye, 27 voting Nay, 1 voting Present. Senate Bill 2086, having failed to receive the required constitutional majority, is declared failed. Senator Harmon.

SENATOR HARMON:

May I please put that on the Order of Postponed Consideration?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon requests that Senate Bill 2086 be postponed. The bill -- will be placed on the Order of Postponed Consideration. Senator Lightford. Senate Bill 2087. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2087.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2087 amends the Addison Creek Restoration Commission. It gives them basic authority. A couple highlights I want to bring up and -- and I'm -- I -- I like to say this over and over and over and over again, that it is a front-door referendum. So you may hear me repeat that a couple times. But House Bill 4108 during the 93rd General Assembly established a commission to address the flooding that Addison Creek was putting on seven communities. In committee, four mayors came down and testified, from the villages of Bellwood, Broadview, North Riverside and Melrose Park, on how this was impacting their communities. So, basically, what it does, it does three things: It allows the Commission to float bonds and levy a tax, only with the approval of the voters; it only taxes the parcels that reside in the floodplain; and it limits to ten million the amount that the Commission tax on a yearly basis. And there is a sunset provision regarding the capital cost. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Since I haven't had much of a chance to speak lately, I rise in strong support of Senate Bill 2087. I want to emphasize that the -- this would allow the Addison Creek Restoration Commission to issue bonds and levy a tax only, only if the voters agree through a front-door referendum. Senator Lightford and I share representation of the communities that are participating in the Addison Creek project and it would end a major flooding problem for the -- the homes and businesses in our districts. And I urge you all to vote Aye. The voters must approve any tax increase under this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. I rise in

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support of this bill. The sponsor's worked very hard. I personally have met with the four mayors involved -- four or five mayors involved in the area. I think this is a unique piece of legislation. Requires a front-door referendum and -- and they take care of the flooding problems in the -- in the floodplain in the Addison Creek area. Local Government approves it. I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2087 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 the question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 2087, having received the required constitutional majority, is declared passed. Senate Bill 2088. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2088.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Currently, there's nothing in 2088. Couple years ago we passed the Livestock Management Facilities Act and there's some clean up that we need to do to it and we've been working very hard, right up to the last minute, and we're not quite ready -- yet. But what we intend to do is pass this over to the House and they will put the amendment on there.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

The sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR DAHL:

Senator, it's my understanding that your bill is going to contain a portion of the Department of Agriculture expansion package.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dahl, could you repeat the question? She -- she didn't hear you.

SENATOR DAHL:

Okay. I'm sorry. Senator, it's my understanding that your bill is going to contain a portion of the Department of Agriculture's expansion package that Director Hartke's been working on. And you know, I -- I think we need to support the number-one industry in the State of Illinois, which is agriculture, and I do support that. However, we've been, you know, in Agriculture Committee, waiting to see this amendment for a week and it hasn't -- it hasn't shown up. Are -- are we sure this is going to be put on in the House?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

The -- the reason we haven't put it on yet is because we're still negotiating with the small farmers and the Sierra Club. Because we believe that we can make this the best bill possible if we all work together. So we didn't want to put something on that would be opposed by one industry or another. When we have a little more time to work on it and put it on in the House.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. On the last vote, I intended to vote Yes, but my switch is not working.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, the record will so reflect. Senator Halvorson, to close.

SENATOR HALVORSON:

I look forward to an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2088 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 the question, there are 49 Ayes, 6 Nays, 1 voting Present. Senate Bill 2088, having received the required constitutional majority, is declared

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passed. Senator Lightford, on Senate Bill 2090. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2090.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation amends the Code of Corrections regarding substance abuse treatments for inmates. And I just want to remind you that in 2003, I passed a bill that allowed for inmates to receive good time credit if they were enrolled in a substance abuse program. What we're finding out at the Department of Corrections, that they're lacking sufficient substance programs to accept the capacity of the men and women who are wanting treatment. And so what we did over the past year is sat down and crafted an amendment that would allow -- to address the lack of that they're having, but allow them to be within our -- our law and our guidelines. So we're working together at the Department of Corrections and this bill enhances that opportunity. And I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 2090 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 the question, there are 55 Ayes, 4 Nays, none voting Present. Senate Bill 2090, having received the required constitutional majority, is declared passed. Senate Bill 2091. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation amends the Department of Public Health Powers and Duties regarding clinical trials. Over the past couple of months, several e-mails have come to my attention, and a couple Members in the General Assembly, regarding this crucial issue. And what we thought we would do is try to address them as best we could. What this bill does, it -- it requires hospitals and universities in Illinois to only agree to conduct a clinical trial as long as the results of the clinical are to be properly reported. Reporting has always been a problem in this area. Such required reporting would include that at least thirty days before the drug or device goes on the market, the conducting trial must provide all trial results to physicians and the general public and register these results with the U.S. Department of Health and Human Services. I do recognize that there was an opponent, Department of Public Health. Their opposition is only that there may be a small fiscal impact of up to two hundred thousand dollars and we have made constant attempts to reach University of Illinois so that they -- we could address their concerns and they had not gotten back in touch with me to add an amendment. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill: I rise in support. It did pass out of the Health and Human Services Committee unanimously. I'm one of those legislators, as well, who's been receiving contact from some constituents who are concerned about the lack of information that's being distributed after these clinical trials are completed. And I appreciate the Senator taking the initiative. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill -- the question is, shall Senate Bill 2091 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2091, having received the required constitutional majority, is declared passed. Senator Lightford,

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on Senate Bill 2094. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2094.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation has had three amendments to address concerns that were floating out there. And what we've come up with is an effort to support men and women through military child support. What it actually does is reinstate the provisions of the original bill. It amends and sets the -- forth the process in which the Auditor {sic} General shall inform the Unit of the member's release from active duty, and it states that upon release the Unit shall notify the person receiving support and afford them the opportunity to request a review and adjustment. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I do have a question if she would yield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR DILLARD:

Senator Lightford, is it your intent - and I think this was the agreement you gave the Judiciary Committee - that when this bill goes over to the House, you will fix the word "temporary" like the Department of Public Aid wants it, so that we don't jeopardize federal assistance here? Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

That is correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

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Then with that assurance from the sponsor, this is a good bill and I would urge its passage.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2094 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2094, having received the required constitutional majority, is declared passed. Senate Bill 2095. Senator Haine. Senator Haine. Senate Bill 2095. Senator Haine. Senator Haine seeks leave of this Body to return Senate Bill 2095 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 Senate Bill 2095. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Yes. Mr. President, Ladies and Gentlemen of the Senate, the underlying bill makes some technical changes to the Illinois Physical Therapy Act, including a sunset extension. There was an amendment which -- the first amendment has cleanup changes and a change in definition. The -- the second amendment adds two board members to the regulatory board. This is supported by the Illinois Nurses Association, Illinois Physical Therapists Association, and I believe IDPR. I -- I don't know of any opposition. The Medical Society initially had some problems, then they were fine after the first amendment.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Haine moves the adoption of Amendment No. 2 to Senate Bill 2095. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2095. Senator Haine, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, the bill is as I previously stated. It has no opposition. It is a -
- it enhances the qualifications of physical therapists. It extends the regulatory sunset date. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

Thank you. Senator Haine, I -- I chaired the Licensed Activities Committee for several years. So I'm aware of several ongoing turf battles between physical therapists, occupational therapists, chiropractors, Medical Society, those kinds of things. Can you tell me what definitions have changed in the Act? Because I'm not sure.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, and thank you, Senator, for that question. It changes the wording from determining the treatment diagnosis for these disorders, which I think was in the underlying bill. The Medical Society wanted it changed to "classifying these disorders, and determining". And, apparently, that was -- that raised their comfort level and they were okay with the bill. And the -- the chiropractors were initially opposed last year, but not this year, because I don't think it

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affected their -- what they were afraid of in the bill. I mean, in -- in -- any proposed change.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you. And these are always sensitive issues and -- and -- and -- and it gets back to the credentials, the qualifications of individuals to practice certain types of techniques, which is the big issue between chiropractors and physical therapists. Is it -- is it my understanding that physical therapists are able to prescribe now - and -- and that in the loosest terms -- or -- or the loosest meaning of the words - to prescribe a course of therapy without having to have doctor approval?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Senator, I don't think so, not under this scheme.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Yes. A point of personal privilege. Do you want me to wait?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Please do. Senator Haine, to close.

SENATOR HAINE:

I'd -- I'd appreciate an Aye vote. Again, there's no opposition. I -- I agree with Senator Burzynski. It's sensitive issues. At the moment, I need physical therapy so I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2095 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 the question, there are 53 Ayes, 5 voting Nay, none voting Present. Senate Bill 2095, having received the required constitutional majority, is declared passed. Senate Bill 2096. Senator Viverito. 2096. Senator Viverito. Senate Bill 2100. Senator Schoenberg. Senate Bill

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2103. Senator Sieben. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. Ladies and Gentlemen of the Senate, this legislation amends the Premises Liability Act by preserving firearm range immunity for owners and operators of firearm ranges extends to the owner or operator of a range in which an occupied permanent dwelling or {sic} adjacent property was built within a thousand yards from an area of the range from which a firearm may be properly discharged if the dwelling was built after the range began its operation. This legislation passed without opposition in the Judiciary Committee, 10 to nothing. I know no -- I know of no opposition, and I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 2103 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 the question, there are 58 voting Aye, 1 Nay, none voting Present. Senate Bill 2103, having received the required constitutional majority, is declared passed. Senate Bill 2104. Senator Sieben. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2104.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This legislation amends the Criminal Code and provides that a unit of local government, including a home rule unit, may not regulate the transportation of firearms and may not regulate the transportation of

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ammunition, components, accessories, or accoutrements for firearms. The essence of this legislation supports the agreement that was reached four or five years ago when we spent the better part of the month of December here negotiating the Safe Neighborhoods Act. And under that Safe Neighborhoods Act we came to a decision and reached an agreement that there would be one statewide standard for the transportation of firearms and ammunition. And that statewide standard would require that all firearms be unloaded and then be either incased, unaccessible, or broken down. The emphasis of this legislation is to make that the statewide standard.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I rise in opposition to the bill. Now, years and years ago I worked a deal out with the National Rifle Association to get their agreement to decide how we were going to regulate the transportation of firearms. It was so long ago that I had a telegram from the Washington, D.C., office of the National Rifle Association, but it was an agreement. And we said, "When you transport your weapons from your home to your place of business or to the hunting grounds or whatever, it's got to be in a container." And we -- we passed that. That was back in 1983 or something like that. Okay. Then things evolved. You know, you throw your gun in the trunk. Now we've got SUVs and -- and fanny packs so that the guns are so accessible, so we said there -- there's a problem. Okay? And individual cities decided that they were going to pass ordinances to determine how, within their jurisdiction, these weapons could be transported. And there's about, I don't know, twenty municipalities that have passed these ordinances. And it -- it either has to be broken down and inoperable, or not immediately accessible, or unloaded and inside a gun case. Those are the options. And individual cities decided to do that. You know - Senator Harmon mentioned this in committee - we -- we respect the fact that there's different attitudes about guns in different parts of the State. So -- there are. There's different attitudes about 'em. It comes up in every debate we have about -- about guns. But in this bill,

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you're coming up to our neighborhood and telling us we can't decide how these weapons are supposed to be transported. It -- it's just -- it's just inherently unfair. And it -- it's just -- it's just really the wrong thing to do under those circumstances. What do you care whether the City of Crest Hill decides to regulate this, or the City of Elgin, or Loves Park? Why -- why -- why are we telling them that they can't pass an -- an ordinance with regards to just the transportation. We're not talking about limiting the one gun per month, or making -- selling of guns and -- this is just how people transport 'em. So, for that reason, I rise in opposition to the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

I believe the previous speaker asked "Why do we care?" And the reason we care is law-abiding citizens in this State who have FOID cards and are transporting their -- their firearms, we care because we drive through those communities. I may travel through those communities or through -- on the interstates of this State, and I believe that if I'm complying with the State law, again that was part of the agreement under the Safe Neighborhoods Act, yes, that the firearms would be unloaded and then meet one of three other criteria - incased, unaccessible, or broken down - that I've met a satisfactory standard and I should not be subject to some local ordinance that might be some variation or version of that and under that local ordinance I may lose the firearm, I may have my vehicle impounded or whatever. And I believe one statewide standard in this type of situation is sufficient and should prevail statewide.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. I, too, would like to rise in opposition on the bill and I'd like to pose -- but first I'd like to pose a question to the sponsor. Would the gentleman yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR SCHOENBERG:

Senator, this is now the second time in about a handful of

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months that a community in my area - the Village of Wilmette - has been singled out for its standards and local ordinances here at the State Capitol. The -- because, indeed, if you look at the list of communities which is impacted by this, the Village of Wilmette is very prominently on that list. Now -- now we heard just a little while ago, when it came to Senator DeLeo's bill, that there was all this outrage and indignation about outsiders supposedly imposing their views on local communities. So, now I have -- through this bill, there are now two communities in my district: the Village of Wilmette, which is apparently the flavor of the month for the advocates of this legislation, and the Village of Skokie, which has its own ordinance, as well as the Village of Morton Grove. So there -- there are three. I'd like to ask you why Wilmette is getting this special treatment?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Well, I think probably the focus here that would -- impact on Wilmette is there probably are -- are law-abiding citizens that live in and around villages like Wilmette or Oak Park, or the City of Chicago, that are traveling through those, that may be transporting firearms and feel that they are transporting firearms within the State statute that provides that they be unloaded, incased, unaccessible, or broken down.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

But why is it -- I -- I'd like to follow up on Senator Cullerton's questions. Why are we apparently reversing the course of an agreement that was reached upon with respect to the Safe Neighborhoods Act when it comes to the -- transporting firearms through communities?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

In my view, in my opinion, we are not reversing or altering the course. We are codifying that agreement here that was reached, that said this shall be the statewide standard and this statewide standard for the transportation of -- of firearms shall

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prevail throughout the State and shall supersede any individual local ordinance that -- that may be passed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. This is my final question. Why is the Illinois Municipal League in opposition to this bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

In my experience, the Illinois Municipal League normally files an opposition slip any time there's legislation that would preempt home rule. And this is a preemption of home rule.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. I would just like to say that I am opposing this bill and I would encourage all of you who feel that the existing agreement that -- that Senator Cullerton alluded to earlier, that we should uphold that agreement. And, moreover, I -- I -- I have to say that I'm troubled in that communities in my area are being singled out for exercising their prerogative with respect to how they wish to view transporting firearms through their community. We just changed the entire State law not that long ago based on an incident in the Village of Wilmette, where the prosecutor actually dropped the charges. We -- think about it, we changed the whole State law over something that never made it through the courts because the prosecutor correctly dropped the charges. Now, we're singling out Wilmette again, because, apparently, what they do doesn't suit the needs of a particular interest. And I would urge us to follow Senator Cullerton's lead, take his advice, and vote No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there's nothing better than a statewide law on these restrictions. As the -- Senator Sieben said, different municipalities have different laws. My goodness, they can pick

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up someone, confiscate their car and what have you. This is wrong. It should be a statewide thing. Absolutely. And I certainly urge all of my colleagues to vote for this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR JACOBS:

So, if I'm a law-abiding citizen and I'm traveling with my gun broken down, cased, and I'm traveling from Rock Island perhaps to Indiana, and I get to Wilmette, which may require a blue ribbon tied around my gun, and if I get to Oak Park, which requires a yellow ribbon, am I in violation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Absolutely, under your scenario. If you don't have the blue ribbon attached, or the red ribbon, or the yellow ribbon attached, you could be subject to a violation of that local ordinance which may -- lead to the, you know, the loss of your firearm or the impounding of your vehicle. It's -- it's that simple.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon. Senator Jacobs, did you have another question?

SENATOR JACOBS:

Senator, is a statewide law a good law?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Wow. That's -- that's a great... Well, we have a -- a ton of 'em, you know, and I -- and I would guess that most people would say that our statewide laws for the majority -- for the most part are -- are good laws - good statewide. However, they're not all good because we do come and try to make changes in statewide laws. In this particular situation, to this bill, I believe that the majority of the citizens of the State of Illinois believe

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that a statewide standard pertaining to the legal transportation of firearms is sufficient and should be the prevailing law of the State.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Cullerton mentioned in his remarks that I made a point in committee, and I'd like to make it again for the -- for the Senate. We, in the metropolitan Chicago area, are genuinely concerned about the proliferation of guns and the consequences of gun violence in our districts. And we do come forward with gun safety measures, and every time we do, we are accused of disrespecting the culture of central, western and southern Illinois, which does have a different attitude and view about guns. But we're accused of trying to ram down your throats our view of the world on guns, and I will be the first to admit we are probably overreaching at times, but we're doing so out of desperation because children in our districts are being shot, because it is such an awful problem and we have such a different world view on guns. They are not used in my district for hunting or for sportsmanship. They are used to kill people. And kids are dying in -- in my district because of gun violence. Now, if you ask me to respect the culture of the gun in southern and central and western Illinois, I believe we can work together towards compromise. But when you bring -- you -- those State rules into my district and tell me that Oak Park can't regulate hand guns as we see fit in our community, you're doing to us what you always accuse us of trying to do to you. If we want to seek compromise, we should put that on the table and try to reach compromise. But just because you have the votes, that works - but it doesn't -- it doesn't make it right. I would like to work with everyone in this Chamber to try to find some sensible compromise that respects the culture of the gun in southern, central and western Illinois, and is sensitive to some extent to the pervasive violence that we face in our community and the racking body count that we see in our districts everyday. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, briefly: I stand in support of Senator Sieben's bill. An earlier speaker referred to some legislation we voted on not long ago about annexation and water services. That is at best a faulty analogy. The annexation and the water services are not driving around the State. This just regulates transportation. It is not a blanket preemption. I appreciate the -- the feelings on the other side of the aisle, particularly with regards to this issue. But we are talking about constituents of all of ours who are driving across this State and have to worry about what's the ordinance here, what's the ordinance there, what's the ordinance there. In a situation like that, preemption is very appropriate for everyone who lives in the hundred and two counties in Illinois. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Thank you very much. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR SHADID:

Senator Sieben, I'm looking now at the present law about how you can transport your weapon and if I might read it, it has to be broken down and in an inoperable state, not immediately accessible, or unloaded inside of a gun case, shipping box or other container. And some of the cities that now have ordinances that say you can't have a gun in their city, well, they shouldn't have to worry about this. You're not supposed to have a gun in their city anyway. And my concern is, if you're traveling from city to city, how are you going to control how -- if you're in the right or wrong in any city? I don't think you can improve on this and I don't think we've had any complaints that I'm aware of, and this is not the right way to transport your weapon. I think it's the right way. I -- until someone proves to me it's not the right way, then I'm going to support your bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben, to close.

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SENATOR SIEBEN:

Well, thank you very much. I appreciate the comments of all the speakers. And I wish there was an easy way to solve the problems of the violent crimes that are committed in some areas of this State by non-law-abiding citizens who choose to use guns in the commission of crimes. But those are not the responsible citizens of this State. Those are not the responsible citizens that have FOID cards and are attempting to meet the -- the State laws on the transportation of firearms. So, I'm sensitive of those. And I think the previous speaker just stated it clearly, that the agreement that was reached, that was negotiated by all the parties involved, including the City of Chicago and the Mayor's Office, that were negotiating the Safe Neighborhoods Act for nearly a month of overtime, Special Session, in that December that we spent here, that agreement by the parties involved was this State's statewide standard of unloaded, incased, unaccessible, broken down. It was tough enough, as tough as you could be, and that that statewide standard should prevail and should be the law of the State. I think many citizens of this State believe in the Second Amendment to the Constitution that the citizens of the State have the right to own and bear arms and those rights should not be infringed. And because of that reason, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 2104 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 the question, there are 34 Ayes, 25 Nays, none voting Present. Senate Bill 2104, having received the required constitutional majority, is declared passed. Senate Bill 2105. Senator Lauzen. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

Thank you, Mr. President. I have a question of the -- of the Chair. Did the bill that we just considered, did it require a supermajority of votes as a preemption of home rule?

PRESIDING OFFICER: (SENATOR DEL VALLE)

The bill required a simple majority. Senator -- Senator Ronen, for what purpose do you rise?

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SENATOR RONEN:

On a point of personal privilege. We're...

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR RONEN:

We're honored... Thank you, Mr. President. We're honored to have in our Chamber today - I don't see him now - my predecessor, the great Senator. I don't see him. I don't see him, but I think he's here. Senator Art Berman. Will everybody please welcome Senator Art Berman to the Illinois Senate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Art Berman. He was here. I think we all saw him. Senator Silverstein, on Senate Bill 2111. Madam Secretary, read the bill. Senator Silverstein seeks leave of this Body to return Senate Bill 2111 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 Senate Bill 2111. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein, to explain your amendment.

SENATOR SILVERSTEIN:

Thank you, Mr. President. The amendment adds the words "special government agent" to -- as defined in the -- Illinois Governmental Ethics Act. This was a request from Senator Dillard.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Just a couple things. I think the Fiftieth Ward of Chicago is overrepresented here with Ira Silverstein who's its Democratic Committeeman, former Committeeman Howie Carroll is running around here, and now Art Berman, Senator Ronen says, is running around here. So, there's a lot of Fiftieth Ward types. I just want to thank Senator Silverstein for putting this amendment on, which was an idea from our caucus, the Senate Republican Caucus, led by Senator Radogno and Senator Watson, myself and Senator Roskam, for putting this

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expansion of official misconduct on this bill. And we look forward to working with Senator Silverstein on this matter. So, I thank Ira for putting on the Senate Republican Caucus amendment. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein moves the adoption of Amendment No. 1 to Senate Bill 2111. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2111. Senator, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2111.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. Regarding Senator Dillard, I'd like to offer him a membership into the Fiftieth Ward if he wants to join. But in all -- and seriously, this creates the offense of public contractor misconduct. It's a Class 2 felony, an initiative from the City of Chicago. I'll take any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 2111 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2111, having received the required constitutional majority, is declared passed. Senator Demuzio, on Senate Bill 2112. Senator Demuzio seeks leave of this Body to return Senate Bill 2112 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 Senate Bill 2112. Madam

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Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. Senate Bill 2112 amends the Public Community College Act regarding the composition of the Illinois Community College Board. What this does is that beginning July 1, 2005, one of the members appointed by the Governor, with the advice and consent of the Senate, must be a faculty member at an Illinois public community college and also one of the members must be a community college trustee. What this does also is requires that -- it specifies that these requirements apply only to the State Board, the ICCB, and do not affect the community college districts' board. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 2112. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2112. Senator Demuzio. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President. Again, what happens is that under this bill, one of the members of the Illinois Community College Board appointed by the Governor must be a faculty member at an Illinois public community college, and this will add one member, also must

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be a college trustee. And clarifies that these requirements do not affect local community college boards.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 2112 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 the question, there are 58 Ayes, none voting Nay, none voting Present. Senate Bill 2112, having received the required constitutional majority, is declared passed. The State Journal-Register and WICS-TV requests permission to videotape and to photograph. Hearing no objection, leave is granted. Senate Bill 2114. Senator Harmon. Senate Bill 2116. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2116.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, Ladies and Gentlemen of the Senate, this bill is supported by the Transportation Committee of Illinois, a group of more than three dozen business and labor and local government groups. Senate Bill 2116 eliminates the Road Fund caused -- the diversion of the Road Fund caused by the CMS efficiency program. The amount returned to the Road Fund is twenty-one million dollars annually. And I would encourage my colleagues to think in the future about stopping -- allowing the sweeps which we gave to the Governor two years ago. And I would hope that this is the beginning of that push and we take back control of this State. Thank you very much and I appreciate your consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2116 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 the question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 2116, having received the

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required constitutional majority, is declared passed. We will proceed to page 3 on the Calendar. The top of 3rd Reading. Page 3. With leave of the Body, we will return to Senate Bill 2 and Senate Bill 4. Senate Bill -- Senator Meeks, for what purpose do you...

SENATOR MEEKS:

For the purpose of an announcement. Very important Senate legislative matter. In an attempt to help the shoeshine guy out, the James Caucus - James DeLeo, James Meeks and James Clayborne - we paid for a shoeshine for every Member of the Senate. We gave out coupon vouchers so that your shoes could be shined for free and only one Senator has taken advantage of the free shoeshine. And I think that if -- if we don't take advantage of this free shoeshine, we will bring State government to a screeching halt. And so I'm urging everybody to take advantage of your free shoeshine so that we could help the shoeshine guy out. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator Meeks, for that announcement. Senator Sieben, for what purpose do you rise?

SENATOR SIEBEN:

Thank you. To respond to the gentleman's comments: I want to commend the -- the James Caucus for their thoughtfulness for Billy Ray. He's an outstanding individual. Last year we helped him celebrate his birthday and it's a wonderful thing you're doing. I have my certificate here and I wanted to explain the reason I haven't redeemed this certificate. It says, "One free shoe shine." So do I pay for the other shoe? I'm more than willing to do that. But if you still have your -- certificate, you might add to their generosity and yourself pay for the other shoe to have it shined. Thank you, Mr....

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, Senator, I'm sure the Caucus will pay double for each shoeshine. Senator -- Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Well, I guess with that in mind, it will work for Senator Haine.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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We're going to proceed here. Senator Emil Jones, on Senate Bill 5. Senator Clayborne. Senate Bill 7. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 7.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Senate Bill 7 would certify certain areas suffering from a shortage of medical services as a health care enterprise. Specialists, general practitioners, advanced practice nurses, physician assistants, a dentist, an -- optometrist, pharmacists, which practice in at least fifty percent -- which practice -- which their practice is at least fifty percent of their time in the zone will receive tax credits as long as they continue to practice in these zones and are in good standing. The estimated -- this amends the Property Tax -- Property Tax Code, allowing taxing districts within the zones to abate health care facilities up to five million dollars per year. This is supported by the Illinois Academy of Family Physicians. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator, how are the zones created and how are the specialties determined?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

The specialties were -- I mean, the specialties are -- are created based upon what they believe are needed. I guess as -- as relates to obstetricians, gynecologists, neurologists,

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neurosurgeons, are -- are what they're looking for.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Senator, how often is this list - both the zones and the specialties - revisited? So, in other words, you know, with this crisis and this meltdown and this fleeing of physicians in Illinois going to all of our -- well, to many of the border states that have dealt with medical malpractice reform far better than have we so far, is this visited -- revisited frequently? So, in other words, the neurosurgeons that aren't in Will County anymore because of the crisis, if this moves to another county - Kane County - how -- how quickly and how responsive is this?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

These zones are already created. We're just giving them an incentive. They go from Adams County to -- it -- it's ninety-three counties, actually, in the State that currently qualify within this medical zone.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator, for the answers. And to the bill: You know, this is medical malpractice reform light. This -- this is really a very weak attempt to try and lure physicians, who are fleeing our State in record numbers, back into Illinois. This -- the whole -- the whole issue generally five and ten years ago was sort of a theoretical issue - the -- the notion of -- of doctors leaving. And it was perceived by some that they were leaving and they were just sort of crying wolf. Well, they're not crying wolf. They're leaving. They're leaving in record numbers in southern Illinois. We know of one county where within one year a complete aberration - a hundred and sixty physicians left one particular county. We can do better than this. We can do better than taking tax -- public tax dollars, setting them aside, to try and create an incentive for people to come into Illinois. I think we -- we need to -- to defeat this bill. We need to move a real substantive tort reform bill to the Floor. That's the

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solution and I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you very much. I agree with Senator Roskam who characterizes this as medical malpractice reform light. You know, if -- if you ever need a symptom - since we're on medical diseases and trying to keep physicians in Illinois - a symptom that we really have a problem in Illinois, just the simple fact that we have to create a health care enterprise zone ought to tell this General Assembly that we have a major health care access problem and we need to fix the medical malpractice crisis in this State right now. And it's pretty ironic and it's pretty sad that we got to create a health care enterprise zone which is going to cost the Common School Fund of the State of Illinois money. It's going to take money away from the mentally ill and senior citizens and all of the other fine programs that the State has to offer. And I think we've reached a new low when you got to have a Health Care Enterprise Zone Act to beg physicians to stay in the State of Illinois and we're doing nothing, nothing on medical malpractice reform to keep physicians in the State of Illinois. And even to make matters worse, this bill will cost taxpayers money because we got to not take taxes from people to stay here and provide health care to our citizens and this is a - - it's really an oxymoron. It's really, really, really a sad day when we got to create a Health Care Enterprise Zone Act because we can't take care of the business of tort reform and we're taking money from senior citizens and the Common School Fund to feed the trial lawyer beast of Illinois. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Raoul.

SENATOR RAOUL:

To the bill: Thank you, Mr. President. I rise in support of this bill. In the State of Illinois, there are -- there are counties in geographic areas where there are -- quite frankly, there are not doctors leaving, but they're still -- still within the State of Illinois with the same laws that apply statewide. I just happen to be the son of a physician who concentrated his practice in a -- underserved area within the City of Chicago that

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many physicians didn't choose to serve in. And -- and sometimes what we need is something to incent people to focus, whether it's with regards to medical services or whether it's business. We -- we -- we -- we -- we -- we incent businesses to come to areas where they otherwise do not elect to locate themselves in. And -- and -- and so I rise in support of this bill, because I don't believe it's -- it's medical malpractice solely that dictates -- medical malpractice reform that solely that dictates the decision for physicians to concentrate their practice in a -- in a particular geographic area.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR LUECHTEFELD:

Senator, you know, you -- you have been honestly one of the few people on that side of the aisle who have given the medical malpractice reform more than lip service. I mean, you've been stand-up on that issue and -- and I -- and I really appreciate that. Would -- would you say that we really wouldn't need this if we could get some serious medical malpractice reform?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

The two have nothing to do with each other.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, we agree on an awful lot of things, but I -- I think this -- that statement is -- is really one that I disagree with. I mean, certainly it has magnified the problem. You know, I -- I agree that there are some rural areas and maybe some low-income areas that -- that do have problems. And -- and I -- and I agree with that. But this is -- you know, the fact that we -- what we've done is simply ignore the medical malpractice problem and it has magnified the problem. I mean, you know, you -- you may

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be right, there might be a few areas that do need help. But we have, you know, your -- your statement there I think is really wrong. We have just blown this out of proportion with what we've refused to do on the medical malpractice area and -- and hopefully you can work with us to get something done, because this is really -- we've not done our job on this issue. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, I stand in strong support of Senator Clayborne's initiative and I -- you know, he has a lot -- he has thick skin and I don't have to speak for him or anything like that. But I'm a -- a tad discouraged. At least Senator Clayborne is attempting to address an issue that that side of the aisle has said is very important to them and I think he should be supported. One Senator said it's medical malpractice light, but I just want to point out to him, since he is a beer drinker, light beer is still beer, Senator. I think this is a great attempt and we should support Senator Clayborne in his efforts. We should have fifty-nine green lights up there. He's doing something. Some of you, I guess, it's all or nothing at all, but around here, you know, sometimes you can't get everything you want and this is a great first step.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator Clayborne, I -- thumbing through your bill, I was looking through the definition section. And people who are in, quote, "good standing" under your legislation would be entitled to the tax credit. I want to read the definition of "good standing". Means "the individual has a good disciplinary record and has no more than three medical malpractice judgments or settlements in the preceding four years." Now, is that your attempt just to be extraordinarily generous with individuals who

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might be able to access the tax credit or is it a recognition that there are just too many lawsuits in Illinois?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

I guess to answer your question, we're trying to make sure that we have good doctors, good physicians that come into these areas.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Then, can you help me with the connection between someone who has three medical malpractice - now it's not lawsuits; they haven't been sued three times in the last four years - judgments against them or settlements in the last four years, the connection between that definition and good physicians or good health care providers? I mean, who drew up that definition and can you -- can you tell me how that's going to improve health care?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, as -- as I've been told, the -- this actually came from New Jersey, but the family physicians support that definition.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: I -- I appreciate, Senator, your answers and I have concern for the family physicians, but I'm -- I have a lot more people in my district who are going to be cared for by the family physicians and I think that this definition is extraordinarily loose. Aside from the other comments that have been made with regards to this bill that this is, at best, a half-hearted attempt to address a very, very -- a serious issue here in Illinois, I think we need to be a little more careful about who we're affording the tax credit to. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President, Members of the Senate. As I stand here and hear so much about malpractice; how hard the Senator has worked to solve the problem, that you admire him; he comes up with an idea to help southern Illinois with a crisis that they're faced with across almost the State of Illinois, comes up with an idea to encourage doctors to come in and help with some type of a primary health care, as well. I think he should be commended. I think you ought to give him the opportunity to at least experience the opportunity of this Enterprise Zone where doctors might -- and nurses, pharmaceutical people might want to come in because there's an incentive for them to come in. Right now, with no money and no incentive, nobody's coming. Why not give him an opportunity to have the experience of giving those doctors and nurses an opportunity to come into an enterprise zone and get some tax relief? Please vote Yes on this particular bill and help Senator Clayborne.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. And I appreciate the comments from my side of the aisle and the supporters. You know, I do want to address this, and -- and as -- as I said to one of my colleagues before, this is not medical malpractice reform. Unfortunately, we live in a -- in a -- or maybe fortunately, we live in a diverse State and what a lot of us take for granted, other areas don't have. And as -- as my colleague Senator Raoul said, there are shortages in urban communities where you don't have certain specialties. There are shortages in rural communities where you don't have specialists and it has nothing to do with medical malpractice and premiums. That's just not a desired place to practice medicine. So all this bill does, it creates an incentive for those people, those physicians, those specialties to look at other areas that -- where the practice traditionally is not that glamorous, you're not going to make that much money, but health care is needed. Now, if you're truly on the side of the physicians, you can't pick and choose when you're going to support them. If you're

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going to support them, you support them every time they say that this will help them. So, I would ask for you to think about those people in those rural areas, those urban areas, who don't have access to health care, and it has nothing to do with premiums, but it has everything to do with access to good quality health care. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 7 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 the question, there are 37 Ayes, 21 Nays, none voting Present. Senate Bill 7, having received the required constitutional majority, is declared passed. Senate Bill 8. Senator Clayborne. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR SANDOVAL:

I -- I'm ingratiated with the honor of being visited by Hispanic businessmen and -- and community leaders from Chicago and throughout the State of Illinois. Like to give a warm welcome to Luis Alva, the Associate Director of the Little Village Chamber of Commerce; also to Miguel Saltijeral, who is a member of the Hispanic-American Construction Association; and Juan Rangel from the United Neighborhood Organization, of Pilsen. These three prominent businessmen and community leaders are here in support of SBC 1700 bill, sponsored by my colleague Jim Clayborne. Like to give everyone a round of -- welcoming to my esteemed colleagues.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to the Senate. Senate Bill 9. Senator Link. Senate Bill 9. Senator Link. With leave of the Body, we'll come back to Senate Bill 10. Senate Bill 11. Senator Halvorson. Senate Bill 14. Senator Emil... Senate Bill 15. Senator John Sullivan. Senator Sullivan seeks leave of this Body to return Senate Bill 15 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order

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of 2nd Reading is Senate Bill 15. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. One -- Amendment No. 1, offered by Senator John Sullivan.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan, to explain your amendment.

SENATOR J. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment basically becomes the bill. I'll be happy to address it on -- on 3rd.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not -- Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. Just to the bill: I want to thank the sponsor. When you first introduced it, it excluded the large counties altogether. We raised concerns, you responded to that, redrafted it, amended your bill. But just want to make sure our Members understand that there are about fifteen counties that have access to about twenty percent of the funds that would be generated, of course subject to appropriations. That was zero. But now these fifteen counties can access at least twenty percent. It's a start. Appreciate your -- your efforts.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan moves the adoption of Amendment No. 1 to Senate Bill 15. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 15. Senator John Sullivan, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 15.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. Senate Bill 15 amends the Build Illinois Act with regard to micro-business loan programs. It creates a rural micro-business loan program to be administered by the Department of Commerce and Economic Opportunity. They will make loans to rural micro-businesses. At least eighty percent of the loan funds will go to rural micro-businesses in counties with populations of a hundred thousand or fewer, which is what Senator Winkel referred to. The program is intended to give small and start-up businesses a better chance at loan approval as -- at competitive loan rates and terms. I know of no opposition to the bill. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

Yes. The Ag Committee passed this unanimously. Recommend a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RAUSCHENBERGER:

Senator Sullivan, we appreciate the work you've done on this, but there are rural areas in almost all the counties of the State, perhaps with the exception of Cook County, and there are small agribusinesses, certainly in Kane County, which is above the population threshold. Can you share just for a minute why, even though we have rural micro-businesses in our area, that we would want to pass a statute that specifically excludes their participation? You know, it's hard for a Legislator like me to go back and tell my rural agricultural miniature businesses that they have no access to this program because I didn't speak up on the Floor and I supported a program that explicitly excludes. I mean, obviously, the -- my residents from the City of Elgin are not going to be applying for this anyway, but there are rural areas throughout Kane County that would fit every other

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description in the bill, except for the fact they're located in a county that you've explicitly excluded.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Senator. It's a valid question. As a matter of fact, it's a question that came up in committee. Senator Winkel brought it up in committee. You know, our thought behind this is, first of all, some of the smaller rural counties, first of all, simply don't have the resources that some of the larger counties have and because -- simply, because of the population and the -- the economy and the revenue that's generated. There are additional and other programs that some of the large counties do have resources that they can help some of the smaller rural businesses. Obviously, we would love to, and I would hope to work with you in the future to -- to try to expand the program to include all counties if possible.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. I'm informed that you have adjusted it for the - - the -- twenty percent for the larger counties. I would just urge you in the future, you know, if this is about targeting rural agribusiness, small businesses, that we ought not to have any kind of county exclusions or limitations in there. I mean, this isn't about running for -- in our districts, this is about helping small business. So I -- I understand where -- how you got there and appreciate your flexibility. Just would urge you, in the future, not to make counties part of the bill at all.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sullivan, to close.

SENATOR J. SULLIVAN:

Thank you. Just to address that concern. You know, part of -- part of the concern is, generally when there's programs like this, obviously, there's never enough money, and the larger counties seem to have the ability and have more access and -- perhaps, political pressure to access those funds. And a lot of times that money simply doesn't make it to -- to some of the smaller rural counties. That's what we were trying to address

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with this bill - to make sure that the -- the money was at least dispersed evenly around the State. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 15 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 the question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 15, having received the required constitutional majority, is declared passed. Senate Bill 16. Senator Demuzio. Senator Demuzio seeks leave of this Body to return Senate Bill 16 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 Senate Bill 16. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes. The amendment is the underlying bill. So I ask a -- a favorable.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 16. 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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 16. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 16.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

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Yes. Thank you, Mr. President and Members of the Senate. Senate Bill 16 is a Power For Jobs pilot program that's been initiated through Commerce and Economic Opportunity. This pilot program is set out with the goal to provide affordable energy assistance to -- to businesses for the retention and also for the creating of -- of a business. So this assistance would come in the form of a tax credit for participating energy -- with participating energy companies. This would start in July of '06, run through June of '08. And we ask -- I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. I just rise in support of the bill. Passed out of committee yesterday unanimously and I would encourage all the Members to vote Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 16 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 the question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 16, having received the required constitutional majority, is declared passed. Senate Bill 19. Senator Clayborne. Senate Bill 21. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 21.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 21 allows Chicago police captains to receive their annual retirement annuity based on their captain's salary, regardless of what happened in the last three years of their voluntary retirement. I understand from the Forecasting and Accountability that the fiscal impact is expected to be very, very minor. I ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Speak to the bill. For those of us on this side of the aisle, this passed unanimously out of committee. It does not have a cost to the State pension. It may have a minor cost to the City of Chicago's pension and I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 21 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 the question, there are 58 Ayes, no Nays, none {sic} (1) voting Present. Senate Bill 21, having received the required constitutional majority, is declared passed. Senate Bill 23. Senator Collins. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 23.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 23 prohibits the State Treasurer from depositing funds or contracting with any financial institution unless they have a certificate stating that they are not a forbidden entity. It also prohibits State retirement systems and pension funds from loaning or investing in any entity unless they have a certificate that states they are not a forbidden entity. This is a bill that I worked on with the State Treasurer, and some of the other proponents of the bill, besides the State Treasurer's Office, is the Citizen Action Illinois, Protestants for the Common Good, Catholic Conference of Illinois and the Illinois Family Coalition. I would like to give a little background before I open the Floor for questions, because I think this is an issue many people are not familiar with. But let me say that the Darfur region of western Sudan is the site of this

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century's greatest humanitarian crisis involving ethnic cleansing and genocidal destruction. Women have been gang-raped. Children have been beheaded or thrown alive into fires, and young men have been mutilated, tortured and murdered. More than three hundred thousand have died. Two million have been displaced and -- and hundreds of thousands face death from malnutrition, famine and disease. The mortality rate at this point indicates that ten thousand innocent men, women and children are dying per month. It is a tsunami in slow motion. It is a Rwanda in slow motion. This is why I am sponsoring Senate Bill 23, a bill to suspend Illinois investment in northern Sudan pending a halt to the genocide in Darfur. It is modeled on the successful 1980s antiapartheid divestment legislation passed by the Illinois General Assembly. It targets the European and Asian multinational corporations that provide critical, economic, commercial and financial support to Khartoum. I have passed out a diagram, how the -- how our State Pension Fund monies and other investments are circumventing a sanction already by going through the foreign and Asian companies. And so I now open the Floor for any questions that my colleagues might have.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. This is a piece of legislation that, obviously, the underlying intent of the heinous efforts that's going in the Sudan is for -- good reason to be for it. And I respect the sponsor and what her intent is. When we met in the Senate Financial Institutions Committee, there were some outstanding questions yet to be addressed by the Illinois banking community, and at that time, we concurred to go ahead and pass this out, understanding that there will still be some discussions and some of the associations will wait to weigh in on that. Since that time, we've now gotten additional information that -- and I'm going to repeat again -- the intent is good. The heinous experiences in Sudan are bad. But there has been legislation that was passed in the State of Massachusetts that did something somewhat similar to this with regards to the atrocities at Myanmar and maybe some know it as Burma. When that came through, the United States Supreme Court ruled nine to zero that that type

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of legislation was unconstitutional in regards to the Supremacy Act. It was the Crosby case brought before the U.S. Supreme Court. And it violated the Supremacy Clause, which Congress had given to the President of the United States the power to develop and instill foreign policy. Stated -- in summary, that it was at odds with the President's authority to speak for the United States among the world's nations to develop a comprehensive, multilateral strategy in relation to foreign affairs. So, I guess, Ladies and Gentlemen, bottom line, when the time comes for you to punch your red or your green, I -- I'm going to - with respect to the sponsor - I'm going to be a No vote. It does not indicate my condoning anything that's going on in the horrible situation of Sudan, but now knowing, walking into a piece of legislation, that on its surface does appear to be quite unconstitutional with the United States. I will be registering a No vote and I wish, you know, all would be sensitive to that as they decide to make their decision. And I do recognize the political opportunity to be a green vote and then, of course, let the lawyers argue it once {sic} more time before the United States Supreme Court.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

I am not an attorney, but I did also see the Burma case. And this is my response: that in the Burma case the law was perpetual. The term perpetual was used with no meaningful link to federal law. In contrast, Senate Bill 23 is inextricably tied to the federal policies inherent in the comprehensive Peace in Sudan Act. In fact, Senate Bill 23 sunsets when the President rescinds the executive order that imposes sanctions on the Sudan. The -- the reason the Massachusetts case is different, they legislated policy prior to the federal law coming out and, so when the -- the Supreme Court looked at the -- the legislation in Massachusetts, they said that because it was in contrary -- in contrast and in conflict with federal law, that's why it was unconstitutional. My legislation is in conjunction with the federal law. It just strengthens the federal law and it is not in any way conflicting with the executive order.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. I stand in support of this resolution. Not only that, I am one of the cosponsors of the legislation. I think that the distinguished lady from Cook County has done an excellent job in crafting this legislation to try to weave it within constitutional parameters that were set out in the case that has been alluded to before. I think that it -- this is an opportunity for us as a Chamber to -- to take a very meaningful step in connection with defunding a -- an -- a -- a nation that is engaged not only in genocide, but literally in -- in martyring people of faith. And I do believe that it is incumbent upon us, if we have the opportunity, to -- to speak from this Senate Floor and to state that we, as a Body, will -- will not tolerate -- we will not support, either financially or any other way, a -- a ruling government that simply slaughters people for their faith. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. First of all, Senator Collins, I'd like to thank you very much for bringing this forward. This is very important. I appreciate the diagram that you distributed among the Members. And, naturally, a picture is worth a thousand words. Just one question and then a -- a comment to the bill in support of the bill. Can you give us an example of three to five financial institutions and U.S. companies that are doing the backdoor investment stream into some of these companies? What's the -- what are the companies and what type of investment are they making into these countries?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Well, if you look at the -- the data for some of the information you have, I received from the Global Security Risk Monitor, which is a very reputable provider of information on foreign assets control. The -- some of the -- as you know, if you look at the other sheet, it says that we have over a billion dollars invested through the State retirement in the other funds.

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The -- what happens is that, because of the foreign countries or -- like one -- one of the main, I guess, companies that do business with the Sudan that we have funds in is PetroChina, which is out of China. There's Alcatel out of France. There's Siemens out of Germany. And Hyundai is another one. So those are just some of the names of the companies, but you can get a more explicit detail from using the provider, the Global Security Risk Monitor, that provides the data and names the companies. I have another comment, but you can ask your question and then I'll go back.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

That was -- that was my question. I -- that's examples of the companies, and then do you have examples of the financial institutions?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

No. I don't have examples, but with the Treasurer's agreement we're going to ask, because if you have a responsibility -- if you're dealing with, in effect, financial institution, I think there should be transparency. And all we have to do is ask and then we will have the names of the companies that we're investigating or making deposits in. So this really puts in place to ask the question and to certify whether we are not -- we are dealing with the Sudan or not.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones. You have one more question? A comment. Proceed.

SENATOR LAUZEN:

Thank you very much, Mr. President. I'm sorry. Just -- now in -- comment in support of the bill. There are some people who would make the argument that by restricting investment into a -- a country that we would be hurting the people who we're trying to help. But, you know, in this circumstance it's very clear to many of us that you can't have less food than no food at all, and you can't have less medicine than no medicine at all. And if we can stop the bombs and stop the arms that go into the slaughter

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of these people, it's a step in the right direction.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I join with those sponsors in strong support of Senator Collins' bill to divest our pension dollars and other of the State tax dollars in a regime that is -- is used for genocide. I recall several years ago this Chamber and this Legislature, which I was the chief sponsor of legislation for the divestment of funds in South Africa. It was only when we acted that other states followed, as well as the Congress followed, which we ended that regime in South Africa. We should do the same identical thing here. So the sponsor's done a tremendous job and there are those who sometimes say, "No. We -- we shouldn't do this." But I don't think any of us want our dollars supporting any type of regime that's going to be oppressive to people, that's going to use genocide tactics and everything. This is a very, very good bill and it should receive unanimous support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: You know, I think Senator Collins has done an outstanding job of negotiating this. She's secured the support of Treasurer Topinka on this. She's modeled this, as President Jones mentioned a minute ago, on South -- the -- the -- the State's past policy to make a decision to reject the apartheid regime in South Africa. And then think about really what we're talking about. This is the direction of State funds only. I mean, that's what we do. That's what the General Assembly is all about. For -- so for us to say, we choose on our own - you know, as the elected representatives of the State of Illinois - we choose not to direct tax dollars and pension dollars and public dollars and so forth to companies that are complicit with -- with this -- this outrageous regime in Sudan. I think it's well-crafted. I think it's very reasonable and I urge its passage.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rutherford, for the second time.

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SENATOR RUTHERFORD:

Yes. It's nice -- nice to be back with everybody again. As I've had the opportunity to reread the United States Supreme Court ruling in Massachusetts -- no, no I -- I -- I -- I am standing again, Senator Collins, and I want to reemphasize about the work that you've done and the things we've done. We have -- we have looked at this. I do believe there are still problems with regards to the constitutionality to it, but out of deference and respect to you, noting that there is difference between this and the Massachusetts case - which I have not had the opportunity to lineate the differences to it - I will respect that and take a good look at the differences as we move this thing out of the Senate, over to the House. If you don't mind, if we do see that there is still questions with regards to the potential constitutional challenge to it, if you would agree that we'd try to address that when it's over in the House, I would appreciate that in that case then.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins, to close.

SENATOR COLLINS:

Before I close, I just wanted to address some of the questions that were raised. In reference to the -- we do have in the legislation an exemption for -- for humanitarian assistance: food, medical care. That is exempted based on the same model of the South African legislation. And -- and just as an educational piece too, as well, there's another perspective to take on this legislation before I get into my close. One of the reasons that the -- President Clinton put sanctions on the Sudan was because of this terrorism. It's -- it's one of the five terrorist states that -- or, nations -- or, rogue nations that have been so categorized by the administration, along with North Korea, Iran, Syria, Libya and the Sudan. And what happened was, that after the bombing of USS Cole, that's when President Clinton put the sanctions on the Sudan, because whether you know it or not, the Sudan was very -- was a safe haven for Osama bin Laden. He had his training camps in the Sudan, as well as Al-Qaeda was stationed there. So it was only after the bombing of the USS Cole that Sudan government asked Osama bin Laden to return to Afghanistan. So it's -- you can approach it from both a

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terrorist, being pro-active and really standing with our President in reference to really being on the forefront of -- of being preventive, as far as protecting the security of our country in that measure. But I also want to say that -- well, I guess I could get into my close, because -- well, let me get into my close. I -- I get -- I'm sort of passionate about this and please forgive me for that. But, let me just say, I am proud to be a Legislator in the Land of Lincoln. President Lincoln had the courage to take a stand against slavery to save the Union. The State of Illinois was also the first in the nation to sponsor divestment legislation that paved the way for the prison release and presidency of Nelson Mandela. Thus, I am asking my colleagues to join with me to be a powerful and bipartisan force for good and take a moral stand against evil, injustice and genocide. We can make a difference, not by deploying our troops, but by deploying our principles. I believe our humanity is somehow undermined when we benefit from the slaughter and suffering of others. However, if my moral argument has not been pervasive enough, I would hope we could join together to say no to terrorism and greed and yes to protecting the safety and security of our children here at home and those fighting abroad. But I believe that we as citizens of the world community have enough courage and compassion to make the choice for justice and say, "never again", and mean it. During past genocides against Jews, Armenians and Cambodians, it was possible to claim that we didn't fully know what was going on. This time President Bush, the evangelical movement, Congress and the European Parliament have already declared genocide to be underway in Darfur. This time we have no excuse and I would love to have an affirmative vote to say still Illinois is in the forefront for the fight for justice. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 23 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 23, having received the required constitutional majority, is declared passed. Senate Bill 26. Senator Clayborne. Madam Secretary, read the bill.

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SECRETARY HAWKER:

Senate Bill 26.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. Chairman -- I mean, Mr. President. At this point, the legislation requires all hospice -- hospices -- volunteer hospices to become full hospices. This will require them to abide by the federal definition of hospice, along with the federal guidelines for hospice services. We're continuing to negotiate to come up with some form of agreement to allow these volunteer hospices to keep their doors open, using a different name when referring to their services. Our main concern is for the people who are distracted with the health of their loved one to recognize that pain medication at some of these places cannot be administered or prescribed. And that an individual who uses such services would have to find a physician and possibly pay for that medication out of their pocket. We're close to having an agreement and because of the deadline I would like for this bill to be passed out so that they can amend it in the House. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator Clayborne, when this legislation was presented in Health -- Human Services Committee, as you -- as you well know, there was pretty vigorous debate on both sides and this has been a difficult and somewhat emotional issue. At the time it was presented in committee, both sides said that they were continuing to meet, that they felt like there was a good possibility they were going to reach an agreement. Before today when you called this bill for a -- a vote, I've talked to both sides who feel like they are in the neighborhood of an agreement

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that would set up kind of a two-tiered system for hospices in Illinois. I mean, can -- I don't -- I don't want you to preempt what's going on in the negotiations, but I think for the people who are in the committee and for, certainly, those Members who are not in the committee for whom, obviously, this is an important vote, can you elaborate to the extent possible on where you think we are going to wind up with this?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- I believe that the real issue now is whether -- whether they will be called volunteer. The word "volunteer" is the only thing that I understand that's being negotiated now.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill: I stand in support of the bill. I voted for it in committee, not because I was happy with the language as it exists right now in the bill, but because both sides were working in earnest to reach an agreement. I think they are much, much closer to that now than they were at the time of that committee vote. And I stand in support of Senator Clayborne's efforts to move this bill over to the House, let them continue to finalize an agreement that everyone can live with. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you, Mr. President. I have to share the frustration of the folks back home who do the volunteer hospice work who have contacted me. This is the second year in a row. We thought that we had stopped the effort to end, you know, terminating volunteer hospice effort. Why in the world would we -- I -- I think that there are maybe six left in the State where people give of themselves in the final moments of a person's life. So important. I get the calls. I bet that you've gotten the calls and you've had the conversations with both the patients who are helped and their family members and then also the volunteers who are transformed by their work in helping us in our

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final days. Why in the world would we say we can't just grandfather? What's so hard about that language? I don't -- I -- I have to share, I -- I admire the -- and -- and deepest respect and affection for the sponsor, but I don't understand what's so hard about saying and insisting to the people who want to make this another government-regulated program that we just grandfather the -- we just grandfather the volunteers in. Why can't we do that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. I voted No in committee on this and I received a note couple days ago from Libby Hoeft. Libby is the wife of former State Representative Doug Hoeft. And as I was thinking about this bill, I don't think there's any way my words could say it any better than what she said it in her note. And so with your indulgence I'd like to read you her note: I am writing to you, friends of the late State Representative Doug Hoeft, to let you know of my experience at the loss of my late husband and how that relates to Senate Bill 26 and House Bill 861. The feelings of loss which I experienced following Doug's death were overwhelming and I needed to have a place where I could talk to others who had experienced a similar loss. I found solace at Fox Valley Hospice, a volunteer hospice which helps support those who have been bereaved by hosting groups led by local volunteers. Fox Valley Hospice is a free, volunteer hospice which would be eliminated if the proposed legislation is enacted. I ask you to consider the future of not only volunteer hospices in this State, but the lack of community support for those who have lost loved ones. When Doug was no longer able to be there for me, Fox Valley Hospice was there for me. We must be sure that it is there for any other member of the community where they -- were they to find themselves in my position. Thank you for your consideration of this issue when a vote is taken. That's why I'm voting No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Raoul.

SENATOR RAOUL:

Question to the sponsor.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RAOUL:

Senator, we've had our discussions with regards to my concerns with -- with -- with this bill and -- and we agreed that there's -- there would be some negotiations ongoing when this would move to the House. One of the things that I wanted to make clear, that within those negotiations, the question of whether volunteer hospices would have to meet Medicare standards when the volunteer hospices do not submit for Medicare reimbursement, to make sure that issue is addressed within the negotiations.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

I'm -- I'm -- I'm supportive of that. I'll work with you on that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Raoul.

SENATOR RAOUL:

To the bill: I share a lot of the concerns raised by colleagues on the other side of the aisle. Again, I've -- I've spoken to -- to -- to the sponsor in great detail about these concerns. This was a very emotional issue in committee. Volunteer hospices offer -- and I -- I should disclose that one of the volunteer hospices within the State is a hospice run by my church, Trinity United Church of Christ - same church of my predecessor. And -- and that's why in the last General Assembly, my predecessor was not supportive of the notion of doing away with volunteer hospices. For me, personally, in addition to the perceived conflict of my church running a -- a conflict -- a -- a hospice, I also have had the experience of -- of -- with my -- late father's death, dealing with supportive help offered by hospices. I -- I beg for the patience of my colleagues on this. I think it's -- it's important that we make sure that underserved communities -- we talked earlier on a previous bill about making sure medical services are -- are available to underserved communities. Well, if you eliminate the volunteer hospices in this State, the service that -- that -- that would be -- that -- that is currently offered to some of these same underserved

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communities that I referred to earlier would -- would not be rendered. So, with the commitment of the sponsor to make sure that this is going to be negotiated and -- and these issues addressed in -- in the other Chamber, despite the fact that I voted No in committee, I'm going to support my colleague on this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Like previous speakers, I have similar concerns and I have a volunteer hospice in my district. I'm well aware of the great work that they do. A question for the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR SIEBEN:

As you negotiate changes in the language of this -- this bill, what do you see -- if that is successful what do you see as the future role and future position of volunteer hospices in the State of Illinois?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

There's no intention on my part to eliminate volunteer hospices. I think there was more of a concern that people be made aware of some limitations that a volunteer hospices -- volunteer hospice has versus, I guess, what you call a traditional hospice.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

You suggested in your opening remarks that as you move forward you were down to the language of what we would call these hospices. What in the world would you call them if they're not going to be called volunteer hospices?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

They have quite a few, I guess, names that they're going through. So the issue is volunteer. Some that have been

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suggested -- or one that's been suggested is bereavement services or bereavement program. So, again, there's no intention on my part to put anybody -- take services away from those who need truly at a time in which they're vulnerable.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. I think given those assurances by the sponsor of the legislation that there will be nothing done that will eliminate these kind of services and the -- the access to people that need 'em, I will support the legislation and move it over to the House.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Yeah. Thank you, Mr. President. I rise in support of the Senator's bill and I wanted to just say a supportive word about hospice programs because I think they're one of the finest types of services and programs that we've had to offer, and as some of you probably know, it emanates from federal requirements. So every state in the nation provides these wonderful, holistic services to people in the last six months of -- of life. And -- you know, I'm speaking today because, unfortunately, I -- I have -- I -- I have had experience with hospice, probably more -- more than I would like. But I -- that experience taught me how important they are and -- and how critical they are to -- to people. And I want to make clear what was trying -- what we're trying to do here is create a system where everybody gets that kind of service. And when somebody goes into a hospice, they are provided with the kind of hospice services that traditionally go along with that. The only discussion here, that I think we've had in committee, is what we -- is a -- a matter of -- of language and what other services are called. And a fear -- and let me just say on a personal note, I'm -- I'm very pleased that the Senator is moving this bill forward and -- and I think there is agreement up until, you know, very, very small issues that need to be decided. But what we always have to be concerned with in this General Assembly when we're providing health care services to people is that we're -- that we always take the

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position that a two-tier system is not good; that whenever we're creating a two-tier system where certain people get a whole host of services and others just get a portion, we be very, very deliberative about how we do that and make sure that people going into programs understand that they are in this second tier of programs and don't expect that they are getting a whole -- the whole -- panoply of things that they would expect, because we're talking about people at a very critical point in their life, at a very vulnerable point in their life. And just want to say that the -- the hospice palliative care programs across this State do wonderful, wonderful things, and anything we can do to help to support them and help to have more and more Illinois people throughout the State take advantage of them, we should do. And that's why I'm voting Yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Indicates he will yield.

SENATOR WOJCIK:

Senator, in my analysis I see that this was initiated by the Hospice of Northeastern Illinois. Is that the group that's located in Barrington?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

It was the hospital -- I mean, the Hospice Association. Right.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wojcik.

SENATOR WOJCIK:

So, it's not the Hospice of Northeastern Illinois that is located in Barrington, then? It's just the Association, is what you're saying.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

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That -- that's correct. It's the -- the Association.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wojcik.

SENATOR WOJCIK:

Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you very much. I just want to make a comment to the sponsor. I am certainly aware of the hospice program, both in the full service and the volunteer. And having the Woodhaven Hospice and Special Support Services in Jacksonville, that's -- becomes a very important part of that community and they really do do a large amount of volunteers. So I have had several of them comment to me that they want to make sure that they continue to act as that volunteer. On the other hand, I also, too, personally know how important it is to have the full hospice team in your home and to be a part of your lives. And I wanted to make sure that we continue to keep our full hospice intact and also be able to have those wonderful volunteers out there, too. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen, for a second time

SENATOR LAUZEN:

Thank you, Mr. President, for your indulgence and the indulgence of the group. The reason for I -- why I rise a second time is to actually get an answer to what might have appeared to be a rhetorical question, but wasn't. I would ask my colleagues to look at what government regulations -- what government regulations have done to health -- health care services in Medicaid/Medicare, in the cost and the delivery of these health care services. I wonder out loud, why is it that government-funded and -regulated hospice will be allowed to use that word, but volunteers will be restricted from using that. I believe that the meaningful way that we can show our support for the volunteer hospice caregivers and the families that they serve and to send a -- a solid message to the negotiators is to vote No on this bill. But the -- the question I would like to ask for -- for actually an answer is, why not -- why not grandfather just

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six established agencies that are providing volunteer hospice now? Why not just grandfather them? What was so hard about that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Lauzen, the basis of this bill is just to make the general public aware of differences between volunteer hospices and -- and full-service hospices. So, I understand what you're saying and that's why we're committed to both sides sitting down and coming up with a compromise that they believe will address not only those six, but maybe there are another six that want to offer services somewhere else. So, I think with the negotiations, you continue to allow more than just the six, but other services to -- to the prop up other places.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Just a question to the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR SYVERSON:

Senator, I appreciate your work on this and I know this is a very difficult issue. Just want to clarify, the end result, what you want, is that we'll continue to have a two-tiered system, one that will be more of a medical model and one that will be a nonmedical model. Is that -- am I on the right track with that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Right. One -- one will probably be more of a social model and one more of a social/medical model.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Syverson.

SENATOR SYVERSON:

And allowing both to use the word "hospice" so it's not confusing, they would be required just to explain to their patients that they were either a social model or that they were a medical model. I know some people are concerned that if using

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the same name, it gets confusing. Well, you know, people go into the -- they drive down the street and they see a -- a Dr. Jones, family counselor, and they go into see this Dr. Jones and he's a psychologist; he can't prescribe medication. There's Dr. Jones on the other side of the street, who's a psychiatrist. They're advertised the same -- same way, but they identify themselves when they go in -- when the patient goes in there to see them. So, I hope the goal is not to necessarily take the way, and I guess that's the question -- the goal is not to take away the word "hospice" from either one of the -- the models - the social or the medical model - it's just making it clear that there's identifiers to the family that they are either a social or a medical model. Would that be...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

That is correct. That's correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is that the last question, Senator Syverson? Senator Syverson.

SENATOR SYVERSON:

I just wanted to thank the Senator again. I know there's been a number of meetings on this and I appreciate what you're doing to try to solve a very difficult issue. So, thank you. I plan on supporting it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you. And I appreciate all your comments and -- and your support. You know, as I previously stated, the goal is just to upstate -- up -- update standards and services, not to -- not to make the volunteer hospices apply for Medicaid funding or to close their doors. We just want to make sure that everybody's aware of the services that are provided. And as -- as I was saying to my -- my colleague on the other side of the aisle, maybe this allows for others to open their doors up and to provide social services as well. I would ask for your favorable vote to allow them to -- continue to negotiate, in which I believe that they -- they've told me they're very close and we

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should have something that will come back that we all can be proud of. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 26 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 the question, there are 43 Ayes, 14 Nays, 1 voting Present. Senate Bill 26, having received the -- required constitutional majority, is declared passed. Senate Bill 27. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 27.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 27 amends the Chicago Municipal Employees Act. What this would do is for the pension, to allow certain widows of members who remarry after they withdrew from service to be eligible for the -- widow's annuity. Let me give this to you in very short layman terms. Senator Righter brought this up in committee - who and what is about. There's -- it's estimated for the fiscal impact to be very, very minor because it only affects one widow. It provides that -- it only applies to the widow who's not receiving annuity and there's a very short window and we found out that this was Senator Molaro's bill - now Representative Molaro - and we passed this last year and it got caught up at the end of Session; we didn't do any pension bills. So I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 27 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 the question, there are 46 Ayes, 11 Nays, none voting Present. Senate Bill 27, having received the required constitutional majority, is declared passed. Senate Bill 28.

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Senator Silverstein. Senator Silverstein seeks leave of the Body to return Senate Bill 28 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 Senate Bill 28. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein, to explain your amendment.

SENATOR SILVERSTEIN:

Thank you, Mr. President. The amendment deletes the underlying bill and just inserts a provision that holds that any motorist that is convicted of not being insured is guilty of a petty offense and shall be required to pay a fine of five hundred dollars. This was drafted by the Secretary of State's Office.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Silverstein moves the adoption of Amendment No. 1 to Senate Bill 28. 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 KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 28. Senator Silverstein, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 28.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Again, like I said, the -- it's -- the bill inserts a provision that any motorist being convicted of not being insured is now guilty of a -- a petty offense. It requires a fine of five hundred dollars.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. This is a good bill. It came out of Transportation unanimously and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 28 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 the question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 28, having received the required constitutional majority, is declared passed. Senate Bill 29. Senator Clayborne. Senate Bill 30. Senator Haine. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 30.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. And I ask the indulgence of the Senate in this. This has been an ongoing process which will continue to go on, I hope, in the House. This was originally a bill -- Senate Bill 30 amended the Juvenile Justice Act as it pertains to truancy. It's an initiative of the Collaboration on Youth, the Illinois Juvenile Justice Commission, the Illinois Probation and Court Services Association and a number of other groups. It required that before a minor could be brought into juvenile court and adjudicated, there had to be a provision of services by agencies that are licensed by the State to deal with truants and their families. The bill was initially opposed by the ROEs of Illinois. We filed an amendment, working with them. In fact, we're going to amend that amendment in the House. But, however, through a snafu on posting before the Judiciary Committee, the amendment could not be heard. And -- but the amendment has brought most of the ROEs neutral and some of them are for the bill. And I would ask the indulgence to pass the underlying bill. I've talked to my Representative Beiser, who's going to

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pick up the bill. He's a former schoolteacher and he said he would abide by the agreement in the Senate as we have worked out with the ROEs.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Just wanted to verify what Senator Haine had said. We called the bill, initially it didn't have enough votes and then we wanted to -- we -- we -- because it didn't pass, we failed to repost it for the following week, where he was able to work out an agreement from what I understand. So, that's why there was a snafu. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. Just, briefly, to the bill: This has been a -- somewhat of a controversy. We -- we've -- at least between us. And, you know, we -- we have -- have worked with the sponsor on this and he has worked very hard at trying to accommodate concerns that I've expressed in committee and I appreciate the -- the efforts that he's -- that he's gone to. I -- I have some basic, fundamental problems with creating, perhaps, some -- some new hurdles in trying to enforce truancy. I think truancy is sometimes overlooked. I think truancy is certainly an early indicator of problems for our youth. As they -- as they drop out of school, they don't have the -- the skills to get jobs. They tend to get into trouble. That's not true for all of them, but we see that so many times that the people in our jails and our prisons don't have the education that they need. We need to be tough. We need to make sure that truants are identified and that we take steps that are prompt in getting the services to them that we -- we need to get to them. But the basic bottom line is, we need to make sure that we get these kids back in school so they get the skills that they need to get jobs and can -- can go on with their education, go on to be productive citizens. That being said, I understand in this process - I learned from the Committee Chairman; he taught me this lesson - that if you don't like a bill and maybe the sponsor goes back and

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tries to improve it, that maybe it is an improvement, even though you might not like it fundamentally. This is the case here. I -- I fundamentally don't like the approach, but I do appreciate the sponsor's efforts to address the concerns to make sure that the ROEs remain involved in the front end of this process and really in control of that process. And as I understand this anticipated amendment, just in case the services aren't available in some parts of the State, that that will not be an impediment in moving the truants along in the process. So, again, I appreciate the -- the -- the sponsor's efforts. I trust him implicitly. He tells me he's going to put on an amendment in the House, I know it's going to happen and I'm going to support this effort.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

He will yield.

SENATOR ROSKAM:

Senator Haine, the proponents of the bill, when they were -- they were testifying, it was very clear that they had basically a -- a perspective. And the perspective is one that -- that is shared by many - not everybody - but shared by many and that is, basically, that, you know, sort of the -- the mantra of truancy is not a crime. Right? But it -- as -- as you're -- and we -- we learn to sort of read some of these witnesses that come in and -- and really what they're saying. It seemed to me that they would be a group who would be very reluctant to ever make a certification, which would be required under your bill, that would allow a State's attorney to move forward with one of these petitions. Can you speak to that? Just kind of the feeling of these people, you know what I mean? These were not people that -- that by their testimony, and so forth, demonstrated, "Hey, yeah, we're -- you know, we're -- we're going to be quick on the switch." What happens, Senator, if you run into somebody that says, "We're not going to certify?"

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

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SENATOR HAINE:

Thank -- thank you, Senator. I appreciate that question. In fact, that -- under the original bill, that was precisely the concern. I think that is correct. I'm not -- I mean, I don't want to characterize the proponents -- some of the proponents, but under the original bill that would have been the case, they'd have been in the control of whether to certify. But after the exchange over the weeks with Senator Winkel, we put in the provision that now they report on a -- a timely basis the facts of whether this youth is cooperating. The ROE is the one who still pulls the trigger and maintains a control over that. So -- so, in -- in a way, it's a checkmate of anyone who through altruism may not want to pull that trigger. But -- the -- the -- and the -- the ROE then must certify to the State's attorney to file the -- the petition in juvenile court.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

So, Senator, it's -- it's not the agency that makes the decision? So my -- my -- my question and my concern is, if you have an agency that says, philosophically, "We're not going to make this referral." Are -- are you saying that, under your language, the ROE can -- can reach in, take jurisdiction back and make the referral to the State's attorney?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Under the amendment, that is the case. That is absolutely the case and that's what Senator Winkel raised and the -- the -- these proponents agreed with that. The ROEs had a complaint and we -- they're now in the driver's seat again. They pull the trigger based upon the reports, and we even added a provision -- Senator Winkel wanted a provision in there - that at any time they can -- there's a timely thirty, sixty, ninety day - but at any time the ROE can say, "Hey, I want to know how he's doing, because I got a call from the principal of the school, he isn't here." So, at any time they can pull the trigger and say this kid is not cooperating.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Roskam.

SENATOR ROSKAM:

Could you direct me to the portion in the amendment? First of all, I assume the amendment's on the bill, and then could you just direct me to where in the bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

The -- the amendment, Senator, again, which has to be amended again, line 18 -- the -- page 1 of the -- the amendment. The regional superintendent or Office of Chronic Truant Adjudication shall certify. They certify. They're the ones that do the certification.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam, last question. Senator Roskam.

SENATOR ROSKAM:

Last question. Thank you, Mr. President. Senator, it seems to me that the community based youth service agency shall submit reports; that -- that there is still a triggering mechanism that the agency has. Can I just suggest that maybe it's something to take a look at, in -- in terms of a -- a potential problem. I'm sensitive to the time, but it's been brought to my attention. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Thank you so much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Indicates he will yield.

SENATOR MEEKS:

Senator Haine, is this the bill that I carried last year? The answer is...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

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Is this the bill that I carried that you were against last year?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Yes. In fact, I reflected the opinions of Senator Winkel, that there should be some control of it so there's a backup for a -- a sanction. And so the proponents came to me and said, "Okay. What -- what's your idea?" So we worked out the basic underlying bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR HAINE:

Senator Meeks, this is your bill with the -- the hammer in the background that if the child does not fulfill the requirements to the agency, then there's a sanction. They -- they're -- they're brought into juvenile court. But the first step is, basically, the gist of your bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

The -- the end result, however, is that if after all of the steps to rehabilitate a child - get a child to go to school - if it doesn't work, that child can be detained in a criminal institution?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Senator, no, it would be in a juvenile center, but the purpose of the bill was as you brought forth last year, that would be a last resort, and that's why the agencies are there to provide services. This would be a last resort rather than doing it on the front end.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine, to close.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Well, this is a bill, as Senator Meeks pointed out, began with him and now it's proceeded after a colloquy with the

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ROEs of the State, which establishes the principle that, as Senator Roskam pointed out, truancy is not a crime, that there should be services offered to keep truants in school, that there are -- are social service agencies licensed by the -- by the State of Illinois to provide these services, and that if these services are provided on a timely basis, with the -- the amendment, that the -- that the ROE then can be assured, and the school system, that this child is in school, is not truant. And as Senator Winkel pointed out, these are not criminals, they're delinquents, but truancy is a problem. It's a -- it's -- it's a gateway to other crimes in a certain sense that the child is unsupervised, on the street. It's a -- idleness is the devil's workshop, to quote Benjamin Franklin. So, therefore, this is a balanced bill. I assure the Senators that this bill will be amended, consistent with the representations I've made, in the House. And it will end up being a bill that'll be generally agreed to.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 30 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 the question, there are 43 Ayes, 12 Nays, none voting Present. Senate Bill 30, having received the required constitutional majority, is declared passed. Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Senate Bill 41. Senator del Valle. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 41.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Last year, at the very end when we voted on the budget implementation bill for education, there was a provision in that bill that eliminated the testing in Illinois for writing and a couple of other subject areas.

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Because that provision was included at the very end, there really was no opportunity to debate the issue. We were, I could say, kind of forced to vote for the budget implementation bill. But at the time I indicated that the issue of the elimination of the writing exam would have to be revisited. That is what I'm doing with this bill. But this bill is an agreement with the State Board of Education. It was amended to allow the State Board one year to decide on what the proper instrument for writing testing is and it was also delayed for one year to allow for the cost of the testing to be covered in the following budget - not this budget, but the following budget. And so, I ask the Members to please support reinstating it. There is general agreement across the State that this is something that should be done. There are other bills that will be coming up that will also demonstrate the need for reinstating the writing provision. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. I rise in support of this bill and I want to commend the sponsor for his enlightened position here. You know, this writing requirement is really important because the standardized tests - admission tests, if you will - for college, SATs, ACTs, are going to be testing writing more and more. And so this is vitally important. It was in; we had it part of our testing program and -- was taken out. I'm glad we're putting it back in and I hope it stays in. I ask for your -- everybody to support this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 41 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 41, having received the required constitutional majority, is declared passed. Senate Bill 51. Senator Harmon. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Mr. President. I just would like the record to

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indicate I did not get to my switch in time, but would have voted Aye if I had the chance.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. To all our Members, we are going to pick the pace up just a little bit. Please be aware of that. Senator Harmon, on Senate Bill 51. Senator Halvorson, for what purposes do you rise?

SENATOR HALVORSON:

Thank you, Mr. President. I did push my green light, but it didn't show up on the board. So I just wanted the record to reflect that I would also have been Aye.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. To all Members under the sound of my voice, we are picking up the pace just a little bit. Please be aware of that. Senate Bill 52. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 52.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 52 - if you'll bear with me for a minute here - is the product of a -- a long negotiation with respect to the -- the Ticket Scalping Act. What we would do, or have proposed to do here, is to permit anyone in -- residing in the State of Illinois, you or I, to participate in the resale of tickets at above face value for sporting and theater events. I'm sorry.

PRESIDING OFFICER: (SENATOR HENDON)

Senate Bill -- did you want to return to Senate Bill 51?

SENATOR HARMON:

Mr. President, I apologize to you and to the Chamber. In my rush to get back to my desk, I picked up the wrong file.

PRESIDING OFFICER: (SENATOR HENDON)

That's okay. Senate Bill 52. Senator Harmon.

SENATOR HARMON:

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Thank you, Mr. President. Thank you, Senators, for helping me with my -- my bill organization here. Senate Bill 52 would protect the State's ability to invest in venture capital and private equity funds which help both local businesses and the pensioners here in Illinois who benefit from the returns on those investments. We passed a much more primitive version of this bill last year and this is a better bill. The Freedom of Information Act currently protects trade secrets and commercial or financial information. And when the State or a pension fund invests in a venture capital or private equity fund, it often gets that kind of sensitive confidential information as an investor. Other states with similar Freedom of Information Acts have been releasing such information in response to such requests. And the response from the venture capital industry has been to expel or refuse public investors. This bill would amend the Freedom of Information Act to illustrate how the existing protections of the Freedom of Information Act would apply to venture capital and private equity investment and ensure public access to the information about the fund's owners and managers, the companies in which the fund invests and the investment returns earned. This is an agreed bill. The Illinois Press Association worked with me at great length to reach an agreement that satisfied their concerns. I'm aware of no other opposition and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly, to the bill: I know Senator Harmon put in a tremendous amount of time and energy, negotiated a very reasonable bill here, accommodated all of his opponents and we wholeheartedly support the bill.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 52 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 52, having received the required constitutional majority, is declared passed. Senate Bill 55. Senator Roskam. Senate Bill

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56. Senator Roskam. Senate Bill 57. Senator Roskam. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 57.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 57 is a fairly significant firearms bill. It does three basic things. We can -- we've heard some of the pro and con arguments and some of the philosophical things on both sides of the aisle a couple of minutes ago on Senator Sieben's bill. The first thing it does is it closes the gun show loophole. Remember there was a lot of concern, really all the way around, about people that were going and acquiring firearms at a gun show and whether or not they were going to be -- whether or not they were going to be able to acquire those without an appropriate background check. This -- this would end that practice and the background check would be put into place. It's the same language -- Senator Cullerton, as you may know, has a -- kind of a -- a competing gun show loophole bill, and depends on which way you -- you go philosophically on these issues. But where Senator Cullerton and I are in agreement is basically on that first component. So that -- that, actually, shouldn't be very controversial. The second component is preemption. We heard some of the discussion on that and sounds like people's minds are made up, but this would preempt other gun show -- other gun laws in the State of Illinois, with the exception of the City of Chicago. Chicago is carved out. The third component has to do with the maintenance and the -- the -- the building up of records of transactions. There are some - myself included - who are concerned about a database being developed that we think is inappropriate. This would say the following, that after ninety days after a transaction, the State Police would destroy these files insofar as names and addresses and building a database of gun purchasers, for example. There have been examples of people who have been profiled and their doors have been knocked on

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inappropriately, in my view, by -- simply because they have been involved in the purchase and sale of guns. I admit to you that there are some who will find that controversial. But those are the three basic components. The -- to -- to put the destruction of records into a context, this says after ninety days the records are destroyed, with the exception of, you know, if there's an investigation that's ongoing, and the -- the statute delineates -- or, the bill delineates some of those things. So, it's meant to be a good compromise. By contrast, the federal government for their data file has these records destroyed within twenty-four hours. So, we're being, I think, very expansive, trying to accommodate appropriate law enforcement, but not infringe unnecessarily on people's rights. I'll do my best to answer any questions and I'll yield, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Well, the good news is that we all, I think, agree that there is a gun show loophole that needs to be closed. And that's something which, as Senator Roskam said, I have a bill that does just that, very similar to that part of his bill that does just that. So, hopefully, this year we can close that loophole. That's the good news. The State Police, and I believe the City of Chicago, are against the other portion of the bill that Senator Roskam has in this bill, because these records are destroyed. Now, he said that they're not going to be destroyed after ninety -- for all records, they're kept for ninety days and then they're destroyed. If there's a pending investigation, they would not be destroyed. But what about an investigation that starts after the ninety days? Those records have been destroyed. Even though it's a criminal investigation, they're gone. And that's the reason why the State Police are against it. That's the reason why I would suggest vote No on this bill if you -- if you want to support the State Police. But there is another bill coming along that we can support that does close the gun show loophole. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Dillard.

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SENATOR DILLARD:

Thank you, Mr. President. Apparently, we have dueling gun show bills going here, but would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR DILLARD:

Senator Roskam, what happens if both gun show bills - yours and Senator Cullerton's - passes and the language dealing with destruction of records are not in sync? I mean, do you anticipate Governor Blagojevich siding with one or the other or amendatorily vetoing your bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator Dillard, for a great question. I have given up long ago on the crystal ball on Governor Blagojevich. So, your -- your guess is as good as mine as to what his intentions are.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 57 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Aye, 21 voting Nay, 1 voting Present. Senate Bill 57, having received the required constitutional majority, is declared passed. Top of page 5. On the Order of 3rd Reading. Senate Bill 58. Senator Burzynski. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 58.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill adds first aid training, CPR, as an allowable activity on teacher institute days. Currently, they can provide for that activity, but it does not count towards their

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certification for a teacher institute day. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 58 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 58, having received the required constitutional majority, is declared passed. Senate Bill 59. Senator Sieben. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 59.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation provides that monies in the Park and Conservation Fund shall be expended solely by the Department pursuant to an appropriation for acquisition, development and maintenance of recreational paths or trails that are open to pedestrians, equestrians and non-motorized vehicle. There is some discussion of this going on with the Department of Natural Resources, but it did pass the Ag and Conservation Committee on a unanimous vote. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 59 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 59, having received the required constitutional majority, is declared passed. Senate Bill 62. Senator DeLeo. Senate Bill 66. Senator Link. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 66.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill simply holds that personal property in a vehicle that is towed is subject to a lien, except for food, medicine, perishable property, any other operator's license, cash, credit cards, checks, wallet, or identification document. Current law is silent with regard to contents of vehicles. Currently, a person is able to reclaim this type of property without any requirement that they pay fees owed to the tower. The bill provides that an office of a commercial vehicle relocater in Chicago must be open twenty-four hours a day, seven days a week, fifty-two weeks per year. The bill also provides that -- the expansion {sic} transfer of a relocater's license in certain cases between family members. The ICC regulates this provision and has no problem with it. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. This came out of Transportation unanimously. Would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 66 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, 0 voting Present. Senate Bill 66, having received the required constitutional majority, is declared passed. With leave of the Body, we're going to return to Senate Bill 62. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 62.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

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Thank -- thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 62 creates the paratrooper plate -- plates Act. Amends the Illinois Vehicle Code to issuance of license plates for people that served in the armed forces who served in the paratroops. Secretary of State supports the bill. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 62 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 62, having received the required constitutional majority, is declared passed. Senate Bill 69. Senator Brady. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 69.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This bill was amended and it passed unanimously. It increases the driver registration fee allowable.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 69 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 voting Aye, 7 voting Nay, and none voting Present. Senate Bill 69, having received the required constitutional majority, is declared passed. Senate Bill 71. Senator Harmon. Senate Bill 72. Senator Harmon. Senator Harmon seeks leave of the Body to return Senate Bill 72 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 72. Mr. Secretary, are there any amendments approved for consideration?

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ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I'd be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 72. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 72. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 72.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Harmon, to close.

SENATOR HARMON:

Thank -- thank you, Mr. President. Last General Assembly we mandated the videotaping and recording of interrogations involving homicides. Inadvertently omitted DUIs resulting in death. This corrects that. I'm not aware of any opposition. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 72 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 72, having received the required constitutional majority, is declared passed. Senate Bill 73. Senator Harmon. Senate Bill 75. Senator Martinez. Mr. Secretary, read the bill.

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ACTING SECRETARY KAISER:

Senate Bill 75.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you -- thank you, Mr. President and Members of the Senate. Senate Bill 75 is the Rental Housing Support Program. As you all know, this -- this particular legislation has been around for about a year and half. We've been working on this legislation during the summer. I was able to sit down with all the housing groups and everyone, including Senator Radogno and Senator Rauschenberger. And the bottom line is that this bill will actually help create a State-funded rental assistance program which would make rents affordable to families at thirty-percent or below of area median income. A dedicated fund will be created at the Illinois Housing Development Authority to provide a grant to local agencies throughout the State to create local rental assistance programs. This piece of legislation doesn't only benefit Chicago. Seventy percent of the affordable units will be located outside of Chicago. And I'll break it down: with sixteen hundred and seventy-seven units would be in Chicago, eleven hundred and forty-seven units will be in suburban areas of Cook and collar counties, eleven hundred and sixty-four units will be in small metro areas, and fifteen hundred and sixty would be in the rural areas. This is -- right now with the housing crisis that we have in the State of Illinois, it indeed is a crisis. It's very serious. This will actually charge ten dollars on a real estate transaction. Nine dollars of that will go into a special fund to -- to help landlords subsidize to low-income families and a dollar will go into the county. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR HENDON)

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She indicates she will.

SENATOR ALTHOFF:

Senator Martinez, there is no one that knows better what a long, arduous journey this legislation has had and I commend you on all the effort and work you've put into it. I do have a few questions, however. There was some discussion at committee. Can you explain to me why we have not included legislation or language in this legislation that addresses and protects this fund from being swept, potentially, in the future?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Senator. I -- I do have a letter from the Governor's Office saying that they will. And I'll read you the letter: We understand there's concern that there will be a sweep of unspent balances in the new -- Rental Housing Support Program Fund during the initial implementation period. It is not our intent to sweep significant funds' balance during legislative mandated startup periods for the -- for the programs. So we are -- you know, we have a commitment from the Office of Budget Management on this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

I -- I note that the letter says initial startup and I also note it specifies significant. I'd like to know what that is. Can I also ask who specifically signed that letter?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

This was sent by John Filan, Director of the Governor -- Governor's Office of Management and Budget. And it was sent -- a copy was sent to the -- to Louanne {sic} (Louanner) Peters and to Joyce Probst from the Governor's Office.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. In -- in addition to that, we had talked at committee about keeping the monies collected from this program

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within the counties that it was collected from and that, perhaps, the program would be better served by that type of process. Can you answer why we decided not to do that or why the legislation doesn't adopt that type of process?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

It's administered by local units. Anyone -- any -- any municipality that wants to actually go ahead and -- and apply for this -- for this -- for these dollars will have access to them.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you...

PRESIDING OFFICER: (SENATOR HENDON)

I apologize, Senator Righter. Senator Althoff, were you -- you had one more? Senator Althoff.

SENATOR ALTHOFF:

With -- with your indulgence, Senator. Thank you. The idea, again, being in counties like McHenry, like my own county, will obviously be collecting. We're experiencing tremendous growth. We're going to be collecting a huge amount of revenue and that revenue, once again, gets taken outside of our area and providing housing in other areas. Wouldn't we be better served if those monies collected stayed within our backyard similar to property taxes and the funding of education?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

The program is a State program which pulls upon the corporate resources of the State to restore those monies lost over the last five years and provide tens of thousands of -- of Illinois citizens and families with adequate resources to maintain a civil and healthy existence.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff, are you -- if you would.

SENATOR ALTHOFF:

I -- I understand. Again, it leaves my county. And -- and, lastly, can you explain the last amendment as to why the State of

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Illinois was exempted after feeling that this is an affordable program? We're not losing these dollars, we're just reallocating the dollars to a really extremely important program. Why was that decision made?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

When we had drafted that amendment, it -- we -- we did not put in State agencies. Right now, Banks and Real Estate, Department of Revenue, all these different State agencies actually will have to be charged ten dollars and that, you know, again, the State is strapped for money. The most important thing here is that nine dollars of that ten dollars will go into this fund and I think it's going to help address at least the crisis that we seriously have in the State of Illinois. It's a -- it's not perfect, but it's a step in the right direction as far as addressing the issue on the housing crisis that we face for our, you know, our seniors and for the low-income families that we have across the State of Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff, you indicated to me, but go right ahead.

SENATOR ALTHOFF:

To -- to the bill: Thank you. I understand the importance of these kinds of programs. Affordable housing has always been a very personal issue to me, but let me again state, this is still a fee increase program. And, once again, we're taxing our constituents for a statewide program. I'd urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Martinez, Senator Althoff went through some -- some issues with regards to the bill concerning equity, about where the money is going to be raised as opposed to where the money is going to be going. I want to touch, again, and I

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know that you have a letter there signed by Mr. Filan that contains some language which could be interpreted as a promise that they won't raid the fund. But it sounds to me like there's a conditional. It talks about significant excess balance. It talks about the startup period. Why is it, because we've seen a number of other bills go through the General Assembly here in the last year, eighteen months, that have specific language in them prohibiting the Governor's Office from raiding the funds, why don't we have that in your bill? I mean, was -- and -- and the only thing I can imagine is, is that you're concerned that the Governor won't sign it unless he's got the ability to raid it. And, I mean, I don't want to be a pessimist like that. Can you help me with that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

I -- I really can't speak for the Governor. All I know, one thing, that we have the responsibility as Legislators to really start addressing the issue on affordable housing and the crisis that we have. I think that this is an actual start. I -- when I talked to them about raiding the fund, they were very supportive in saying, let's get it started, let's get -- you know, let's get this legislation onto my desk and get it signed. I cannot speak on behalf of the Governor as far as raiding that -- that fund. But I do know that right now we have to start working towards trying to get some dollars into the housing crisis that we face. This is a start. Nine dollars is going to go into this fund. And, hopefully, there won't be any dollars in there left, because of the fact that we have a lot of families out there that are going to be able to utilize these dollars.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Well, I want to move on to another area, but absent a ironclad guarantee, which I think can only be done by including it in the legislation, I think that the administration's track record on its willingness to dip into funds, even those that you and I and everyone else in this Chamber would deem very worthy, is -- is a proven track record. The other issue I want to ask

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you about is that we had similar legislation go through the Senate earlier this year. It was House Bill 626. One thing, it's my understanding, that was in that bill that is not in your bill was it exempted rural water districts from having to pay this. If you'll recall House Bill 626, as it was moving through the process, there was an enormous objection from a number of Legislators because they didn't think that these rural water districts that are trying to buy property to get clean and safe drinking water out to rural residents should have to pay this fee. And it's my understanding that you don't have that in there. You have units of local government, but you don't have rural water districts, not-for-profits - issues like that. Can you explain that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Senator Righter, I believe that in that legislation, if I'm not mistaken, we had addressed the rural water issue, and in this piece of legislation, they've never come to me and said anything about their opposition. So, I really do believe that somewhere, somehow in the other piece of legislation I thought that -- that was addressed. And I will have to go back and look.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would appreciate succinct questions and answers. Senator Righter.

SENATOR RIGHTER:

I'm sorry. Mr. President, I was doing my best.

PRESIDING OFFICER: (SENATOR HENDON)

Oh, you're -- you're doing fine. On both -- both questions and answers. I'm -- I'm bipartisan here. Senator Righter.

SENATOR RIGHTER:

Thank -- thank -- thank you, Mr. President. To the bill: Ladies and Gentlemen, you'll recall earlier this Session we voted on House Bill 626. There were a number of people who opposed that because they did not agree with the equitable issues that were raised by Senator Althoff earlier. They didn't agree with an idea that we should impose a new -- tax on the filing of real estate documents. This bill, by any objective measure, is not as good a bill as House Bill 626. It does not exempt those rural

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water districts that are trying to make the effort to extend clean and safe drinking water to rural residents. It does not contain a protection against the administration raiding the funds. If you believe that we need to have a fund like this, if you believe that this is a real problem, then let's put this bill down for now, let's get that language in there -- in there and make sure that that fund is protected. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor, will you let me know what -- what groups are for this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

You know, do you have all day, Senator Geo-Karis? Because I have just about everyone, basically, in -- in Illinois on -- on board with this bill. Do you want me to start going through it? You have it? You have it? Okay.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I rise in support of my friend, Iris' bill. It's a good bill. And I would say to my friends on the other side of the aisle, if we want to stop these sweeps, which we gave the Governor the power to do two years ago, someone ought to file a bill and you'll find support on this side of the aisle as well.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you. Thank you. And thank you very much for all the questions. Let me just say that if there's one powerhouse that is in support of this bill, who has worked with me on this bill, it is the Illinois Realtors Association. So, I'd just like to say, when you -- anyone that has bought a home lately, you have

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all these charges that are on your -- on your final document, as far as all kinds of fees and taxes and everything. What is ten dollars, going to a fund that will help low-income people be able to find rent? This is what this bill is about. And I think that we as responsible Legislators have to start addressing the issue on crisis that is occurring all over the entire State. In your districts we have a lot of people -- low-income families that cannot afford to -- to rent, let alone buy a home. So this is just a beginning, you know, of -- of dealing with this issue. I really urge a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 75 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 voting Aye, 22 voting Nay, and 1 voting Present. Senate Bill 75, having received the required constitutional majority, is declared passed. Senate Bill 91. Senator Clayborne. Senate Bill 92. Senator Harmon. Mr. Secretary, read the bill. Oh! Senator -- Senator Harmon -- Senator Harmon seeks leave of the Body to return Senate Bill 92 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 92. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment becomes the bill. I look forward to discussing it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Harmon moves the adoption of Amendment No. 1 to Senate Bill 92. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 92. Senator Harmon, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 92.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I gave you all a sneak preview of this bill a few minutes ago when 52 came up. And I'm glad that I could wet your appetite. This bill amends the -- the Ticket Scalping Act. For many, many decades in Illinois, we prohibited the resale of tickets to sporting events or musical or theatrical events at above face value. In the 1990s, we created a monopoly for licensed ticket brokers. Today we are proposing to extend that -- well, notwithstanding the -- the monopoly that the brokers had, there is a vibrant secondary market for these tickets on the Internet, on auction websites like eBay or StubHub, and that's to the disadvantage of Illinois residents, because they are the only ones who are prohibited from buying or selling tickets to Illinois events on the Internet. This bill would expand our access to that and, more importantly, regulate it, ensuring consumer protections exist in what is otherwise an unregulated secondary market. Perhaps the most important consumer protection we are enacting is the mandate on the -- the auction listing site that it guarantee the face or the amount paid by the buyer for these tickets if they are fraudulently -- fraudulent tickets or they are not delivered by a -- by a fraudulent seller. We have been negotiating for well over a year. The ticket brokers are still opposed to the bill. Although we have accommodated -- of their fifteen demands, we have accommodated twelve in full and thirteen in part. And I believe that academically, at least, we have satisfied all of their concerns. I recognize they are still worried about their own market share. I think their concerns are

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overblown. The competition already exists and, in fact, many ticket brokers are already using these sorts of services. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Leader Watson.

SENATOR WATSON:

Yes. Thank you very much. Senator Harmon, I appreciate your candor and honesty to the fact there is opposition to this legislation. I did just talk to an individual who is in this business of brokering and I think the concern that they have is this creates an unlevel playing field in the fact that brokers in Illinois now pay the amusement tax, other fees that are required of them and now those that will be out-of-state, maybe even out-of-country, will not be paying that same fee and it'll create an unlevel playing field. And in this particular case that was mentioned, about an eight-percent amusement tax puts them at a very different level of competition. And I think it'd be maybe unfair to the Illinois brokers to do this. That's I guess a question. I'd -- I'd appreciate a comment from you regarding that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. Leader. It's an excellent question and one we wrestled with to -- to a great degree. Let me -- let me offer two suggestions -- or, two responses. First, the playing field exists today. Many, many folks are buying their -- and selling tickets over the Internet right now. So they are -- the -- the brokers already are subject to that competition. With respect to the level playing field, there -- again, there are now two answers to that. First, the brokers have certain competitive advantages that you or I would never have if we got on to sell our extra tickets. They have a commanding knowledge of the market. They have access to a variety of tickets. There are many folks we talked to who, notwithstanding this bill, would still go to a ticket broker for the service and the value that the ticket brokers add. You or I couldn't compete with the ticket brokers in offering that service. Second, with respect to the amusement tax, which is of particular importance in Chicago

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where they have the eight-percent amusement tax: The City of Chicago is not opposed to this bill. We have built provisions into this requiring notification to the seller that they owe the amusement tax, an indication of how to pay that tax, and eBay and StubHub and the others have agreed to throw their books open to the City when asked to help the City track down scofflaws. So, again, I understand the -- the academic argument, but reality is, this competition already exists. Brokers are already competing with -- with these folks. If anything, in my opinion, this helps the competitive position of the brokers.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Maloney.

SENATOR MALONEY:

Senator, I understand the bill contains a provision that essentially states that if a ticket seller sells a ticket at a Chicago event, they will automatically publish a prompt that informs the seller of its obligation to pay the City of Chicago's amusement tax. What will eBay do if the seller fails to remit and collect the City tax or uses a false name to avoid its obligations to the City? Has eBay and the other ticket brokers made any kind of a process to -- to remedy that situation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Senator Maloney, thank you for asking that question, and for the purposes of legislation intent, let me be clear. As you correctly pointed out, the bill states that if a ticket seller, for example, sells Chicago event tickets on eBay, eBay will automatically inform the ticket seller of their obligation to collect and remit the City of Chicago amusement tax. If the City of Chicago becomes aware of an eBay user or a specific group of eBay users who are habitually failing to collect and remit the City tax or avoiding their obligations through false user names, then the bill gives the City the right to obtain from eBay the user's real name, address and transaction history upon submitting

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a specific request to eBay. From this information, the City may pursue whatever legal action it deems necessary to collect any back taxes or prosecute the user or users for fraud. In addition, if the City is confirmed and informs eBay in writing that a user or group of specific users have been habitually skirting their obligations, then eBay, StubHub and Ticketmaster have committed throughout the process of negotiating this bill to suspend or terminate that user or users' privileges.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Senator. Finally, one -- one of the bill's final provisions is the severability clause. It's -- is it the intention to make this bill a severable Act if any provision, for example, is found -- unconstitutional under State or federal law or preempted under federal law?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Senator Maloney, the short answer to your question is yes. After conferring with the future Chief House sponsor of Senate Bill 92, Representative Saviano, and the bill's corresponding Senate sponsors, it's clear that this General Assembly intends for Senate Bill 92 to be a severable Act should a court determine that any Section or subdivision of any Section violates State or federal law or is preempted under federal law. In other words, if the court declares that Section 1(b), for instance, of the bill is violative of the State or federal Constitution or is preempted by federal law, then all remaining valid Sections and subdivisions of any Section of Senate Bill 92 would remain in full effect. As guidance to any court that may visit the issue of severability for this Act, we the General Assembly believe that it's our intent that the court would sever that unconstitutional provision in accordance with the general severability provision provided in Section 1.31 of the Illinois Statute on Statutes. In addition, let me clarify that no Section or subdivision of this bill is intended to be so mutually connected with and dependent upon each other as to warrant the belief that the Legislature intended such Sections or its

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subdivisions under this Act to only exist as a whole. Therefore, we want to make it clear that the General Assembly would have passed this Act even if the later and validated provisions of the -- were absent from Senate Bill 92. Thank you, Senator, for helping establish legislative intent.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you for that short answer, Senator Harmon. Senator Syverson.

SENATOR SYVERSON:

Thank you. Just a couple questions to the sponsor. And, Senator, maybe these are just -- excuse me, more of a -- from an amateur not understanding how this works. Currently, at a -- a theatre in -- in our town, a concert date is announced and they open up the tickets. A certain block of those will go to the Internet sellers. They'll get a block of those tickets. The rest of them, the general consumers go, I think, and just stand in line and, first-come, first-served basis, they purchase -- they purchase their tickets. Under this now, does -- does this mean that other -- anyone can get in -- would get in line or purchase tickets not intending on using them, but intending on getting as many tickets as you can and then putting those onto eBay to try to sell those for a higher price than they would normally be selling for?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Let me make sure I understand the points. In your example, the -- the portion that's devoted to the Internet seller, that would be a specific arrangement between the promoter or the venue and some Internet outlet that they have selected to sell the tickets - Ticketmaster or something like that. They may have telephone dial-in, they may have Internet sales, they sell at the box office. That's the primary sale. Now, you or I could get in line and buy as many tickets as we wanted, subject to whatever conditions exist, and then we could turn around and resell them. Right now, you or I could resell them to a broker. Under the law, we couldn't sell them to a broker at above face value, although I suspect that there have been transactions in which a broker has paid more than face value

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for a ticket, knowing that he could turn around and sell it for even more. But, right now, you or I could sell it at face value or below to a friend if we couldn't use it. Under this law, you or I could, then, if we couldn't use our tickets, we could get onto eBay or StubHub and post our tickets for auction, and whatever the market price turned out to be, we would get that. If there was an amusement tax, we would be notified that we needed to make that amusement tax payment. But, yes, you or I could then sell our surplus tickets over the Internet provided that the auction site we used is licensed with the Office of Banks and Real Estate and complies with all of the consumer protections in the -- in the Act.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

So an individual just couldn't buy four, ten tickets and go and put those on eBay themselves? Or could they -- could individuals still -- just do that under here?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

An individual certainly could do that and I suspect there are many individuals doing that today.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Okay. But today if an individual does it, then they would be -- that's against current law, because we couldn't sell them for higher than face value. Under this legislation, they would have an incentive. Now, why stand in line and -- and purchase tickets if you can't sell them for a profit? Now they're going to -- they will stand in line, most likely, purchase blocks of tickets because they believe that they could sell them for a higher price on -- on eBay. And, I guess that just brings me to my point. Does -- does this create a potential problem for the average consumer, the average family who just wants to go and purchase a ticket, but a hundred of people in front of them, who -- none are planning on going to that event, are buying up all the tickets? And I, as a parent now, to go see that Disney on

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Ice, I'm going to have to pay twice as much, because the only way to get a ticket is I'm going to have to buy it on eBay. Are there going to be some kind of limitations or some protections for that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, the hundred people that may show up to buy the tickets will probably get in line behind the thousand people the brokers have already sent to buy up all the tickets. So we already have that situation today. This should drive the prices down. You won't have to go get in line, you can just get on your computer and -- and buy a ticket at a market determined price. You can bid whatever you want to bid. There will be a selection of -- of tickets available if it's a popular event. You could call a ticket broker if you chose to and you wanted that added value, that service that the broker provides. This is just one more way that you can get a ticket for your daughter to go see Miracles on Ice.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson, to...

SENATOR SYVERSON:

Wrap it up.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, sir.

SENATOR SYVERSON:

Thank you. And I don't know if it's a problem or not. You know, I'm happy to support it. I just -- I don't want to create an environment where no one gets the ability to purchase a -- a ticket 'cause these are pretty expensive to begin with. That -- I -- I don't want a situation where the average family now does not have the ability to purchase a ticket at face value. The only way they can take their family is to go online and pay a twenty- or thirty- or fifty-percent markup for that ticket. That there would be the ability to, hopefully, still purchase a ticket for the regular -- the regular price. So that was my only concern, but I appreciate what you're doing with the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to close.

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SENATOR HARMON:

Thank you. I have three children myself who have just discovered what tickets are, so I'm very sensitive to -- to this. I really believe that we are not creating a situation, so much as regulating a current situation, and I believe this will be good for consumers. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 92 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, 5 voting Nay, and none -- 1 voting Present. Senate Bill 92, having received the required constitutional majority, is declared passed. Senate Bill 94. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 94.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Thank you very much, Mr. President. Basically what Senate Bill 94 does is reverse a decision commonly known as the Klaeren decision. Several years ago -- a few years ago, the municipalities were faced with a Supreme Court decision that said when there is zoning decisions being made, that they should be made in a judicial manner. And this has caused a lot of problems, not only for the municipalities, but for everyday citizens who want to be involved in the process. And it -- it really comes down to having to hire lawyers. It's very expensive, very cumbersome and actually not very democratic. So, the municipalities, including the Illinois Municipal League, the City of Chicago, DuPage Mayors and -- Managers Conference, the Metro Counties of Illinois, Northwest Municipal Conference, South Suburban Mayors and Managers of the West Council -- Central -- I'm sorry, Municipal Conference, support this initiative. It's agreed upon. And it's also supported by the Realtors. And I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. The Local Government Committee discussed this at length. I think this may well be the most important municipal legislation that we will have this semester. And I've talked to many mayors and managers. It's number one on their list. I salute Senator Garrett for carrying this bill, working through the amendment. I think it's absolutely essential that these issues be legislative back in our home communities rather than judicial. This bill does that. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she'll yield.

SENATOR LAUZEN:

I -- I heard the lineup of all the people who are for it, and generally those are the folks who are making the decisions on the zoning. You know, in your area and my area, we have this huge growth going on. Tell me, who -- who was at that negotiating table? - for the folks who say, "My gosh, we've got so much growth here, we want to kind of slow it down." I went to a hearing a couple Saturdays ago, where there's going to be like a quadrupling of a town, and there were a handful of people who are not lawyers who are trying to say, "Hey, how do we slow this down?" And the local city fathers had put together all the hearings in one. They had it -- it was all joint. You know, it was all -- it was like three different things that were supposed to be in series, they had 'em all compacted and then one set of votes, and it was like, I'm thinking, "Holy smokes. We got to slow this down." Now, I know that you face some of those same kind of concerns. You have those same constituents in your area. How is that concern addressed in your legislation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

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Thank you for asking that question. Actually, I think this bill eliminates that. I think probably one of the reasons why they're trying to consolidate and bring all of those hearings together is because using a judicial process, you have to hire lawyers. It's very expensive. And for people, such as the citizens of our areas, we then also have to hire lawyers to defend our position or to say stop that fast growth or whatever. This eliminates that. Takes the lawyers out of it - I'm sorry, my friends the lawyers - and allows the citizens to have a strong voice that they need to have to make sure that their voices are being heard.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

I'd like to speak in clarification based on what Senator Lauzen was asking. This is not about fast or slow. It's about judicial or legislative. It has nothing to do with the speed of growth or anything like that. It has to do with correcting something that the court should not have foisted on the Legislative Branches of our State in the first place.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will.

SENATOR BRADY:

Senator, this bill has gone back and forth with several draftings. Has this bill been amended a couple times?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

We actually did amend it once to make sure that the Realtors were on board. Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Can you tell me who the opponents are?

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Garrett.

SENATOR GARRETT:

As far as I know, there are no opponents.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Can you tell us under the current form who the proponents are?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett. She...

SENATOR GARRETT:

I think I already did that. If you would like me to list them again, okay.

PRESIDING OFFICER: (SENATOR HENDON)

If we could be succinct, the Chair would appreciate it. Senator Garrett, to read the list one more time.

SENATOR GARRETT:

Illinois Municipal League, City of Chicago, DuPage Mayors and Managers Conference, Metro Counties of Illinois, Northwest Municipal Conference, South Suburban Mayors and Managers, and the West Central Municipal Conference support this initiative. Okay?

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 94 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 94, having received the required constitutional majority, is declared passed. Senator Garrett.

SENATOR GARRETT:

While I was voting for my colleagues, I forgot to vote myself. So, I would like the record to reflect that I would have voted Yes.

PRESIDING OFFICER: (SENATOR HENDON)

It shall reflect. Senate Bill 98. Senator Wendell Jones. Senator Wendell Jones seeks leave of the Body to return Senate Bill 98 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 98. Mr. Secretary, are there any

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amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones, to explain your amendment.

SENATOR W. JONES:

Yes. Thank you, Mr. President, Members of the Senate. We had some language in here that the domestic violent group and the -- primarily, the bar associations did not like, so we took that out. Made it more palatable to that group. And that's what the amendment does.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones -- is there any discussion? Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 98. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 98. Senate Bill 98. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 98.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This provides that the guardian ad litem appointed in a child custody proceeding shall have completed three hours of training that relates to the functions and duties of the guardian ad litem and that should include the training in the dynamics of domestic violence on partners and children. Requires the guardian ad litem in a child custody proceeding to investigate whether there's evidence that either party engaged in domestic violence and report it to the court on the results of the investigation. I'd appreciate an Aye vote.

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PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 98 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 98, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to Senate Bill 95. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 95.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Thank you very much, Mr. President. Really what Senate Bill 95 is, it allows that while we provide for requiring -- I'm sorry, interest for child support, we don't require that for maintenance, that we also require interest on past payments -- overdue payments. This bill brings the two in compliance with -- with one another.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 95 pass. All those in favor, vote Aye. Opposed will vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 95, having received the required constitutional majority, is declared passed. Senate Bill 101. Senator del Valle. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 101.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Mr. President. Senate Bill 101 was amended and it's the product of negotiations with the Attorney General's Office and the advocacy groups. It -- it creates the Assistive Technology Warranty Act. This Act is created to protect disabled citizens of Illinois who purchase assistive technology. Illinois is one of the few remaining states yet to put into law consumer protections for purchases of assistive technology. And, again, with this bill, we put protections in for -- for the consumer. I'll be glad to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. I rise in support of this legislation. I'd like to commend Senator del Valle for working very closely with the AG's Office to make a good bill a better bill and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 101 pass. Those in favor, vote Aye. Opposed, vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 101, having received the required constitutional majority, is declared passed. Senate Bill 103. Senator Link. Senate Bill 118. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 118.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I don't think I've ever done this before. I'm sponsoring the bill, it passed 7 to nothing out of committee, and I think I got enough votes to pass it, but Senator Risinger and Althoff have convinced me that's it a bad idea and, therefore, I don't want to even call my own bill. So I want to take it out of the record.

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Take -- take it out of the record. Senate Bill 129.
Senator Radogno. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This -- this amends the Service Contract -- Act. It applies only to automobiles and it applies to the prepurchase of service contract agreements. And it simply says that the original owner, the purchaser of the contract, has to be allowed to utilize all the services that they prepaid. That, in fact, it cannot expire as long as that original owner has the contract. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 129 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 129, having received the required constitutional majority, is declared passed. Senate Bill 130. Senator Garrett. Senate Bill 134. Senator Clayborne. Senate Bill 139. Senator Crotty. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 139 amends the Regulatory Sunset Act and the Respiratory Care Practice Act by adding the definition of the basic respiratory care activities which can be performed by unlicensed personnel and explicitly identifies services which are -- not considered basic respiratory care services. It also

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defines other authorized personnel as licensed respiratory care practitioner, a licensed registered nurse, a licensed practical nurse whose scope of practices authorizes a professional to supervise unlicensed professional working in a hospital. In addition, it requires the Respiratory Care Licensing Board to conduct a study every three years on the effects of the Licensing Act on access, quality, and the cost of respiratory care services in Illinois. The amendment also allows people who have applied in writing to the Department for licensure and has compiled with -- has compiled {sic} with all the provisions to work up to six months while waiting for that license. I want to thank everyone for working on these amendments. I have no opposition to the bill now.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Wojcik.

SENATOR WOJCIK:

I rise to commend the sponsor for her fine work and to bring the Illinois Hospital Association and the respiratory care people together. And it is an agreed bill, so I urge its favorable passage.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 139 pass. Those in favor, vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 139, having received the required constitutional majority, is declared passed. Senate Bill 143. Senator Ronen. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 143.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill has to do with childcare home workers and it will codify an executive order. We're still working on the language. We're probably about a

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couple days away from having a final, so I'm asking that we send this over as a -- a vehicle. The language will be added, the amendment, in the House - it'll be sent back here - to codify an executive order allowing childcare workers that have home-care programs to organize.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

This was presented in committee as a shell bill. It's still a shell bill. Just want to warn the Body of what you're actually voting on. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 143 pass. Those in favor will vote Aye. Opposed will vote Nay. And 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 38 voting Aye, 15 voting Nay and 2 -- voting Present. Senate Bill 143, having received the required constitutional majority, is declared passed. Senate Bill 157. Senator Schoenberg. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 157.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, and Ladies and Gentlemen of the Senate. As you know, we've just recently received federal approval for a hospital assessment. Hospitals throughout the State are receiving resources as a result of that effort that we did together. We are now in the midst of working towards an agreement to make application to the federal government, once again, for a hospital assessment. This will need to be different. And as we're doing so, I would like to send this vehicle bill over to the House so that it can -- return with an amendment for us to agree to.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter.

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SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Schoenberg, I know you've been deeply involved in this. Can -- can you give the Body an idea of what kind of changes, maybe compared to the -- to the Assessment Act that passed last year, will have to be put in place in order to even have the chance of the federal government approving it?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

I -- I can only give you rough parameters, because as I indicated when we passed the hospital assessment previously, there is no such thing as receiving preapproval from the federal government as to what can be constituted within the plan. What I can say, and what I indicated in committee, is that the plan that the State does submit cannot be identical, either in how the assessment is executed or how the funds are disbursed to the current plan. It has to be inherently a plan -- different. Secondly, none of the resources which come from the hospital assessment can go for anything but to hospitals and health care. I expect that we will arrive at some resolution where it will be -- it will be somewhat different from the original one but the basic framework will remain the same. However, because the federal government does require us to do more than just scratch out the date of one plan and insert the date of another, we have to operate within those parameters.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, last question. Senator Schoenberg, you made this commitment in committee and I -- just ask that you do that again here for the record on the Floor. You told us in committee that the only thing that this shell would be used for would be the Hospital Assessment Act for Fiscal Year 2006. Thank you.

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Senator Schoenberg, to respond and close.

SENATOR SCHOENBERG:

That's a commitment I made. It's a commitment I'm going to keep and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 157 pass. Those in favor, vote Aye. Opposed, vote Nay. And 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 46 voting Aye, 11 voting Nay, 1 voting Present. Senate Bill 157, having received the required constitutional majority, is declared passed. Senate Bill 158. Senator Crotty. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 158.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you very much, Mr. President. You have to cut down on your coffee. Senate Bill 158 transfers two hundred thousand dollars, that would be one hundred thousand dollars annually, from the Podiatric Disciplinary Fund each licensure cycle, which would be two years, to the Department of Public Health for -- podiatric scholarships. The current balance right now in that fund is eight hundred thousand sixty-two dollars, and for Fiscal Year '03, the Department expended a hundred and thirty-eight thousand to regulate the profession. Therefore, there's enough money in this fund to be able to do that. So I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 158 pass. All those in favor, vote Aye. Opposed, vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 158, having received the required constitutional majority, is declared

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passed. Senate Bill 159. Senator Crotty. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 159.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you. Senate Bill 159 establishes an oversight for agencies providing or placing private-pay in-home care workers who perform support services or nursing services to seniors within their homes. There have been incidences that have occurred to individuals that are placed in someone's residence without background checks and senior citizens have been abused and neglected. In several cases, workers are placed and there's no clear understanding on the part of the client or the worker who's responsible for employment taxes or workmen's compensation coverage. Currently, private-pay agencies are not required to perform background checks on individuals they assign or refer to work in the seniors' homes. This legislation addresses the need for oversight to protect seniors receiving in-home care from abuse, neglect and financial exploitation.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill. This bill did pass out of committee unanimously and addresses a problem that, if we don't do something like this, is only going to get worse. More and more people are being cared for in their homes by agencies just like this and I congratulate and thank the sponsor for her work.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 159 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 159, having received the required constitutional majority, is declared

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passed. Senate Bill 162. Senator Hunter. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 162.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 162 amends the School Code regarding wellness policies. This bill is a continuation of legislation to address the childhood obesity issue, in response to the 2004 federal law passed requiring every school district that participates in the federal school meals program to enact a wellness policy by school year 2006 to 2007. So, this bill requires the State Board of Education and the Department of Public Health to establish an interagency working group that will assist schools in developing wellness policies for nutrition and physical education that are consistent with CDC recommendations and it also creates the School Wellness Policy Taskforce. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. I rise to urge a little caution here. I mean, right now this is not a mandate; however, it will force the State Board of Education to promulgate some rules, and that big booklet or that big binder that the Governor threw down on the desk over a year ago will probably get bigger. But I just want you to remember this moment in time. Today this is just a kind of nicey-nice thing and we're all in favor of it. It's not a mandate. I hope that this doesn't come back later forcing school districts to do something. Let them make these decisions themselves. I -- I was supportive in committee. We can support it now, but I just urge caution. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

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Thank you, Mr. President. To the bill: I rise in support of this legislation. I commend Senator Hunter on her hard work to assure that Illinois is in line with what it is the federal government is requesting of us, and to acknowledge her concern for young people and their wellness. And she did work on this. She amended the bill to please our committee. She came forth with that committee amendment, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question -- the question is, shall Senate Bill 162 pass. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, 3 voting Nay, none voting Present. Senate Bill 162, having received the required constitutional majority, is declared passed. Senate Bill 165. Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. This is a shell bill given to me by Attorney General Lisa Madigan and I think we should send it over to the House so that they have a one-and-a-half-inch thick Calendar next week too. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. I would urge all of the Republicans to please vote for this shell bill.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 165 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 voting Aye, 28 voting No, and none voting Present. Senate Bill 165, having not received the required constitutional majority, is

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declared failed. Senate Bill 166. Senator Martinez. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 166.

(Secretary begins to reads title of bill)

PRESIDING OFFICER: (SENATOR HENDON)

Mr. -- Mr. Secretary, let's pass that bill. Senate Bill -- 167. Senator Martinez. Senate Bill 174. Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. Like the shell bill -- which actually we killed a bill here in the Senate a minute ago - a shell bill that I was carrying for Attorney General -- Democratic Attorney General Lisa Madigan. Well, this is another Democratic Attorney General shell bill. And to paraphrase one of my colleagues a minute ago who screamed on another shell bill, "Get the shell out", we should get the shell out and move this one across to the other Rotunda.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 174 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 voting Aye, 31 voting Nay, and 1 voting Present. Senate Bill 174, having not received the required constitutional majority, is declared failed. Senate Bill 176. Senator... Senator Shadid seeks leave of the -- to return Senate Bill 176 to the -- to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 176. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Shadid.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid, to explain your amendment.

SENATOR SHADID:

Thank you, Mr. President. This is a -- this allows school districts, wherever they are in the State of Illinois, to voluntarily consolidate with their high school district.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Shadid moves the adoption of Amendment No. 1 to Senate Bill 176. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 176. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Shadid.

SENATOR SHADID:

Thank you -- thank you, Mr. President. 176, as amended, will allow any school district in the State of Illinois, if they want to - permissive - if they want, to consolidate a grade school with their high school that they attend. This does not affect any other district that adjoins them. They don't have to be involved in it at all. This just gives everyone the right to consolidate their grade school with the high school they attend.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you very much, Mr. President. I, again, am rising to urge caution. I supported this bill in committee, as did my colleagues. However, I know that the issue of consolidation is -- is very serious concern to a lot of people, particularly downstate. Can get emotional. Look carefully at

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the language here. I think it's -- I think it's thoughtfully drafted by the sponsor and I think it -- I -- I happen to agree with the policy of consolidation. But I feel an obligation to advise my Members to look carefully at this bill and vote your conscience.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 176 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 voting Nay, none voting Present. Senate Bill 176, having received the required constitutional majority, is declared passed. Senate Bill 177. Senator Martinez. Senate Bill 178. Senator Schoenberg. Senate Bill 178. Senator Schoenberg. Senate Bill 179. Senator Crotty. Senate Bill -- we are on the top of page 7. Senate Bill 180. Senator Crotty. Senate Bill 181. Senator Crotty. Senate Bill 182. Senator Link. Senate Bill 184. Senator Silverstein. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 184.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank -- thank you, Mr. President. This amends the Private Detective, Private Security and Locksmanship Act {sic}. It retains the bill, but allows the Department to resubmit the fingerprints of an applicant for renewal or restoration to the State Police for the purposes updating their criminal history.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Wojcik.

SENATOR WOJCIK:

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Senator, is it possible that this -- legislation could result in a fee increase in anywhere or anyhow?

PRESIDING OFFICER: (SENATOR HENDON)

Senate -- Order in the Senate, please. Senator Silverstein. Senator Wojcik, would you -- repeat your question, please?

SENATOR WOJCIK:

Is it possible that this would cause a fee increase in any way?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

That would be within the discretion of the Department. I -- I can't speak for the Department. They may or may not raise the fees. They have not come out and said they -- they would.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

But there is a possibility then?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

There's a possibility I might win the Lotto tonight. I don't know. But I -- I don't -- I don't -- really don't know what they're going to do.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

If you win the Lotto, would you adopt me? I have to say be cautious regarding this legislation. There is a possibility a fee could be incurred. So, therefore, I would ask you to vote No.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 184 pass. Those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 voting Aye, 23 voting Nay, and none voting Present. Senate Bill 184, having received the required constitutional majority, is declared passed. Senate Bill 187. Senator Silverstein. Senator

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Silverstein seeks leave of the Body to return Senate Bill 187 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 187. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein, to explain your amendment.

SENATOR SILVERSTEIN:

Thank you -- thank you. Floor Amendment 1 is regarding the Internet guide. It's identical to 187 as introduced. The amendment deletes any provisions regarding a statewide printing guide - that reduces the costs.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. -- thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein moves the adoption of Amendment No. 1 to Senate Bill 187. All those in favor, say Aye. Opposed, say Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 187. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 187.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you -- thank you. This would create a Internet voting guide for voters. It would only be for State-elected officials. The candidates would pay two hundred dollars for inclusion of their personal statement. The -- the cost for this Internet

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guide was estimated at two hundred and three thousand, as opposed to the 1.5 billion, whatever. But I'll take any questions regarding this.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. We discussed this in Local Government Committee and we decided on our side of the aisle that this was not a good expenditure of two or three hundred thousand dollars, even though they may recoup the money from the candidates that are running. The candidates that they're talking about are President of the United States down to Congress. I submit, if you don't know who's running for President of the United States and you don't know who's running for Congress in your district, then maybe you ought to wake up a little bit and get involved in civic affairs in your community. I believe this is a waste of the taxpayers' money. We certainly have enough uses for two hundred thousand dollars. I could use this for a domestic violence shelter in my district. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator, is there any limitation on what a candidate can put on their own -- or, their own - I'm trying to move fast. Give me the word - description.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

No personal statement may exceed four hundred words.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

So, there's no limitation as to content whatsoever? So, someone could -- I mean, you -- you could really say some pretty harsh things about someone?

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

The -- the board can review what they wrote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

What's the limitation? I mean, you can imagine a board that says, "Well, the General Assembly didn't say anything. We're uncomfortable on a First Amendment basis telling somebody what they can and cannot say." Is there any limitation whatsoever?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I would -- it'd probably be within their discretion.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

If that's the case, then to the bill: This is a really bad idea. I thought it was kind of a bad idea and it was slipping in to a -- sort of, hmmm, this is probably one to maybe ask a question on. This is a train wreck. This is one where you could have literally people that -- that -- that say outrageously harsh things against one another on a State-sponsored website. And I think that this -- this needs to be further considered and the content of these need to be reviewed. There's got to be further demarcations on what people can and cannot say. And I think that this is not quite ready yet. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'd just like to know whether Senator Roskam is worried about what people may say about him or plotting the boundaries of what he can say about his opponent.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Yeah. Let me just comment on Senator Roskam. First of all, the bill, if you look at page 4: No personal statement may be

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made -- no personal statements may mention the candidate's name by -- opponents by name. No personal statement may include language that may not be legally sent through the mail. So I think there are safeguards in here, Senator Roskam. And I think it's a good bill. It's been supported by the Illinois Campaign for Political Reform. It's another way of getting our message or a candidate's message across. So, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 187 pass. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Aye, 25 voting Nay, none voting Present. Senate Bill 187, having received the required constitutional majority, is declared passed. Senate Bill 189. Senator Haine. Senator Haine seeks leave of the Body to return Senate Bill 189 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 189. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this bill - the underlying bill - provides a uniform statewide standard for the training and qualifications of retired officers permitted to carry concealed firearms under federal law. This does not grant that right. That right has been granted by federal statute. What we are doing here is mandating that the standards for the training and qualification of these retired officers to -- to use -- or, to have a concealed firearm is not left to individual police departments in the State, but is -- is under the jurisdiction of the Law Enforcement Training and Standards Board. Floor Amendment No. 1 adds a provision that the standards of -- of the active duty officers will also govern the standards of the retired officers, which is required by federal

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statute.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine moves the adoption of Amendment No. 1 to Senate Bill 189. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 189. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 189.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

I reiterate my explanation earlier, Mr. President, Ladies and Gentlemen of the Senate. This, again, does not grant any right to concealed carry. This is an initiative of the Policy Benevolent Protective Association and the -- the Training and Standards Board. And it will regularize and make uniform this right of concealed carry to retired officers granted by the United States Congress.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Shadid.

SENATOR SHADID:

Thank you -- thank you, Mr. President. I stand in strong support. And this also requires all off-duty retired police officers to do the same requirements as it does active policemen so they can be allowed to carry their weapon.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Link.

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SENATOR LINK:

Senator Haine, there's a -- you know, I -- I presented this bill a couple years ago before it became a federal law and we -- we enacted a number of standards in there to where there was background checks, there was testing, there was psychological testing in it. And there was a lot of precautions in there, because, obviously, as a retired police officer, there's age involved; there's, you know, a -- a lot of things that happen. And I -- we know as -- you know, Senator Shadid's a retired police officer. We know we wouldn't want him carrying a gun again, because we know his -- accuracy. But, I mean -- but, I mean, the point -- the point is, is that we had a lot of - all seriousness about this - we had a lot of criteria in there to make sure that these -- these people were still well-qualified to do this. And I commend you for what you're doing, because I think we're on the right step. But do we have all of these standards in place that they would be tested, retested and make sure that they are still qualified as they were when they were active police officers?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you very much, Senator Link, for that question. And the answer is yes. The Law Enforcement Training and Standards Board, under this proposal, will be given exclusive jurisdiction over this. They are to conduct annual firearm certification courses for retired officers. They -- it -- these -- these qualifications consist of: Range fire approved by the Training Board; it authorizes a mobile team in-service training unit; they have to be reviewed on a regular basis; they do have the background checks in there, because the same criteria apply to the retired officers as to active duty officers.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

One final question to ask on this - this will be the bill. We will not be trying to amend this bill in the House. We will not be -- I -- I -- I trust you, Senator Haine, and I trust your ability, but we're not going try to amend this. We are trying to

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echo the federal bill. We are trying to do what we are. We're trying to enact this in the State of Illinois. If that's the case, I will support it and I think you're on the right step.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Haine.

SENATOR HAINE:

Yes, Senator Link, and I -- I -- that's -- that is my statement to you and the Senate. This bill will not be amended. It's -- it stands as it is. It has the strong support of the Board, of the Police Benevolent, and I -- I believe it's a safety issue.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Ronen.

SENATOR RONEN:

So, who -- are we like talking about like the Cook County Sheriff's Police? If somebody were a sheriff's police at one time, and had a badge, and a gun, and -- and now they're not, would they be allowed to carry a concealed weapon?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Senator, if they had fifteen years of service and were honorably retired as a commissioned peace officer, the answer is yes, under those two standards.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

And a commissioned police officer would -- officer would include a -- a sheriff's police, a bailiff in a court or something like that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

If -- if they were authorized to carry a firearm and trained for that under the standard police training, then the answer is

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yes. Some bailiffs in my jurisdiction are not. They're -- they're not authorized to carry firearms and they would not be eligible under this Act.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

So -- so anybody who had worked for the Cook County -- for example, for the Cook County Sheriff's Police who was authorized to carry a gun if they had done so -- had that authorization for fifteen years, when they retire, they can now carry a gun?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

If -- yes, Senator, if they're honorably retired and they meet the standards that this Training Board mandates. They have to keep meeting the -- they have to be certified every year.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen, to wrap it up.

SENATOR RONEN:

Yes -- yes. To the bill: And -- and thank you for your -- your answers. I -- I just -- I'm against conceal carry and to me this is, you know, just a -- a -- a step towards conceal carry and I'm concerned that it's too broadly written to allow too many different people who had guns before. And -- and I'm -- and I'm also concerned with some of the training components. So, I'm going to -- I'd urge my colleagues, if you're against conceal carry, if you think conceal carry is a bad idea, I think you should vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Garrett.

SENATOR GARRETT:

Senator Haine, I guess my question is, because we have a retired police officer, what -- why does that constitute them to be able to carry a gun? They're no longer officially on duty. Obviously, they have other concerns going on with their life.

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Why should they be able to legally carry a gun and for what purpose?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Senator, for that question. This again -- this Act, there isn't anything we are doing here that would authorize concealed carry by a retired officer. The Congress of the United States has done it. The -- the horse is out of the barn. It's gone. All we're doing here is trying to saddle the horse and put it on a proper path. The -- the -- if -- if we do not vote for this - and I respect very much the argument against concealed carry - and -- we all may agree or not agree with that and there's profound differences on either side. That is not the argument here. The argument here is, whether because of Congress' action, we are going to establish a uniform control throughout the State over these people who have the right under Congressional action to carry concealed firearms. And without this Act, without our bill, this would devolve into a patchwork quilt, where we will have police departments across the State willy-nilly being the only authority to qualify. And I believe that the -- that we need the -- the control of the -- of the -- of our Standards Board and our Training Board. They are trained to do this. We need all officers, retired as well as active duty, to have the same criteria.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Yeah. Senator Haine, I'm not sure you really answered the question. The question is, really for what purpose would these retired police officers be carrying a concealed weapon? What would their role be as retired police officers? That is my question. Then I think we need to address the federal side of this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

I understand, Senator. Thank you for that -- that question. The answer is, I don't know. Congress passed the law and

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Congress gave the authority for concealed carry or the right of concealed carry to retired officers. There was -- been no -- apparently, no explanation as to what duty they would be performing. They don't have any official duties. They were just given a right to possess a -- a concealed firearm throughout the United States without any imposition of obligation or duty. So, now we have to decide how are we going to control this -- this mechanism which has been set into motion by the United States Congress.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett, to the bill.

SENATOR GARRETT:

To the bill: The sponsor of this bill has just said that he doesn't know why, in fact, retired police officers should be carrying -- having concealed weapons. I think this is very problematic, to model legislation simply because the federal government has decided to go one way. The State of Illinois can and should, in fact, philosophically take a good look at this. And if we don't agree with it, we don't have to be in lockstep with what the government is saying. If there's disagreement on what I've just said, I think we can have constitutional lawyers take a look at this. I would say, when our own sponsor of this legislation doesn't really know why it's necessary, we should think twice about voting Yes. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, to close.

SENATOR HAINE:

Well, thank you, Mr. President. In -- in response, again, I -- I'm not -- I didn't vote on the original bill. I'm not a member of Congress. However, one could speculate here that the reason why retired officers desire the right to concealed carry is that they are officers, they've made enemies, they have been threatened. We have seen violence against them throughout the country and State. Therefore, I could see reasonably a connection between a desire of a retired peace officer who's on the front line every day in their community in having a firearm. That's just me. I didn't vote on the bill. But I could understand that. If you're threatened every day, if you're arresting murderers, rapists, child molesters, and you get a note

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from the prison, "I'm going to take you out and your -- your family out", I could see I'd want to keep my magnum, and I'd want to keep it at home. So that's -- that -- that's just me with pure speculation. That it's reasonable. It's also reasonable to take the position we don't like Congress imposing this upon us, but that's -- that's it. I mean that is it. Since Appomattox, that's the rule. So -- okay? So, here we are. Now, we either have a patchwork quilt - we have the -- the Village of Alhambra, Illinois, deciding who's going to qualify or we have the State Police Training Board. And that's all I'm asking, that we have a uniform standard, yearly certification, training and the same criteria for active duty officers. So, I would appreciate an Aye vote. I think it's a good bill. It's a reasonable bill. We're not debating concealed carry. We're debating standards and control. Thank you -- President.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 189 pass. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Aye, 6 voting Nay, and 2 voting Present. Senate Bill 189, having received the required constitutional majority, is declared passed. Senator Haine.

SENATOR HAINE:

I -- I just want to add that we do not know whether George Shadid, our distinguish Senator, is carrying today or not.

PRESIDING OFFICER: (SENATOR HENDON)

Senate Bill 193. Senator Cullerton. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The purpose of this bill is designed to help save the lives of children under ten from being injured in a car crash by the

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passenger-side air bag. This is supported by the State Police, the Department of Transportation, Safety Council, American Automobile Association, Public Health, and the Association of Chiefs of Police. It simply says that children under the age of eleven should be in the rear seat. The air bags when they go off, whether they're in a car seat or not, are very dangerous. And most people know this, but it's a good idea to put it in the law. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you -- thank you, Mr. President. I'm sorry, I was -- kind of dozed off a little bit. Senator, just one question very quickly. What about cars that have the -- the shutoffs for air bags in the passenger-side seats? Does this also affect them? Does that child still have to ride in the backseat?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

The -- the way the bill's drafted, it says, "with a passenger-side air bag." So, I probably didn't address that issue. I think that was raised in committee. Maybe I can take that up, and -- and it's probably a good point. If it's been -- if it's not activated, then it shouldn't apply. I -- I agree with you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR RIGHTER:

Senator Cullerton, I remember two, three, maybe four years ago we passed legislation that created certain requirements with regards to, you know, sitting in a child safety seat and we -- we set it by age, rather than size of the child. I -- I got quite a bit of feedback from people in -- parents in my district whose children were -- they were larger than they -- child of that

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average age -- average -- average child of that age. And their point was, you know what, it -- it should matter how big the child is, not what age they are. The statistics that you have - I'm assuming there's some study or some statistics out there that demonstrate that this is a good idea - are those based on the size of the child or the age of the child?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes, Senator, you're absolutely right. What we really should do -- you're referring to the booster seat law and -- and it really -- it depends on the height and the weight of the child. But the law enforcement community said, if you put height and weight in there, it really doesn't send the right signal to the public. So, we went to the Center for Disease Control. We got the average weight and height per -- per age and we found that, I think, in the case of the booster seats, under the age of eight, you know, ninety-five percent of all seven-year-olds were in that category. Over the age of seven, they were not. Ninety-five percent were not. And so that's why we chose the age. In this particular case, it's the same thing. It really is more about the weight and the height, but what we did was to -- to make it easier for the public to understand it, we took the -- the -- up to age ten should not be in the front seat.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Senator Cullerton, during that answer, first you said that the State Police were concerned that it wouldn't send the right, I think you said, message or signal to the public, and then there -- there, just at the end, you said that so the public would have an easier time of understanding. Assuming that the parents know how tall and how heavy their children are, I mean, what kind of signal or message is the State Police worried about that putting in size, rather than age, wouldn't -- wouldn't be more appropriate?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

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Well, the purpose of the bill is meant to be educational. It's also a -- a Vehicle Code. A police officer stops somebody and they say, "Look, how old is your kid?" And the kid's under - - eleven, they're supposed to be in the backseat. They don't have a scale with them. They don't have a measuring tape with them. The parents at that point and time might not know how tall or how much they weigh, but they certainly know what their age is. And it -- it's just meant to be easier for the public to follow the -- what we all know would be the safest way to transport their children. I appreciate the questions.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 193 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, 20 voting Nay, 1 voting Present. Senate Bill 193, having received the required constitutional majority, is declared passed. Senate Bill 198. Senator Cullerton. Madam Secretary, read the bill. Senator Cullerton seeks leave of the Body to return Senate Bill 198 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 198. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill deals with the lottery and selling those on the Internet. The amendment, it -- it -- the original bill is a pilot project. The amendment flushes out that program with some additional specifics, which I'll be happy to explain on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Petka. The question is, shall Senate Bill 198 pass. All those in favor, vote Aye. Opposed will vote -- Senator -- Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 198. All those in favor will say Aye. Opposed will say Nay. The Ayes have it. The amendment is

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 198. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 198.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We come forward with this proposal. A couple of other states are looking at this. It would provide a pilot project so the Department of Revenue could allow for the purchase of lottery tickets on the Internet. I don't believe in any way that it's an expansion of gambling. The Lottery tries to promote their sales all the time with new terminals and new games. This is the same concept. We're just trying to sell more lottery tickets. If we do, the State makes money and the money goes directly to the Common School Fund. We flushed out with the amendment some protections with regard -- and some direction to the Department of Revenue to -- in creating this program, including making sure that people underage cannot purchase these tickets, to verify their -- their age, making sure that if -- the Internet agent license numbers are posted and making sure that residency restrictions can be imposed, as well as restrict the amount of tickets that you can actually purchase on -- on the lottery. I personally think the lottery is different than horseracing or -- or riverboat gambling, because the odds are so high that people don't spend their life savings on buying a lottery ticket. And the ones that we sell the most are actually the ones where the odds are even astronomical, but that's when the public is interested in -- in buying those tickets for the Mega Millions. So, happy to answer any questions and urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

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Further discussion? Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. And to the bill: The idea of authorizing the sale of lottery tickets over the Internet has been under active consideration now in a number of states. And, as a matter of fact, in the State of Georgia within the last month, bill overwhelmingly passed the House and -- and a Senate committee and is now ready for passage in -- in the Senate, where it's expected to pass and go to the Governor. Other states that are considering exactly this same thing include: North Carolina, Florida, Ohio and Kentucky. This to me does not appear to be an expansion of -- of gambling; it appears to be another way of individuals -- a more convenient way of -- purchasing lottery tickets. And as Senator Cullerton pointed out in his remarks, certain safeguards were placed in by the amendment that would, in -- in fact, preclude certain individuals who already could not purchase tickets at a convenience store or gas station, would not be able to do the same thing on the Internet. For that reason, I -- I support this bill and urge its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I support this bill too, because, certainly, the State could use it in these tight fiscal times for the support it will give to the elementary and secondary education. So I'm all for it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I rise in strong support of this legislation. But I do have a question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

Senator, if my eleven-year-old son's -- my -- my son's eleven-year-old friend, Matthew, is in front of the computer, does he have to wear his seatbelt?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

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SENATOR LAUZEN:

Thank you, Mr. President. I'd like to ask the sponsor a couple of questions.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Lauzen.

SENATOR LAUZEN:

First question is, is it your intention to limit these sales to Illinois residents only?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. That's the current law right now and that -- that's not changed.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Actually, then, can you tell me why -- why it is that we would sell over the Internet, but not to people outside of the State of Illinois?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

It's just a policy decision. I think we -- maybe in the future, if the Department of Revenue or the Lottery decides they want to expand it, that might be the case. But I think right now we want to limit it to Illinois residents.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Mr. President. The other is, will -- let's see, Internet sales are going to require purchases using either a debit or a credit card. So, I'm assuming that lottery tickets purchased this way will be made with credit cards now. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Well, that's, again, up to the Department, but I would presume that in jurisdictions that do have this, that's what they do. They have -- they have a credit card, and also the way they,

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I would imagine, they could verify age is that any winning tickets would have to be redeemed in person. That way you can check the age of the person. So, even if -- hypothetically, if someone underage purchased the ticket, they couldn't win anything because when you get your -- cash in your winning ticket, you would have to do it in person. Instead of getting a credit on your credit card, you'd have to go in person to get the -- get the winnings and that way the age could be verified. That's one way of doing it. It's going to be up to the Department to set the rules to determine the best way to accomplish that goal, though.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. Then to the bill, Mr. President. Ladies and Gentlemen, I rise in opposition to the bill, but I certainly do respect the work of the sponsor, and although I respect Senator Cullerton's opinion that this is not an expansion of gambling, clearly it brings the lottery and the lottery gambling into the home. Plus, it -- by people being able to put it on credit cards, where we already have this huge problem with credit card debt, makes it that much easier to go through a credit card. It's certainly going to increase habitual gambling, where I believe that, currently, five percent of the ticket buyers purchase fifty-one percent of the tickets. Unfortunately, the statistics are that poor people spend more on lottery, proportionately. And then, you've already answered the question, as far as access to minors, Although I don't see how that would mend the damage, The fact that you can't collect on a winning ticket. You know, a child could have access to the credit card, make the purchases, just can't win it, but the damage is already done. And naturally, this is going to create more duties for law enforcement to police Internet sales. So with that, I would just ask for a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. I rise to compliment the sponsor on a much-improved bill. I voted against

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this twice in the Revenue Committee. I've decided to change my mind and on the Floor I am going to vote for it. The amendment provided some important safeguards. Calls for age verification before an Internet lottery account may even be established. It authorizes the Department to set a monthly cap on Internet purchases by lottery participants. And I think the stringent process outlined in the bill for licensing these entities that would offer the lottery over the Internet, it'd be something that the Department could handle. So I've changed my mind. I voted No twice, but I'm going to vote for the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield for one question. Senator Righter.

SENATOR RIGHTER:

Thank -- thank you. Senator Cullerton, there's a -- there's a little bit of talk running around on the Floor that perhaps the Governor's Office has indicated - either the Governor personally or through his intermediaries - that he would not sign this bill if it reached his desk, because he views it -- he would view it as an expansion of gaming. Putting aside for a moment the question of what the administration views as an expansion of gaming and what they do not, can you tell us whether or not you have any word on that and what you think the bill's fate might be if it lands on the Governor's desk?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yeah. Actually, I don't know that they've taken a position. I've been trying to convince them to do it. I actually even met with Governor Ryan and asked him to consider this and he -- there were some question at the time about whether or not there was a federal statute that prohibited it. Turns out that we've got legal opinions to show that's not the case. So, I -- I think what we should do is send a strong message to the Governor that this is the type of thing that we should do to get more money for

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the Common School Fund, and that's why I hope we have an overwhelmingly vote here so we can make sure that it does become the law.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Thank you -- thank you. A question for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield.

SENATOR SYVERSON:

Senator, I guess I just want to take a look at this from a -- a macro sense. We've been told that one -- one of the reasons why many of the stores and shopping centers and/or gas stations, one of the reasons why they go through the expense of having that -- those machines in there is because when they come in to buy their lottery, they buy other ancillary products at the same time. And they had some kind of a formula that says for every lottery ticket that's purchased, so much is going to be purchased in other retail items, of which we collect sales tax on as well. Is there a concern or have the retailers weighed in as to could there be potentially a loss of ancillary sales because of purchasing over the Internet, as opposed to when they walk into that Walgreens and they buy something along with that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

I think that's an excellent question. They have not weighed in and I think the reason is because we're talking about a -- a new market. We're talking about folks that are not buying lottery tickets now. They go to the 7-Eleven, the Mega Million game is up to seventy million, there's a long line, they say, "I'm not going to get in line." All they got to do is go home and buy the ticket. So, another consideration is, if -- if the -- if the Department of Revenue wants, they may still require -- if they want to do it this way -- someone to go to a retail merchant first to get authorization to go online. So that's another way of doing it. I haven't heard from any retail merchants. The -- they do get paid, as you know, a percentage of the -- the tickets that are purchased. It does benefit them. But, I think this is

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really talking about a new market that -- that will -- will not in any way harm the retail merchants.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson.

SENATOR SYVERSON:

Last -- a follow-up question with that. Will that be true, obviously, from the retailers' standpoint, that the prize money that they receive, obviously those dollars would be kept by the Lottery then. The -- the portion that the retailer gets to keep, that would end up staying in the -- in Lottery?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Oh! That's a good point. I never thought of it, but the -- the -- the fact is, that would be money for the State. We wouldn't have to pay a retailer if someone bought it online. So that's probably a -- we'd probably even get more money. I should point out that there's been a wide range of opinions as to how much money we're going to make on this - from as low as three million dollars to as much as a hundred million dollars. We don't know until we try. I think we should try. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I was over talking to Senator Dale Righter and I just wanted to follow up on a line of questioning he had for the sponsor, if the sponsor would yield for a couple of questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR DILLARD:

Senator Cullerton, Senator Righter expressed concern as to what the Governor's position was on this bill. Who represents Governor Blagojevich in the neighborhood he lives in the State Senate?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Representative Fritchey in the House and Senator Cullerton

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in the Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Senator Cullerton, I know the Governor's modus operandi is he loves to pick fights with people and it's part of his shtick, but he wouldn't dare tinker with one of your ideas would he?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, you know, we don't agree on everything all the time. We -- we've had some disagreements, but I -- I'm going to try to persuade him that this is a really good idea. And I think if we get more than thirty-six votes, that would really help persuading him that it's a really good idea. So thanks for your help.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 198 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 32 Yeas, 24 Nays, 1 voting Present. And Senate Bill 198, having received the required constitutional majority, is declared passed. Senator Trotter, on Senate Bill 201. Top of page 8. Senator Sandoval, on 204. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 204.

(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. Local electoral boards hearing cases involving objections to the nominating petitions filed by candidates running for local

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office, in some cases the electoral boards have abused their power in effort to knock off candidates off the ballot, as we've seen in the latest local election cycle. The result in excessive -- this results in excessive litigation, discouragement of local candidates and expensive delay in the printing of ballot. This bill aims to reduce the number of frivolous challenges, expedite the hearing process and encourage less partisan rulings. Senate Bill 204 provides an option. It provides an option so that candidates can either appeal at their local election board or move their -- their candidacy hearings to the county electoral board made up of the county clerks, the State's attorney and the clerk of the circuit court. I've -- in the spirit of bipartisanship and with the support of Senator Dillard and Senator Jones on the other side of the aisle, I worked with them vigorously to work out an -- an agreement on this amendment that basically is the bill. And it passed out of the Judiciary -- out of the Local Government Committee on a 9-0 vote. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Jones.

SENATOR W. JONES:

Yes. Thank you, Madam President, Members of the Senate. When this bill first came to Local Government, I was not happy because it seemed to remove local input on these decisions and take it to the county. The sponsor has graciously yield to our concerns and has amended the bill, which makes it an option. When you run for office, if you want any appeal to be made at the district level or the village board level, then that's what you check. If you would prefer to have it done at the county level, you check that. So it certainly is an improvement and we're now -- the amendment becomes the bill and we are in favor of it. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Sandoval, do you wish to close?

SENATOR SANDOVAL:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 204 pass. Those in

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favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, 1 voting Nay, none voting Present. And Senate Bill 204, having received the required constitutional majority, is declared passed. At this time it's been brought to my attention that if we continue at the pace we are going right now, we will be here twenty more hours. So what we're going to do is speed it up, put the timer on, and if you want to stay here twenty hours, I'll stay here too. But let's try to speed it up a little. Senator Sandoval, on Senate Bill 207. Senator Cullerton, on Senate Bill 210. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 210.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval -- I mean, Senator Cullerton.

SENATOR CULLERTON:

Now, how could you -- how could you get us confused? Thank you, Madam President, Members of the Senate. The -- this bill deals with cell phones. And it says that drivers under the age of eighteen shall not use a cell phone unless there is a -- an emergency, such as a call to a law enforcement agency or health care provider or fire department. A number of points to make include the fact that the young drivers really don't need to be distracted by cell phones. They are the ones that are -- have the least experience and are the -- the -- the drivers that get involved in the most crashes. There's -- sometimes it's six times more likely to be in a crash than a -- a sixteen-year-old would be six times more likely to be involved in a crash than an -- a twenty-year-old. And so with that, we've limited it to sixteen- and seventeen-year-olds and, of course, fifteen-year-olds if they're on a permit. And ask for an Aye vote. In other jurisdictions they're talking about banning cell phones for everybody, but this is limited to the younger drivers because of their high risk.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is,

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shall Senate Bill 210 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 40 Yeas -- 39 Yeas -- 38 Yeas -- 38 Yeas - Did we take the record? - 38 Yeas, 19 Nays, 0 voting Present. And Senate Bill 210, having received the required constitutional majority, is declared passed. Senator Cullerton, on Senate Bill -- no, Senator Lightford, on Senate Bill 212. Senator Sullivan, on 213. Senator Sullivan, on... Senator Sullivan seeks leave of the Body to return Senate Bill 214 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 Senate Bill 214. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator John Sullivan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to explain your amendment.

SENATOR J. SULLIVAN:

Thank you, Madam President. The amendment becomes the bill. I'll be happy to explain it on 3rd.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sullivan moves the adoption of Amendment No. 1 to Senate Bill 214. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading. Senator Sullivan. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 214.

(Secretary reads title of bill)

3rd -- 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

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Thank you, Madam President, Ladies and -- Ladies and Gentlemen of the Senate. Senate Bill 214 amends the Grain Code. Allows the interest generated from grain assessments to be transferred from the Grain Insurance Fund into the newly created Asset Preservation Account to be used by the Department of Ag for specific purposes. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

Madam Chairman, to the bill: The Ag Committee passed this unanimously. I support the bill and encourage a Yes vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 214 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 57 Yeas, none voting Nay, none voting Present. And Senate Bill 214, having received the required constitutional majority, is declared passed. Senator Cullerton, on 216. Senator Cullerton, on 216. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 216.

(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 deals with pickup trucks, the cargo area of pickup trucks. It says that we shouldn't have human cargo back there. But we did offer some amendments at the suggestion of members of the committee for certain exemptions. And those exemptions: We got language from the Farm Bureau, for the people involved in production of agriculture would be exempted; also, vehicles that are in an emergency situation and vehicles that are driven in a parade, both -- both to the parade and from the parade. With that, we'd like to join -- I think thirty-nine other states have banned this. It's obviously very unsafe to have someone in the

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back of a pickup truck while they're driving down a public highway. And -- but I am certainly sensitive to the issues of the farm community, so we put that in. And I'd be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill -- Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. There were some concerns in committee, I think, and of course Senator Cullerton answered some of those concerns. The Farm Bureau is now in support, I believe. I want Senator Cullerton to confirm that. But the -- just so that everyone knows, it does - those in the rural community - it involves anyone riding in the back of a pickup would be prohibited under this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Thank you, Madam President, Members of the Senate. I grew up in the back of a pickup truck. And I once -- I once rode -- I once rode from a baseball camp to St. Louis in the back of a pickup truck. So, I think we may be going a little bit too far here with our rules and regulations. We cannot -- somebody once told me that it's amazing how far the government will go to protect people from themselves. It's amazing how far we will go to protect us from ourselves. We have to stop this, sooner rather than later. We need to stop adding on the rules and regulations of government. We're going to choke ourselves in government. We cannot protect everybody from everything every day. We have to stop. Let's put some red lights on this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you. Senator Cullerton, does this -- I'm going to apologize 'cause this -- be for any tarmac road, any blacktop road, any -- any township road, or is it restricted to a certain type of highway or -- or transportation?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

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SENATOR CULLERTON:

The exemptions are for the use. The exemptions are for the parade, the farm operations and emergency vehicles, I believe, or emergency situations. But -- everything that the Vehicle Code applies to applies to this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. I guess my sensitivity is that, you know, you're out on a township road, you've got one end of a piece of property, you're down there clearing out some fallen logs, you've got your nephews in the back with the chainsaw, you're coming back up the road a quarter of a mile to your house, they're riding in the back. It's not a farm operation. It's not because of the type of road it's on. It may be considered landscape use. I guess -- I guess, Senator Cullerton, there -- there's many a place one could be riding in the back of a pickup truck doing work or -- or something like that that is not really in violation of speeding up and down Lake Shore Drive in the back of a pickup, which of course, number one, a pickup on Lake Shore Drive would be inappropriate. I do have some real concerns with this.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. You know, I -- I put these highway safety bills in because we find after they pass that we save lives and we save money. We passed the seatbelt law a couple of years ago the Governor signed, we've saved -- documented over a hundred and ten lives have been saved. Now, thirty-one states have banned in some fashion having people riding in the back of pickup trucks. I went to the committee, I asked for input, I made amendments, listened to the farm community, listened to people concerned about parades. And -- I mean, the reason why we do it is because we're -- we save lives. And -- and I think it's worthy. I -- I would be much happier having a reputation as voting for a bill that ended up saving a life than voting against a bill and end up

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having somebody be -- be killed. So, for that reason, I ask an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 216 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 23 Yeas, 33 Nays, none voting Present. And Senate Bill 216, having not received the required constitutional majority, is declared failed. Senator Sullivan, on 218. Senator Harmon, on 219. Senator Harmon seeks leave of the Body to return Senate Bill 219 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 Senate Bill 219. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Madam President and Ladies and Gentlemen of the Senate. The amendment becomes the bill. I look forward to discussing it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon moves for the adoption of Amendment No. 2 to Senate Bill 219. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 219. Senator Harmon, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 219.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 219 is a gun safety bill that everybody should be able to support. It has been heavily negotiated and it does three things. Let me be clear. First, in response to the Carter decision, it clarifies that possession of multiple firearms are separate chargeable offenses of a possession of firearms, and ammunition are separate chargeable offenses. Right now if you were arrested with twenty guns and the ammunition for those guns, you could be charged once for unlawful possession of a firearm. And I -- the NRA, as I understand it, is not opposed to that provision. Second, it clarifies the requirements for the application for a purchase of a firearm. The Hurtado decision suggested that our State law saying you have to apply to purchase a weapon does not need to be in writing. We originally had suggested that the application had to be in writing beforehand. During negotiations with the NRA, we retreated from that position and have simply asked in the existing records kept by a seller of a firearm that he document the date on which the application was made. Again, with respect to that provision, I believe it is palatable to the NRA. The third provision is a very simple one. It requires a FOID Card holder who's gun is lost or stolen to report it to local officials within seventy-two hours of -- of the discovery of the loss or theft. This provision is objected to by the NRA. Although, at one point or another during the -- the negotiations, it was palatable. We made significant changes in this provision to accommodate the requests made by the NRA and I can't explain their back and forth on support or opposition for that provision. But we are simply codifying what any responsible gun owner would do. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none -- oop! Senator Righter. Got to get that light on.

SENATOR RIGHTER:

Sorry, Madam President. Thank you for recognizing me. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Sponsor indicates he'll yield.

SENATOR RIGHTER:

I'm sorry. Senator, you were walking through the provisions and one that the NRA was opposed to and then went through some comments about at one time there was - and I didn't catch the rest of what you said - can you clarify the end of your presentation for me, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

With respect to the reporting of a lost or stolen firearm, we negotiated this provision with the NRA. At one point during the negotiations, as I understand it, the provision as included in the bill was palatable to the NRA. At this point, they are still opposing it. I can't explain the reason, but the language we find in the bill today is there because the NRA asked us to make these changes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. So, Senator Harmon, if someone is a victim of a burglary and their weapon is stolen and they don't report that within the time frame that's required in the statute, then they could be charged with that offense. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

It would be a petty offense and only if that gun owner knows that the gun was stolen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter. Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR ROSKAM:

Senator Harmon, I think one of the - I wasn't involved in the negotiations - but there would probably -- my -- my sense

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would be, there would probably be unanimity on the bill if it were a petty offense if you failed to -- to do the reporting. But the bill, as drafted, says that the State Police may deny or may revoke an FOID card. That's out? Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HARMON:

Well, thank you, Senator. I'm glad to see you'll now support the bill now that that provision is out and we can have some unanimity. But I appreciate this. It mirrors what we do at the federal level when a dealer is burglarized. The dealer, right now, has a responsibility to report. So we are not breaking new ground and forcing a victim of a crime to report that crime for the first time. That's already federal law for dealers. Let's do the same thing for responsible gun owners here in Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 219 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 27 Yeas, 27 Nays, 4 voting Present. And Senate Bill 219, having not received the required constitutional majority, is declared failed. Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. I'd like to -- put that on the Order of Postponed Consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon requests that Senate Bill 229 be -- or, 219 be put on the Order of Postponed Consideration. It will be placed on that order of the Calendar. Senator del Valle, on 223. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 223.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senate Bill 223 contains a

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comprehensive Article addressing the identification and education of gifted and talented students and the development and oversight of programs for gifted and -- talented students in our school system. The bill was amended to delay the implementation date. This was an agreement reached with the Illinois State Board of Education. There were other changes that were made to the bill that made it possible for the State Board to support the bill. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Madam President. I rise in support of this bill. It came out as amendment -- as amended unanimously. It's not a mandate. If local school districts choose to participate in the program, there's a good set of rules and -- and qualifications. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 223 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 57 Yeas, none voting Nay, and none voting Present. And Senate Bill 223, having received the required constitutional majority, is declared passed. Senator Cullerton. Senator Cullerton seeks leave of the Body to return Senate Bill 226 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 Senate Bill 226. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Madam President. This was a suggestion of the committee to -- and the Township Officials and Municipal League to get their approval for the amendment which changed the time back from seventy-two hours to forty-eight hours that something had to be posted on the website. Move for its adoption.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 226. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now, on the Order of 3rd Reading is Senate Bill 226. Senator Cullerton, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 226.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. The purpose of this bill is to amend the Open Meetings Act. We - - we have a Open Meetings Act that's kind of antiquated in that we require people to put -- post -- public bodies to post things on the -- on the doors of meeting places. And so what we're doing here is to say that if they maintain a website, they should put the notice of the agenda on the website, as well as the minutes. If they don't have a website, they don't have to do -- do this. It's only if they already have one. We've changed the time at the request of the Municipal League and the Park Districts and Township Officials back to the forty-eight hours' notice that we currently have in the Act. Again, I don't know of any opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I simply rise in support of the bill. It did pass out of the Executive Committee unanimously. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any further discussion? The question is, shall Senate Bill 226 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 57 Yeas, none voting Nay, none voting Present. And Senate Bill 226, having received the required constitutional majority, is declared passed. Senator Wilhelmi, for what purpose do you rise?

SENATOR WILHELMI:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR WILHELMI:

Thank you. I have many friends in the gallery here behind me, who are from the Joliet Region Chamber of Commerce and Industry, an organization that I chaired the board of in 2003. I think without their help and assistance and guidance, I probably wouldn't be here today. So, I want to welcome them to the Illinois Senate and tell them how much I appreciate their friendship.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Cullerton, on Senate Bill 228. Senator Cullerton, on 229. Senator -- Clayborne, on 237. Senator Clayborne, on 238. Top of page 9. Senator Clayborne, on 239. Senator Cullerton, on 240. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 240.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. This -- thank you, Madam President, Members of the Senate. This is a request of the Toll Highway Authority. Their administration's asked for this shell bill. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 240 pass. Those in favor, vote -- excuse me?

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Senator Cullerton.

SENATOR CULLERTON:

Like to take -- take it out of the record, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Cullerton, on 241. Senator Cullerton seeks leave of the Body to return Senate Bill 241 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 Senate Bill 241. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This is a -- an Environmental Protection Act bill, which we've been working with the EPA on, as well as a number of people in the western suburbs that were affected by adverse toxic substances that got in their groundwater. The bill has two provisions: a -- a notice, kind of a right-to-know portion of the bill, as well as administrative orders. And we met with the business organizations and came up -- took their suggestions and that was incorporated in Senate Amendment No. 3. Move for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton moves the adoption of Amendment No. 3 to Senate Bill 241. 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?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 241. Senator Cullerton, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 241.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. It's a very important bill. I would have my cosponsor, Senator Dillard, kind of explain some of the background that occurred out in his district a number of years ago when the groundwater was polluted. This is in response to that. Again, as I said, it has a couple of provisions. Number one, we would allow for notices to go out to appropriate people when the -- EPA takes certain action. People would be notified that there's a clean up and they're put on notice that this is something which is being -- being done for them. The other provision is to give administrative orders to the Department of -- the EPA. This is something that we've found that forty-six other states have. And this is a critical part of the bill, because it allows for them to actually go in and -- and get the -- the -- the cleanup done immediately with due process protections for potential companies that are causing the problem. Again, I would urge a vote in favor and hear from Senator Dillard as to what happened out in his district.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, and thank you, Senator Cullerton. A few years ago, after a number of private well owners were not notified of contamination that a variety of governments knew about, and the governments stood by and let people bathe their children and cook their food and take baths in contaminated water, even though a variety of governmental agencies knew about this in the western suburbs, the proverbial stuff hit the fan. And up in Lisle and Downers Grove and Naperville and a number of other places I've read about, we have a -- as we build on top of one another, more and more contamination of our groundwater. And it's a continuing problem that gets more and more prevalent each day. This bill is a great step forward by Senator Cullerton and EPA Director Renee Cipriano

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to make sure that we protect our public from contamination, primarily by letting the community know when the government knows that there is contamination that might affect their children and their health. And this is a -- a lot of time has been spent on this by Senator Cullerton and the EPA and Director Cipriano. It's a good bill. It protects our communities and there's nothing more important than letting our citizens know, when we the government know, that there is contamination. And this will help the EPA Director get the responsible party to clean things up even quicker. And most states have this authority. And it's a very good next step. And I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Cullerton, in your opening remarks you talked about providing due process to the people who might be in violation of the Illinois Environmental Protection Act. But it's my understanding, in this bill, it does not provide for an appeal process from the decision of the Director. I mean, most of the time when the - and I'm not intimately familiar with this area of the law - but when there are decisions rendered by the -- the Environmental Protection Agency, that they have an appeal right to, say, the Pollution Control Board or, certainly, at least to the circuit courts. But there's nothing in your bill that I'm aware of that indicates there's such a right. If I'm wrong, could you point out where that is.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Senator. It is patterned after the federal law, and as I said, forty-six other states -- or forty-six other states have a -- a form of this. It is under emergency situations. They are ordered by the -- by the EPA Director to clean up. If it turns out -- and -- and -- we added an amendment that allows for contribution. So if there's other polluters that

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contributed to the groundwater pollution, they have the right of contribution to go back to them to get reimbursed. But, the fact is that they are -- they -- they do have -- they are ordered to do so, but then they have the right, if it turns out that these orders were not properly - I'm trying to think if I have the exact language here - if -- if they -- if it was inappropriate because they got the wrong person, then they can get reimbursed from the -- the EPA.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Well, I mean, forty some states also have concealed carry and I'm not sure we can always use that number to say why it's -- why it's good public policy out there. It's my understanding that of the forty-six states that have this kind of authority, forty-one have an explicit appeals process in law. And I wonder why this one doesn't. But I'd like to move on. Since I'm on the clock, I'd like to move on to another area. Last year we passed legislation that gave State's attorneys and the Attorney General injunctive relief powers for situations just like this. And if - - and if that's -- if that's not -- correct, if there are situations different than this, I'd like you point that out for me. But isn't this duplicative of what we already have in law?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

No, not administrative orders. The -- those things that you're talking about get tied up in court. This is when there's an emergency situation and we need to have action right away. We also put in, in the amendment, the ability of the Department to negotiate immediately for the first thirty days before the order is issued, to make sure that they recognize that they're the ones that are the polluter and that they have time to clean it up.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

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SENATOR WATSON:

Have a comment first. I'm always leery of giving the Illinois Environmental Protection Agency any more authority. That they've done -- if -- if there's any agency of State government that's done more to the agriculture community, the business community, to -- to create havoc for 'em, it's the Illinois Environmental Protection Agency. So, I preface my question to the sponsor with that remark. What impact would this have on the dairy industry, livestock industry, farming in general in this State? And would -- are we giving them - the Illinois EPA - more authority to come in and work with agriculture on environmental concerns that they might have? Is there anything in here at all that -- that would allow them to do so?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, I may ask Senator Dillard to answer that question. I can't imagine that it has anything to do with farming. What we're talking about is -- it -- it really doesn't even apply to -- too much to the City of Chicago 'cause we get our water from Lake Michigan. They're talking about private wells and public wells getting polluted from toxic waste. And -- and when there's an emergency situation, we are going to give the -- the Agency the authority to order a cleanup and we're going to notify everybody within a certain amount of distance when that -- once that's done so that they know that this threat to their water exists. That -- that's what the whole purpose of this is. It's in response to these tragedies that occurred out in Lisle and Downers Grove. And it has nothing to do with the farm community. I didn't hear one word in our negotiations from anybody from the farm community or the Farm Bureau.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

I believe he answered my question there in that last statement, I hope. So agriculture is not impacted with this piece of legislation?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Cullerton.

SENATOR CULLERTON:

Absolutely not.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Had a question for Senator Dillard.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator...

SENATOR W. JONES:

The question I have is, doesn't DuPage County get most of its water from Lake Michigan as well?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard, do you wish to respond?

SENATOR DILLARD:

Most of it would come, Senator Jones, from the Lake Michigan pipeline. But you'd be surprised - and it's -- the same is true for Will County and Lake County and others - how many people are on well and septic, even in areas like Majority Leader Halvorson, who's in the Chair's -- area. There's still a lot of people, even in Cook County, that are on well and septic. And as we build on top of one another, Senator Jones, that's where some of these come from. And, you know, we need to get it cleaned up. But, most importantly, we need to notify the neighbors so they can make informed decisions about using bottled water until we either get 'em on the Lake Michigan water or they take other precautions. But there's plenty of private wells still in good old DuPage County.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Has the situation in Darien and Lisle been rectified?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Most of it, but not all of it. Naperville has - in Senator Roskam's area - some areas of contamination. And I can guarantee Senator Wilhelmi and former Senator Jacobs - we've got the new Senator Jacobs here - you know, in areas like the Quad Cities

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which are -- are growing as well. This is a problem generally all over the State and we've worked hard on this. And, you know, it's a problem all throughout Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Okay. Thank you. I -- I don't, you know, I -- I heard your comments relative to whether or not it affected agricultural properties or whatever. I guess I would submit that it would. But going back to a couple of other things, I also was just kind of curious as to who is in opposition to the bill and who supports the bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, we had two meetings. There's a group of business -- it's -- it's kind of an aggregate group of business folks. And we had two meetings, where I invited them to come up with amendments to the bill, specifically with regard to due process suggestions that they had. And we tried to incorporate as much as we could on the right-to-know portion. And they actually didn't really have much on the request for the due process, other than that thirty-day period where they could negotiate before the order went into effect. I can't remember, you know, all the names, but there's kind of a organization that -- that encompasses a number of those. Did not include the Farm Bureau, though. Didn't -- they were not there. And, of course, the proponents are the EPA and the -- the people who were affected out in -- in these areas where the well waters was polluted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I -- I guess I would just suggest that any -- you know, we all want to see well water cleaned up. We want --

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don't want to see it polluted. We want all of these nice provisions. But just to refresh your memory, according to the -- the synopsis I have in front of me, the Chemical Industry Council is opposed, Illinois Farm Bureau, BP, Illinois Petroleum Marketers, Illinois Petroleum Council, State Chamber of Commerce, Illinois Aggregate Producers, Waste Management, Solid Waste Association, Home Builders, Illinois Manufacturers, Exxon. But then I look and I see here where it says, neutral, the Illinois Attorney General's Office and the environmental groups. Why would they -- they be neutral rather than in support of your bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski, your time is up. But, Senator Cullerton, when you close, you could answer his question. Senator Cullerton, to close.

SENATOR CULLERTON:

Okay. Yes. I will try to answer that. I was not aware of the fact. I've been working with the EPA -- agency. They've been assisting me in the meetings. We haven't dealt with the Attorney General, because it doesn't directly relate to the Attorney General. As far as -- I -- I do want to point out that Dave Sykuta, with his organization, did come in, because they wanted the LUST funds specifically exempted because they already have similar type of orders. There -- with -- when there's a -- a spill with regard to the -- a gas station, this is exactly the kind of orders that -- that already exist in the law. That's what it was patterned after. So we took them out. Again, I think this is a very important environmental bill. I worked as best I could with the community to try to alleviate their concerns. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 241 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 42 Yeas, -- 14 Nays, none voting Present. And Senate Bill 241, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to Senate Bill 245. Senator Shadid, on 248. Senator Shadid -- seeks leave of the

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Body to return Senate Bill 248 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 Senate Bill 248. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, to explain your amendment.

SENATOR SHADID:

Thank you, Madam Chairman. Senator -- Senate Bill 248, as amended, simply requires the Secretary of State to undertake a study to determine the feasibility of establishing a standard license plate that would replace all or some special plates with the use of a sticker to differentiate between each of the classifications. Number two, undertake a study of the feasibility of identifying on the license plate the county the vehicle's registered within. And number three, undertake a study of the feasibility of permitting the attachment of a special plate to the front of the vehicle and the attachment of a standard registration plate to the rear of that vehicle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Rutherford, on the amendment.

SENATOR RUTHERFORD:

Thank you, Madam President. Does this apply for -- as like a universal charitable plate?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

I'm sorry. I didn't hear your question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

So this would be for a universal charitable plate? For example, all the specialty plates that we've had go through and - and so forth.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

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This is an attempt to try to get something done. In other words, put a decal that could be -- could be produced by 3M on the plate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

Senator Shadid and Ladies and Gentlemen of the Senate, that law is on the books. I sponsored that bill in the Illinois State Senate in the latter 1990s. I have been in touch with the Secretary's -- State's Office for the last several years, asking them to promulgate the rules to implement that. They have been resistant to do that. If you may recall, we have had a specialty plate that just came up; it was Senator Munoz's plate in regards to traffic safety zones. I was one of the few that voted No, and consistently since the early -- or, mid 1990s, I've been No, because we haven't gotten off the dime to do exactly what you want to do. It's the right thing to do. Public law enforcement wants it to happen. It's much better for the charitable organizations. I'm glad and I hope that if this bill becomes law, you can get the Secretary of State to get the rules in place to make it happen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Well, did your bill also have him look at just having one plate on the vehicle?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

No. It was a universal charitable plate that would allow for a standardization so that any not-for-profit, charitable organizations could have a unique decal to streamline the fundraising opportunity for 'em, and to not allow the proliferation of specialty plates that we have in our State, and to make it more consistent for law enforcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

I'd appreciate an Aye vote on my bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Well, we're still -- adopting the amendment. Senator Shadid moves the adoption of Amendment No. 1 to Senate Bill 248. 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?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading, Senator Shadid, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 248.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes. Thank you, Madam President. Senator Shadid has a great idea. This thing should have been done a long time ago. We have way too many specialty plates. We need to have a -- a -- a standardization of those plates. And -- and I want to commend the Senator on the -- a good bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 248 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 57 Yeas, none voting Nay, none voting Present. And Senate Bill 248, having received the required constitutional majority, is declared passed. Just for your information, everybody is going to be on the clock, not just during question time, but in introduction of your bill and closing of your bill. Senate Bill 249. Senator Shadid. Senator Cullerton, on 250. Senator Demuzio, on Senate Bill 251. Madam Secretary, read the bill.

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SECRETARY HAWKER:

Senate Bill 251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Madam President and Members of the Senate, this particular bill, Senate Bill 251, it's still in negotiations. There's several entities that are still working. And I would like to pass this out as a shell, pass it over to the House where we can continue our negotiations to get the proper language.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 251 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 34 Yeas, 22 Nays, none voting Present. And Senate Bill 251, having received the required constitutional majority, is declared passed. Senator Emil Jones, on 253. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 253.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. Senate Bill 253 changes the threshold for emerging money managers. In 1993, we passed a law to encourage the -- the seventeen pension systems in the State of Illinois, local as well as State, to use small firms, give them an opportunity to -- to grow. That was in 1993. This is the year 2005. So we are changing the threshold from ten million to four hundred million, we are changing that from ten million to two billion dollars. So, if you have a minimum of two billion dollars in portfolio under management, you would still qualify as an emerging manager. With the four-hundred-million-dollar threshold, many firms would not qualify -- due to the fact that

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they have grown somewhat. So, all -- all the bill does is change the threshold to two billion dollars from four hundred million dollars. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you. Rise to speak for the bill. I just stand in support of the bill. Passed unanimously out of committee. Senator Jones, it's great to see you passing a pro-small business bill. This is -- small businesses are what create jobs in this State. That's what we need more of, more jobs in this State. And it's great to see you working toward job creation, Senator Jones.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 253 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 56 Yeas, none voting Nay, none voting Present. And Senate Bill 253, having received the required constitutional majority, is declared passed. Senator Harmon, on 257. Senator Harmon, on 258. Senator Shadid, on 259. Senator Link, on 262. Madam Secretary, read the -- oh, no! Senator Link seeks leave of the Body to return Senate Bill 262 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 Senate Bill 262. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

I'll add the amendment and I'll talk to it on 3rd Reading, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 1 to Senate Bill 262. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments

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approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 262. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 262.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. Senate Bill 262 was introduced to provide tax purchasers, county sheriffs and property owners more time to provide notice to tax delinquent property owners. By providing more time for all parties, it is allowed the best and most accurate information to be collected for the notice to serve by tax purchasers and other agents having to provide notification before a tax delinquent properties -- property goes to deed. The bill also clearly defines what fraud and misrepresentation consists when a non-bonafide purchase is transacted. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. Thank you, Madam President, Members of the Senate. We voted against this in Revenue -- oh, our chairman is back. Mr. Chairman, did you want to speak to this or... I'm sorry, I thought you were off the Floor. Our chairman was off the Floor. Anyway, this increases the cost and it -- it's worse for the taxpayer. But we found another aspect in it that we -- we think we ought to clarify, because you have to advise the sheriff -- Senator Link, you have to advise the sheriff and then the sheriff advises the taxpayer before the house can be taken. But if the -- if the sheriff is not notified -- or, if the sheriff is notified, but he doesn't notify the taxpayer and it's not done in a timely fashion, could the person lose their house because the sheriff didn't inform them at an early time?

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link indicates he'll yield, Senator Wendell Jones.
Senator Link.

SENATOR LINK:

Thank you, Madam President. First of all, as far as the amount of money that Senator Jones was indicating was on the amendment, we took that amount of money out with the amendment that was just adopted. That hundred-and-fifty-dollar fee was taken out that... I think, Senator Jones voted for that amendment in committee. The other thing is, is that we even added another month for them to find out with that amendment and this is after a numerous amount of notifications already that have been given to that tax property owner that the sheriff would then be notified. So, there's already been a number of notifications been given to that person.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. I think -- I think this is going too fast and I think the -- that the whole idea of taking somebody's property too fast is a problem. For example, we got a note from the Regional Council of Chicago Title and Trust. He says, "I think it's significant that both the ISBA and the Chicago Bar Association tax committees voted to oppose this legislation. I think we should oppose as well." I'm just trying to slow down the process here and take a look at a bill that -- that may be flawed. It also requires the sheriff to properly in early fashion deliver -- prepare and deliver to the sheriff of the county in which the property is located the notice required under this Section, together with a list designating the parties to be served with their last known address and its statutory cost. The sheriff shall serve this notice for the redemption to the owners. And he's supposed to do it in a timely fashion. So, we're asking the sheriff to deliver the information -- we're asking the sheriff to deliver the information to the property owner and it's not -- if it's not done in a timely fashion, it's not the property owner's fault.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones, your time is up. Senator Righter.

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SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Link, I'm going to follow up on Senator Jones' comment. And I -- I understand in the big picture what you're trying to do here, but I think there is a problem with the bill. The bill changes who gives the final notice from the individual themselves to the sheriff. You've got a Section in your bill that says the standard of strict compliance, which means everything has to be done absolutely correctly in order for the person to lose their property, does not apply to the action of a sheriff. So, if the sheriff's office drops the ball and doesn't deliver that final notice, you lose your home anyway. And I don't think your intention here is to lop off one of the notices that an individual is supposed to get before they lose their home. But if the sheriff doesn't do their job, based on the language you've got in the bill, they lose that notice and they lose their property. I mean, I don't think that's your intent. Can you enlighten us a little bit if we're wrong on the bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

First of all, I think there's ample notification by -- prior to even the sheriff getting that notification to that property owner. Next, the sheriff is another added on notification to that individual and the sheriff's notification would be to track down that property owner, which I think is an additional way of trying to find the proper owner of that property of which we're trying to do. Actually, this is adding another avenue to try to find the proper owner of that property and to get the correct individual so that the proper notification is to make sure that the right individual gets notified. And to enlighten on one thing that Senator Jones brought up as far as the title companies, none of the title companies put in an objection in the -- in the committee hearings on this. If they have those objections, I would indicate to them that they work in the House -- with the House sponsor if this bill is passed out of the

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Senate. And I would be more than happy to have them work with the House sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter, to bring it to a close, please.

SENATOR RIGHTER:

I will. To close. Thank you, Madam President. Thank you, Senator Link. But according to our reading of the bill, the notice that I'm referring to is not an additional notice you're putting in the bill. That's the final notice that they already get according to law. You've just transferred the duty of delivering that notice from the individual to the sheriff. So, I mean, you talk a lot about added protections, but the bottom line here, the net effect, if the sheriff doesn't deliver that notice, that individual misses their last chance to redeem the taxes and keep their home. Based on that flaw, I would urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to close.

SENATOR LINK:

Senator Righter, you're talking about the final notice. This is after two years of notification that they would have been getting by registered mail to that owner. I would ask for a Aye vote on this. I think it's long overdue. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 262 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 32 Yeas, 22 Nays, none voting Present. And Senate Bill 262, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

With apologies. Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ALTHOFF:

I have in the Democratic gallery behind, members of the Hough School from Barrington. They won the international competition, first place - there's a group of third, fourth and fifth graders ages eight to ten - in the Knowledge Masters. Can

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we give them a warm welcome to Springfield and congratulations, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise. Welcome to Springfield. Senator Ronen, on Senate Bill 267. Senator Ronen, on 268. Senator Ronen, on 269. Senator Ronen, on 269. Senator DeLeo, on 273. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President, Members of the Senate. This is probably the most difficult bill of the Session. This changes the name of the Ticket Scalping Act to the Ticket Brokers and Ticket Sales Act. That was the amendment. That's what it does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 273 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 43 Yeas, 10 voting No, none voting Present. And Senate Bill 273, having received the required constitutional majority, is declared passed. Top of page 10. Senator DeLeo, on 274. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 274.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 274 amends the Public Relations Act by requiring all public employees to disclose, at the request of the exclusive bargaining, a list of name and

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addresses of all employees in the bargaining unit. This request is limited to four times a year. This was asked by the Fraternal Order of Police. AFL-CIO was opposed to it. Now, with the amendment, they're for it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

Yes. Originally when the bill was presented, the Sheriff's Association was opposed to this. They -- their basic comment was, "Well, how come the union doesn't know who's in the union or not? And -- and why does the sheriff's department have to give 'em that information? They should have that information themselves." However, the sponsor has worked with them, explained it more in detail. And now my understanding is that they are fine with it and I would also urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just a quick question. Is the provision still in this bill that public employers would be required to furnish the names and home addresses of every employee? Has that been taken out?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I don't believe, Senator Lauzen, that home addresses were even mentioned in the -- in the legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

I'm under the impression that it was names and addresses for the employees. And I would have to assume that any address would be a home address.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I -- I'm assuming it would be and -- and just would go to their collective bargaining representative from the union. So, it wouldn't -- it's not for public record.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Then -- then just to clarify, it says that, "A public employer is required upon request to furnish the exclusive bargaining representative with a complete list of the names and addresses of the public employees..." So, I -- I hope that people realize that this -- this information about each employee would -- would be then required by law to be turned over. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any other discussion? Senator Shadid.

SENATOR SHADID:

Would the Senator respond...

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR SHADID:

Senator, why is the Illinois Sheriff's Association opposed?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Originally, it was part of their collective bargaining process. And since we spoke to them and they're -- they've mentioned that, we've -- we've been working with them, meeting with them, and we're going to put an amendment on it at the House that -- that will remove their objection, which Senator Pankau mentioned in debate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Is -- is this bill going to require all law enforcement personnel to give their names and addresses publicly?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Just a collective bargaining representative.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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Question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

I don't believe you answered the question for the Senator here.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I'm sorry, Senator Geo-Karis, could you repeat your question, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

He -- I think he asked you if this bill is going to require the names and addresses of all people involved.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

That's correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It would or wouldn't?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo, it would or it wouldn't?

SENATOR DeLEO:

It would.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, DeLeo, do you want to close? Senator DeLeo. Senator DeLeo.

SENATOR DeLEO:

My -- my dear colleague and friend, and roommate, and officemate, thank you so much. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 274 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

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wish? Take the record. On that question, there are 47 Yeas, 9 Nays, 0 voting Present. And Senate Bill 274, having received the required constitutional majority, is declared passed. Senator Haine, on 278. Senator Shadid, on 281. Senator Shadid, 282. Senator Cullerton, 283. Senator Cullerton seeks leave of the Body to return Senate Bill 283 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 Senate Bill 283. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a agreed amendment as a result of negotiations with the State's Attorneys Association and Cook County State's Attorney and the Illinois Collaboration on Youth and the Juvenile Justice Initiative. It deals with automatic transfers. And ask for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 283. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Amendment No. 2 is a technical amendment which renames -- the -- the Juvenile Justice Commission to the Criminal Justice Information Authority.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 2 to Senate Bill 283. All those in favor will say -- Aye. Opposed, Nay. The Ayes have it,

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and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 283. Senator Cullerton, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 283.

(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. Last year we passed a Senate Joint Resolution 53. We set up a legislative transfer task force and we had three public hearings to deal with the issue of automatic transfers. As a result of those hearings and a number of meetings, we were able to strike a -- an -- an agreement between the State's Attorney's Office, -- downstate State's attorneys, as well as the Juvenile Justice Initiative. The nature of the -- the agreement is that we're going to add to the list of -- of offenses that are subject to automatic transfer aggravated battery with a firearm. And in the cases of drug cases, we are going to require individualized review for transfer to the adult court. We also do some clean up of the -- the factors that judges consider in determining presumptive or discretionary or extended jurisdiction in juvenile cases. But we don't in any way get rid of automatic transfers; we just have individual review for juvenile drug cases. Most -- we found that most automatic transfers are -- come from Cook County. Ninety-seven percent come from Cook County, but there has been a real problem in Cook County. So with that, be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

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PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Cullerton, first, I want to congratulate you on the work. I -- I sat in some of the meetings that you had with a lot of the stakeholders and I know it was a lot of work to try to put this together. I -- for the edification of the Members in the Chamber, with regards to the drug offenses - and, of course, I mean, people always get a little bit nervous when they talk about they're watering down a provision or changing a provision that could be construed by someone, maybe some November of some even-numbered year, to be watering down - can you explain exactly what the change is with regards to the drug offenses, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. The particular problem, Senator, was drug offenses within a thousand feet of a school and within a thousand feet, you may recall, of a public housing project, because that was -- in the City of Chicago that was getting just about every offense even though it wasn't related to the fact that it was near a school or near a -- a public housing project. So we met with the CHA and, again, with the State's attorneys and they said what they'd be willing to do is take an individual review for transfer in each one of those cases that involve drugs - I believe it's any violation of the Controlled Substance Act - but as it relates to the school and -- and the CHA.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator, last question. Was -- staying on that same subject, was there a change in regards to the weights? How much of the drug someone could have? Or I should say, the Class X felony provision. Before, it could be a Class X felony based on your proximity. Haven't you -- haven't you changed a provision in that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

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I know -- I know why you're asking that, because that was one of the options that we talked about and you had even suggested that we -- with regard to the school problem, that we add a... Right. The -- the -- the State's Attorneys Office, though, in the end decided to do it this way, which is to - and, again, we're adding another offense to the automatic transfer - but to go ahead with individual review for the -- the drug cases. So...

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

Just happy to answer -- I'm sorry. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 283 pass. Those in favor will vote Aye. Opposed, Nay. The -- Oh! 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. Senate Bill 283, having received the required constitutional majority, is declared passed. Senator Viverito, what purpose do you rise?

SENATOR VIVERITO:

Thank you, Madam President. A personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR VIVERITO:

Thank you, Madam President. I would like very much, we have four wonderful Pages -- three wonderful Pages here. All live in Athens and I'd like to give them a warm welcome. Max Luparell, Anna Luparell and Olivia Parlo. How about giving them a nice round of applause?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our Pages be recognized? Welcome to Springfield. Senator Silverstein, on 287. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 287.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Silverstein.

SENATOR SILVERSTEIN:

Thank -- thank you, Madam President. This expands the definition of hate crimes to include -- hate-based violations of harassment through electronic communications. I'll take any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 287 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 question -- take the -- take the record. There are 56 Yeas, none voting Nay, none voting Present. And Senate Bill 287, having received the required constitutional majority, is declared passed. Senator Sandoval, on 289. Senator Cronin, on 293. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 293.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President. Senate Bill 293 seeks to prohibit the use of project labor agreements by the State Board of Education and the Capital Development Board on any school construction project, grant or debt service grant provided under the School Construction Law. Project labor agreements, as many of you know, discriminate against four out of five workers in America. They discriminate against women and minorities. They increase the cost of projects without increasing the quality. I ask for your favorable consideration and happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Hendon. Senator Hendon. No question. Is there any discussion? Seeing none, the question is, shall Senate Bill 293 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

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record. On that question, there are 36 Yeas, 15 Nays, 1 voting Present. And Senate Bill 293, having received the required constitutional majority, is declared passed. Senator Sandoval, on 304. Madam Secretary, read the bill. Senator Sandoval seeks leave of the Body to return Senate Bill 304 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 Senate Bill 304. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval, to explain your amendment.

SENATOR SANDOVAL:

The amendment makes the -- Amendment No. 1 reflects the comments made by a number of members of the Senate Judiciary Committee. And the amendment limits the journal requirement to notarial acts involving real estate documents. And also the amendment removes the provisions of the bill which would have dramatically increased the penalties for fraudulent notarial acts. That is the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dillard, on the amendment? So seeing no -- none, Senator -- Sandoval moves the adoption of Amendment No. 1 to Senate Bill 304. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 304. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 304.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

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SENATOR SANDOVAL:

Thank you, Madam President, Members of the Senate. Senate Bill 304 amends the Illinois Notary Public Act and it strengthens the provisions which would reduce the number of forged signature on real estate documents. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I have two questions if the sponsor would yield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR DILLARD:

The first one, Senator Sandoval, this is limited to just real estate transactions, correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, sir.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

The second one, Madam President, is, how does this affect lawyers who also might be notary publics?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

The amendment does not affect attorneys, as long as they keep files.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none -- oh! Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

What do you mean the attorney -- the attorney keeps files? I mean, a lot of people come to your office asking for a notary

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and you know them and you notarize their documents. Do we have to keep a file on every one of 'em?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Well, I am no one to define what kind of files attorneys keep, but I'm sure that the attorneys keep files of all of their notarized documents, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What I'm trying to tell you is, you can have a number of people come into your office and they know you're a notary -- that you're a notary also, even though you're an attorney, and they're asking you to notarize their signatures. And you know who they are, so you notarize their signatures. What -- do I have to keep a file on all that stuff? That would be ridiculous.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Just to clarify, Senator Geo-Karis, the -- the bill excludes attorneys from having to keep journals and just allows them to keep files of the documents, as an accommodation to the attorneys.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 304 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 44 Yeas, 8 Nays, none voting Present. And Senate Bill 304, having received the required constitutional majority, is declared passed. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Madam President, I inadvertently made the wrong vote on 293. I voted in the affirmative and I meant to vote in the negative.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record shall so reflect.

SENATOR JACOBS:

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Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton seeks leave of the Body to return Senate Bill 314 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 Senate Bill 314. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. The amendment deals with the Horse Racing Act. It becomes the bill. Reflects an agreement among most of the players in the horse racing industry, as well as the department -- the Racing Board. And I would be happy to move its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter, on the amendment. Senator Righter, this is on the amendment. Do you wish to speak on the amendment?

SENATOR RIGHTER:

I do, Madam President. I would request...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

I would request a roll call vote on the adoption of this amendment, please. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

That's always in order. Is there any other discussion on the amendment? Senator Burzynski, on the amendment.

SENATOR BURZYNSKI:

Thank you, Madam President. Since we've had a request for a roll call on the amendment, I think it's important that everyone understands what the amendment is. The amendment is online account wagering, as I recall from our discussions in Executive Committee. That it also -- there were a lot of questions in committee relative to fraud, relative to the ability of the -- minors having access to online accounts - those kinds of things. So I do have some questions relative to the amendment, just in

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case it doesn't pass, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Madam President, Senator Watson is in support of this bill and I don't see him on the Floor. So, I'd rather take it out of the record until he can return, so we can take the bill up then.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Shadid, on 315. Oh! I'm sorry. Senator Link, for what purpose do you rise?

SENATOR LINK:

Madam President, I was off the Floor on Senate Bill 293 and I did not vote, but my intent would have been to vote No on that bill. And I would like the record to reflect.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Senator Shadid, on 315. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 315.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. This bill was requested by the Heart of Illinois Port District, and, as amended, simply makes the Public Officer Prohibited Activities Act applicable to the board members and employees of the Heart of Illinois Port District. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 315 -- Senator Burzynski, you have to put your light on a little quicker than that.

SENATOR BURZYNSKI:

Well, I -- and I appreciate you recognizing me, but as I was trying to find out which bill the Senator was describing; I think he was describing 318 rather than 315. So, I just wanted a clarification.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, would you clarify 315, please?

SENATOR SHADID:

Yeah. 315, I don't want in. ...out of the record.

PRESIDING OFFICER: (SENATOR HALVORSON)

315 is out of the record.

SENATOR SHADID:

Sorry about that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you.

SENATOR SHADID:

Thank you, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, 316. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 316.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 316 is really a cleanup bill. In Illinois most insurance companies are either mutual or stock insurance companies. There's another rarely used form called the reciprocal insurance company. The general tax treatment of the two is different. And the reciprocal structure can be subject to double taxation. In the past, the General Assembly addressed this back in 1999 and created an appropriate exemption so that the tax reciprocals were taxed at the same basis. That exemption inadvertently sunset. This bill restores and makes permanent the exemption. I'm aware of no opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just rise in support of this bill. Senator, you must have enjoyed the committee project on this, when actually none of the Republicans had gotten to the

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meeting. But you took care of making sure that the government continues to run. So, thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 316 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 53 Yeas, none voting Nay, none voting Present. And Senate Bill 316, having received the required constitutional majority, is declared passed. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you, Mr. -- Madam Chairman. On Bill 293, I inadvertently hit my Yes button and I would like the record to show that my intent was to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Senator Shadid, on 318. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. This bill was requested by the Heart of Illinois Port District, and, as amended, simply makes the Public Officer Prohibited Activities Act applicable to the board members and employees of the Heart of Illinois Port District. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 318 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 55 Yeas, none voting Nay, none voting Present. And Senate Bill 318, having received the required constitutional majority, is declared passed. Senator Cullerton, on 319. Madam Secretary -- oh! Senator Cullerton seeks leave of

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the Body to return Senate Bill 319 to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 319. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a bill creating the offense of armed habitual criminal. The amendment provides that if someone has been convicted of two previous offenses that they would apply to this criminal offense.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 319. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 2nd Reading, Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 319.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

I actually said on the Order of 2nd Reading, I mean on the Order of 3rd Reading. And Madam Secretary just read the bill. So, Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This creates the offense of being an armed habitual criminal. Makes it a Class X felony. It's defined as possessing or transferring a firearm where the person has previously been convicted twice of a number of very serious forcible felonies. I'll be happy to answer any questions and ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing -- Senator Watson.

SENATOR WATSON:

Yes. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WATSON:

John, where do you get all this stuff?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR WATSON:

I'm telling you -- I tell you what, we're going to -- we're going to dedicate a volume of the Illinois State Statutes called the John Cullerton Memorial someday. Because you're just cluttering up the State -- maybe this isn't, but just unbelievable. No -- no comment -- no response necessary. Just...

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Watson. Is there any further discussion? Seeing none, the question is, shall Senate Bill 319 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 55 Yeas, none voting Nay, none voting Present. And Senate Bill 319, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to Senate Bill 320 and 321. Top of page 11. Senator Wilhelmi, on 323. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 323.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam -- thank you, Madam President, Members of the Senate. Senate Bill 323 amends the Build Illinois Fund to create the Military Reservist Business Assistance Loan Program. The program will make loans -- low-interest loans to small businesses which have lost an owner or a key employee due to a

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period of conflict. The Act sets forth the manner in which the Department of Commerce and Economic Opportunity may award and administer the Program. And it applies for businesses with twenty-five or fewer employees. This is a good bill for small business. It's a good bill for -- our men and women who are fighting for freedom in Iraq. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Madam President. I would just simply say that this passed out of the Commerce and Economic Development Committee unanimously and I would recommend an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

May I just ask a couple of questions?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LAUZEN:

What will be -- other than the -- other than the status of being in the military or having lost a person to go over to war, what will the criteria be for awarding these, and what will the appropriations requests be?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

We talked about this in committee and it's going to be through the Participation Loan Program. And there will be rules that'll be enumerated by the Department to determine what the criteria will be for businesses. The second question, with regard -- if you could repeat the second question for me, Senator, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Yes. It's -- how much of an appropriation will be set aside for this, and have you established a -- an appropriations bill to request that?

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President. That is going to be determined by the Department and I don't have the answer for you on that issue. But I know the Department is well aware of your concern and so am I. Thank you, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 323 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 56 Yeas, none voting Nay, none voting Present. And Senate Bill 323, having received the required constitutional majority, is declared passed. Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

Thank you, Madam President. I was in the back on the phone and Senate Bill 293 was -- and I was recorded as an Aye vote. I'd like the record to indicate -- reflect that I -- if I was here, I'd be voting No on that.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Senator Harmon. Senator Sandoval, on 334. Senator Sandoval seeks leave of the Body to return Senate Bill 332 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 Senate Bill 332. Madam Secretary, are there any Floor amendments approved for consideration? Senator Sandoval seeks leave of the Body to return Senate Bill 334 to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 334. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval, to explain your amendment.

SENATOR SANDOVAL:

Thank you, Madam President, Members of the Senate. Amendment No. 3 gives the State department agencies greater

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flexibility in determining what documents can -- will be translated into a different language other than English.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Sandoval moves the adoption of Amendment No. 3 to Senate Bill 334. 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?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 334. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 334.

(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. The 2000 Census reports that Illinois has over 12.3 percent foreign-born U.S. residents and there are over 2.2 million Illinois residents who speak a -- a language other than English. Therefore, as a result of that fact here in the State of Illinois, I thought that it would be important to provide an -- a -- a statute that allows -- that creates the Access to Government Services Act. And that is, basically, a bill that requires State agencies to make government more accessible to all those 12.5 percent foreign-born U.S. residents. Basically, what the bill allows -- requires is that State agencies have sufficient number of bilingual personnel and interpreters to assist folks with -- limited-English proficiency. It also allows the agencies to -- the ability to determine what documents should be translated to be more accessible to those who are limited in English. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

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Thank you, Madam President. You know, this is one of those bills that is well-intentioned, but, you know, the consequences is something else and the cost is something else. The census -- the way I understand this bill and the way the amendment is written, that if the census shows that's there more than three percent, then you will translate important documents into that language. Senator, will the -- will the census show whether you have proficiency in English even if you have three percent of the -- of the population in a -- in a particular population?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator, the census indicates that there are over twelve percent of the population of foreign-born U.S. residents who are limited in English proficiency.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RISINGER:

Senator, the numbers that I have show that there's about four percent Asians in Illinois. And the Asian population then is divided down, from Asian-Indians, Chinese, Filipinos, Koreans, Vietnamese, Japanese. Would we be translating these documents into all of these languages even though each one of those Asian populations is not -- does not trigger the -- the -- the three percent?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

No. On the contrary, the three percent will apply to a specific population. So, it will not refer to a particular -- particular residents of particular country. It will be pertinent to the overall population of that group.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger, if you could, please.

SENATOR RISINGER:

Thank you, Mr. President. But this is a very important bill and -- and one that can be very costly. There's a fiscal note on this bill that shows that the different agencies are -- are showing rather large amounts of money. In fact, CMS says it may

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be as much as 1.5 million dollars. Public Health is looking at four hundred and thirty-three thousand dollars. The Illinois Commerce Commission says three hundred and seventy-two million dollars. And all of those haven't decided yet what the important documents are going to be. You know, is the Revenue Tax Code, for example, an important document? And if it is, and if -- are we going to translate all the tax forms into all these different languages that the census says there -- there's that kind of population? This is not a matter of just hiring a few people to put in the agencies. This is a matter of translating these documents and -- and reporting these documents. This is a well-intentioned bill, but a very costly bill and I think it's going to take some of the things away from the people that really need services by -- if we expend this kind of money. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Thank -- thank you for your understanding, Senator. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. And, again, I -- I appreciate the intention of the sponsor. Is it -- is it true that the official language of the State of Illinois is English?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

No, Senator Lauzen.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

No. I am sorry you are mistaken on that. It is -- the official language of the State of Illinois is English. You might want to ask your staff member to take another look at that. The question that I would have is, if there are fewer incentives to learn the English language, won't we have fewer folks being assimilated into, you know, the American culture and into the, you know, why they came here in the first place? God love 'em.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

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Senator Lauzen, I, like you, believe in that basic premise, that the two important -- most important tools in this country for success are two things. One is being a citizen, and two is speaking English. I, as a product of the illegal immigration from Mexico to the United States, ran into that same situation when my children were entering the first grade, who were very limited in their English. I, just like my mom, just like my dad, also married a -- a foreign-born resident, a Mexican woman. And so, Spanish was the first language that was spoken and learned by my children. When they reached the first grade, I was asked -- I was asked by the public school system that if I would allow for them to enter into the bilingual class, because they did not test for the English-only class. I then decided to immerse them into the English-only class at Nightingale Elementary. And so, I support you in your thoughts that it is important that -- to learn English in this country. Yet, I will tell you that there are -- unlike my children, who are fortunate to have a dad who speaks English, there are a number of foreign-born U.S. residents who come over to this country at the age of thirty, forty, fifty, sixty, seventy years old from other countries who are very limited in their English proficiency and who are U.S. residents and have a right to go to the State of Illinois for services. We need to ensure that the State of Illinois and government is accessible to them in their language. And I'm speaking to the larger populations, like the Polish community. The Polish community is one of the largest Polish communities in the country here in the State of Illinois. I happen to represent the largest Polish contingency in Chicago, the Polish Highlanders on the southwest side of Chicago. Many of them are very limited in their English when they -- when they come to this country and as they become citizens and become part of this great fabric. Or the Mexican community..

PRESIDING OFFICER: (SENATOR HENDON)

Senator...

SENATOR SANDOVAL:

...which -- which compromises -- the Latino community which comprises nearly fifteen percent of the State of Illinois population. So, we need to ensure that government is accessible to all the residents of the State of Illinois. And this

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amendment was -- came to conclusion with support of this administration. I have been working with this administration to find a way to make this -- this bill, which they support, acceptable for implementation in State government. They've come up with a recommendation which is in...

PRESIDING OFFICER: (SENATOR HENDON)

Senator, if you could wind it up, please. Senator Hendon is in the Chair now. We have to move things along.

SENATOR SANDOVAL:

I respect that, Senator Hendon. This bill has support from this administration and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 334 pass. Those in favor, vote Aye. Opposed, vote Nay. And 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 34 voting Aye, 17 voting Nay, and 1 voting Present. Senate Bill 334, having received the required constitutional majority, is declared passed. Senate Bill 339. Senator Dillard. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Could I ask leave of the Body to return to 332?

PRESIDING OFFICER: (SENATOR HENDON)

Leave is granted. We are now on -- Senate Bill 332. Senator Harmon seeks leave of the Body to return Senate Bill 332 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 332. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciate your indulgence in returning this to -- to 2nd so that I could amend the bill. This -- the amendment creates the Handgun Dealer Licensing Act. It is my intention to amend the bill and move it to 3rd and, as I indicated before, not

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to call it. Instead, I'm going to invite Senator Righter and Senator Roskam over here to beat me with baseball bats and just call it a day.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, I had my light on before, 'cause I wanted to make an inquiry of the Chair. I understand that you didn't see that and I -- that -- that's fine if you want to finish with Senator Harmon's business and come back to me, I...

PRESIDING OFFICER: (SENATOR HENDON)

I'll finish with Senator Harmon's business and return to you. Senator Harmon moves the adoption of Senate Amendment No. 2 to Senate Bill 332. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 332. Oh! Out of the record. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your inquiry.

SENATOR RIGHTER:

Twofold. First, are we resetting the clock when a new questioner begins, and what exactly do the lights above your head indicate?

PRESIDING OFFICER: (SENATOR HENDON)

It depends on which light you're speaking of, Senator.

SENATOR RIGHTER:

I am referring to the yellow, and the reason I ask that, Mr. President, is because when you recognized Senator Lauzen on the previous bill and he was asking questions, the light immediately went to yellow, which I always took to mean one minute which would indicate that the clock had not been reset. Then when Senator Sandoval finished his response, Senator Lauzen was not

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allowed to follow up with a question, I'm assuming because you saw the red light. I'm not so sure that that was five minutes. I think maybe because the clock wasn't reset.

PRESIDING OFFICER: (SENATOR HENDON)

Well, Senator, I personally choose not to use the lighting system. I will give you as much time as you need. That's why I said to my colleague, Senator Sandoval, that he was a bit long-winded and taking up Senator -- some of Senator Lauzen's valuable speaking time, which it is not the intent of the Chair to do such. And I will give you ample amount of time on each bill that you need. But we do -- you do understand that we are under time constraints and we're going to try to get this business move along. But I would never cut off any intellectual thing that you have to contribute to any of the bills that are under discussion. Senator Righter.

SENATOR RIGHTER:

Well, thank you for that, Mr. President. I think that was a compliment. Just -- and I appreciate, you've been very fair to us in the Chair here today. And all I would ask, Senator Hendon, is that if you are not going to be willing to come back to a questioner two more times, you just give them a little bit of a boost, a little bit encouragement. You've been very good at that in the past. I think Senator Lauzen had some additional comments he wanted to make and wasn't able to make those. But thank you very much for your indulgence.

PRESIDING OFFICER: (SENATOR HENDON)

I will certainly take that under consideration. And Senator Lauzen, being a close personal friend of mine, know I would never do that to him intentionally. But the Chair does plan to move this legislation along. We do not want to be here at midnight, nor do we want to be here tomorrow night at eight or nine o'clock. Senate Bill 339. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 339.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

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SENATOR DILLARD:

Mr. -- thank you, Mr. President. This is an initiative of the Illinois Press Association and it is a shell bill. And it's a shell bill with a purpose. And we are in negotiation with the Illinois Trial Lawyers Association and the Illinois Press Association to stop something called a Strategic Litigation Against Public Participation act, called a SLAPP. And this is something we need to move over to the House. This is something that's important and has a purpose. And on this shell bill, from both sides of the aisle, I need a Yes vote and so does the Illinois Press Association.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: I typically never support a shell bill; however, this is an extremely important issue. We have actually two cases pending in McHenry County, where two trustees spoke out against a developer at a public meeting and were sued over this. It's still pending in court. I think we need to have legislation drafted to address this very important issue and I would ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 339 pass. All those in favor, vote Aye. Opposed will vote Nay. And 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 voting Aye, 1 voting Nay, none voting Present. Senate Bill 339, having received the required constitutional majority, is declared passed. Senate Bill 343. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 343.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill adds -- merely adds two counties adjacent in

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the Metro-East - Jersey, Macoupin - to the current counties that are in the Metro-East Park and Recreation District. It also gives some benefits to records to that district. It also allows the Macoupin County Board Chairman to appoint a member of this board.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. Senate Bill 334, I was over there having a bill signed by -- and I apologize, Senator. I -- I didn't mean it. But I wanted to be sure that you mark me, 334, I wanted to vote Yes.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. To the sponsor: Was there any kind of a referendum to indicate that these counties wanted to join the Park District Association?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes. The counties that are in -- in the district now will set it up by referendum. But, you're right, this would be a statutory annexation of the two counties. But -- but, apparently, there's no -- no -- I didn't get any calls against it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So, in other words, the two counties that are being added didn't necessarily have a referendum to say we want to be included. County boards have indicated they want to be included, as I understand you saying. So -- and just because we don't get phone calls, doesn't mean the people back home aren't

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opposed. Maybe they just don't know. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 343 pass. Those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, 1 voting Nay, none voting Present. Senate Bill 343, having received the required constitutional majority, is declared passed. Senate Bill 344. Senator Haine. Senate Bill -- out of the record. Senate Bill 351. Senator Garrett. Senate Bill 374. Senator Trotter. Senate Bill 376. Senator Trotter. Senate Bill 383. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 383.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is a bill that's been worked on for a number of years. And it's -- the State Board of Education must adopt rules and documentations for school plan reviews and inspection of school facilities. Illinois State Board of Education is -- also directed to convene a task force to examine documents and make recommendation regarding training and -- accreditation for those people who perform or review inspections. This is something that we need as far as inspections of schools. It's something that's been worked on by a number of people. I don't know of any opposition. I would ask for affirmative vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Yes, Mr. President. I rise in support of the bill. This was worked on for a number of years. I commend the -- the sponsor. This involves a -- sort of a -- a competition between local inspectors and municipal level and the -- and the county -- or, the regional offices. And I -- I think this makes sense. We have to carefully watch it as it goes along, but I rise in

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support.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 383 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 383, having received the required constitutional majority, is declared passed. Senate Bill 385. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 385.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This amends the Illinois Banking Act. Provides that unless you're prohibited by -- now the bank bylaws that directors of State banks may properly fill a vacancy arising between a shareholders' meetings by appointment. Provides that any director appointed to fill the vacancy arising between shareholders' meetings shall serve till the next meeting of shareholders at -- the directors that are elected. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Rutherford.

SENATOR RUTHERFORD:

I thought that was Joe Lieberman speaking for a moment. Senator Link, I stand in support of the legislation. It came out of our committee unanimously.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 385 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 385, having received the required constitutional majority, is declared passed. Senate Bill 386. Senator Link. Madam Secretary, read

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the bill.

SECRETARY HAWKER:

Senate Bill 386.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link. Senator Link. Out of the record. Senate Bill 387. Senator DeLeo. Senate Bill 388. Senator DeLeo. Senate Bill 389. Senator DeLeo. Senate Bill 390. Senator DeLeo. Senate Bill 391. Senator DeLeo. Senate Bill 392. Senator DeLeo. Senate Bill 393. Senator DeLeo. Senate Bill 397. Senator DeLeo. Senator DeLeo seeks leave of the Body to return Senate Bill 397 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 397. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1, what it does, it replaces the Illinois current Vehicle Emissions Inspection Program Act with a new program that will capitalize on efficient new testing technology and a new approach. The federal Clean Air Act requires that all states to meet certain health-based air quality standards for ozone pollution. So in order for us to meet these requirements in Illinois, vehicles are -- in more densely populated areas are subject to emission -- vehicle emission testing. This program will not extend existing areas, but will make it easy for residents to find convenient testing location. And it saves money.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator DeLeo moves the adoption -- oh, I'm sorry. Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There may be some discrepancy on what people are seeing

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on their computer screens with the amendment. We did support this in committee. I urge its support.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo moves the adoption of Amendment No. 1 to Senate Bill 397. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 397. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 397.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President. The amendment, as I just explained, is the bill - Floor Amendment No. 1 to Senate Bill 397. This is an IEPA initiative designed to reduce State costs and improve residence convenient. Please join me in voting Aye on this very -- important piece of legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 397 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 397, having received the required constitutional majority, is declared passed. Senate Bill 399. Senator DeLeo. Senate Bill 403. Senator DeLeo. Senate Bill 404. Senator DeLeo. Senate Bill 405. Senator DeLeo. Senate Bill 406. Senator DeLeo. Senator DeLeo seeks leave of the Body to return Senate Bill 406 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 406. Madam Secretary, are there any amendments

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approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As I explained in committee yesterday, this amendment was brought by the Associated Beer Distributors of Illinois. A distributor must submit proof to the Secretary of State's -- on their website or corporation that they're in good standing in order to qualify under the -- the Business Corporation Act of 1983. What this does is the Illinois Liquor Commission Control {sic} requires that a distributor submit a certificate for their license renewal. Generally, there's a twenty-five-dollar fee. This allows the distributors to -- to pay that fee for them and check to see if their license is in good standing. The Illinois Liquor Control Commission is neutral on this and the City of Chicago is for this. So, I ask the -- the amendment to be adopted.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator DeLeo moves the adoption of Senate Amendment No. 1 to Senate Bill 406. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 406. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 406.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you, once again, Mr. President, Ladies and Gentlemen

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of the Senate. The amendment we just adopted becomes the bill. I'd ask for a favorable roll call in Senate Bill 406.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I simply stand in support of the bill. As it now stands, received unanimous support of the Executive Committee. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 406 pass. All those in favor, vote Aye. Opposed, vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 406, having received the required constitutional majority, is declared passed. Senate Bill 408. Senator Sandoval. Senate Bill 409. Senator Raoul. Madam.. Senator Raoul seeks leave of the Body to return Senate Bill 409 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 409. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

The amendment to Senate Bill 409 provides a -- was done in reaction to a couple of phone calls received from homeschoolers and this -- this amendment provides a liberal opt-out for anybody who would have their child in a private school, which would include a homeschool.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion on the amendment? Senator Cronin.

SENATOR CRONIN:

Yes. I -- I -- you know, maybe I'll direct my questions to legislative intent on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Raoul moves the adoption of

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Amendment No. 2 to Senate Bill 409. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 409. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 409 produces to lower -- the compulsory age to begin school from seven to five. This bill is brought to deal with the problems caused by children entering formalized education at a late age, particularly in disadvantaged communities. I spoke with numerous principals in disadvantaged neighborhoods regarding the negative impact of children entering school -- school late, particularly children in low-income households, single-parent households, homes where the primary language is not English, and homes where the parent did not complete high school. They're -- often disruptive because they have not been exposed to formalized education, and the -- and the achievement gap, which we -- we -- we -- we need to close the achievement gap. There's -- there's much research information, including the Early Childhood Longitudinal Study conducted by the National Center for Education Statistics, that goes towards proving that children in disadvantaged neighborhoods can benefit from kindergarten, and -- and this would go a long way towards closing the achievement -- gap.

PRESIDING OFFICER: (SENATOR HENDON)

Any -- I'm sorry, Senator, I thought you were through.

SENATOR RAOUL:

I -- I must -- I must say and -- and -- and must say with

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emphasis, this bill is in no way aimed at trying to regulate homeschoolers. I sat with representatives of the homeschool community and added language to this bill, that they suggested, that would -- that would exempt them from -- from -- from -- from this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President. I want to commend the sponsor for his effort to be responsive, to the extent that he can on this bill to the homeschool community. I understand his objective and I think he made a -- a very good effort to understand the concerns of the homeschool community. With the amendment, I do have a question that I'd like to direct to Senator Raoul as the sponsor of the bill for purposes of legislative intent. In the amendment, there is language that discusses the notice requirement and -- for those families -- students in families that wish to be exempt from the compulsory school requirement of this bill. They may simply make notice by writing a letter to their school, the school that they would be attending. That being the public school, the private school or the homeschool. Is that correct? Is that your legislative intent?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

That's correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Well, thank you. I just wanted to commend the sponsor for making a very, very diligent effort to -- to respect the wishes of the homeschool community and at the same time address an issue that has -- that is a very serious issue and -- and we all know that early childhood intervention -- early childhood education is vitally important to the development of a child for years to come. And so I commend Senator Raoul and urge my -- Members of this -- our side of the aisle to -- to -- to vote your conscience and do the right thing.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. Couple questions.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR WINKEL:

Now, this -- this changes the compulsory age from seven to five and there's an opt-out provision that's -- that's now in your bill by amendment. Is that -- that's correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

That's correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel.

SENATOR WINKEL:

Well, as we discussed during the committee -- and -- and Senator Cronin has already complimented you. I want to add my compliments to your being responsive to the concerns that we expressed, particularly concerning homeschoolers. But as I said in the committee at our last meeting on the amendment, my concern also is the fiscal impact. I know a couple years ago when there was an effort to move the compulsory age from seven to six, that there was a significant fiscal impact attached to that by the Illinois State Board of Education. And so I'm concerned, you know, as we move it from seven to five, which is a year younger than what was tried a couple years ago, I would guess that that also would have a significant fiscal impact and wondered if you could respond to that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Senator, for the question. Prior to committee, I did make a -- a -- a -- inquiry of the State Board of Education as to the fiscal impact. And at that time, they indicated that the fiscal impact would be negligible. After the last committee meeting where I presented the amendment, we made an additional inquiry as to the fiscal impact and was told that there is little

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impact financially, unless the legislation moves from half-day kindergarten to full-day kindergarten which the legislation does not move to -- to do that at all. As mentioned in committee, all districts offer kindergarten. Currently, some offer half-day kindergarten, some offer full-day kindergarten.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel, I'm going to recognize you. The time is up, but go right ahead.

SENATOR WINKEL:

Well, thank you. I just -- a quick follow-up. I mean, I consider it significant that two years ago the State Board thought it would be in excess of seventeen million dollars. That was moving from seven to six. We're moving from seven to five. I have to think that -- I mean, even if it's double that, I mean, thirty-four million. But it's a significant -- it runs in the tens of millions of dollars what you're proposing. In these tight budget days when we're trying to find the money for education funding, I just want Members to be aware of that. I'm concerned about it and I think it has a significant fiscal impact. And I would not characterize it as negligible.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he yields. Senator Jacobs.

SENATOR JACOBS:

The great Senator Raoul, so I understand my -- my homeschool people in my area are going to be satisfied with your bill because they can opt out of it if it doesn't meet their requirements?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

I can't speak to what specific homeschool communities would feel about this bill. I did meet with the representatives of the homeschool community that came down to Springfield to talk to me about this and put the specific language that they requested into the bill.

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PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 409 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 25 voting Nay, none voting Present. Senate Bill 409, having received the required constitutional majority, is declared passed. Senate Bill -- Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you. I hate to do this, Senator, but we'd ask for a verification.

PRESIDING OFFICER: (SENATOR HENDON)

Your request for a verification is always in order, Senator Burzynski. So, of course, I'll simply have to give you that. And that's exactly what I intend to do. Senator Burzynski has requested a verification. Will all Members be in their seats? The Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Cullerton, DeLeo, del Valle, Demuzio, Forby, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Raoul, Ronen, Schoenberg, Shadid, Silverstein, Dave Sullivan, John Sullivan, Trotter, Viverito and Wilhelmi.

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR BURZYNSKI:

Senator Burzynski commends those voting in the affirmative for being on the Floor at this time. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you. On a verified roll call, there are 30 voting Aye, 25 Nays, and none voting Present. Senate Bill 409, having received the required constitutional majority, is declared passed. Senate Bill -- Senate Bill 411. Senator DeLeo. Senate Bill 411. Madam Secretary, read the bill. Senator DeLeo seeks leave of the Body to return Senate Bill 411 -- Senator DeLeo seeks leave of the Body to return Senate Bill 411 to the Order of

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2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 411. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment No. 1 to Senate Bill 411 does become the bill. This is an agreed legislation to prevent any individual/entity from utilizing certain types of business transfers or reorganization to avoid liability so they don't have to pay State unemployment taxes. If we do not enact this legislation, it will jeopardize the State's continued receipt over a hundred million in annual federal grants.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau, on the amendment.

SENATOR PANKAU:

Thank you. This is generally known as SUTA dumping and some of the business groups did have some wording concerns. They are -- however, they are taking it back to their people and there was no concern at the time of the vote in committee. And they said that if there was any of a small detail, they would handle it over in the House. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo moves adoption of Amendment No. 1 to Senate Bill 411. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 411. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 411.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very, very much, Mr. President, Ladies and Gentlemen of the Senate. As we said, Senate Amendment No. 1 to Senate Bill 411 does become the bill. Senator Pankau mentioned business asked for a chance to go through this legislation one more time with a little fine-toothed comb -- as the bill moves to the House. And the Department has committed - IDES - to -- to do whatever technical changes the business community wanted -- be necessary for both -- support for both sides of the aisle. It -- let me just close real quickly and say this again. This legislation is needed to the State to remain in conformity with the federal law, and as it sits, there's no -- there is no opposition.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 411 pass. All those in favor, vote Aye. Opposed, vote Nay. And 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 voting Aye, 1 voting Nay, none voting Present. Senate Bill 411, having received the required constitutional majority, is declared passed. Senate Bill 413. Senator Wojcik. Senate Bill... Madam -- Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 413.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President and Members of the Senate. This is called the Forced Feeding Bird Act. It prohibits the liver enlargement of birds. I don't want to make you sick and I'll just basically describe a little bit of it. What they do with ducks is they take the tube and they stick it down the duck's throat, they force the liver to grow and grow and grow to --

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ultimately the duck will have to die. Then they take that liver and they make the foie gras out of it. Well, this bill is role-modeled after that of the State of California, where the Governor has just signed it into law, stating that you can no longer produce foie gras in California. It's being done in New York. But what we're saying here in Illinois is, "Don't even start to come to the State because we're not going to let you have this happen and we're not going to do this to the birds. We're very humane in this State and we'd like to stay that way." It still allows the restaurants -- it still allows the restaurants to serve this. We are not mandating that they can't. They have the free choice to do whatever they choose to do with the foie gras. There are thirteen countries that are now not going to allow this either. And so I would just ask that we would show that we have great humaneness for animals, birds and anything that would be mistreated. And I ask you to kindly pass this legislation.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 413 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, 1 voting Present. Senate Bill 413, having received the required constitutional majority, is declared passed. Senate Bill 414. Senator Jacobs. Senate Bill 418. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 418.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you. This is very noncontroversial. This is ten new licenses for riverboats. Four thousand position and slots at the racetrack. I ask for a favorable roll call. Mr. -- Mr. President, could you take 418 out of the record, please?

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. Senate Bill 428. Senator Ronen. Senate Bill 429. Senator Sullivan. Mr. Secretary, read the bill.

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ACTING SECRETARY KAISER:

Senate Bill 429.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Radioactive Waste Facility Development Fund was created to receive fees assessed to generators of low-level radioactive waste. They pay thirty thousand dollars a year per reactor. There's a -- there's a stipulation in current law that if that fund dips below five hundred thousand dollars, those generators can be assessed even more money. With the funds by the Governor, that fund has dipped below that. This bill holds those generators harmless for one year. It passed out of committee unanimously. I ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Senator Sullivan, is this fee -- or this fund subject to sweeps?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Senator. That's the problem. It has been swept by the Governor in the past. It has dipped below the half-a-million-dollar level and we're trying to hold harmless the generators who would be subjected to new fees because of those sweeps.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 429 pass. Those in favor will vote Aye. Opposed, you'll vote Nay. And the voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take -
- take the record. On that question, there are 55 voting Aye,
none voting Nay, none voting Present. Senate Bill 429, having
received the required constitutional majority, is declared
passed. Senate Bill 431. Senator Halvorson. Senator -- Senate
-- Senate Bill 448. Senator Cullerton. Senate Bill 451.
Senator Crotty. Senator Crotty seeks leave of the Body to return
Senate Bill 451 to the Order of 2nd Reading for the purposes of
announcement {sic}. Hearing no objection, leave is granted. Now
on the Order of 2nd Reading is Senate Bill 451. Mr. Secretary,
are -- are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

I think we did this yesterday, but I'll do it again. This
was the...

PRESIDING OFFICER: (SENATOR HENDON)

Just a moment, please.

SENATOR CROTTY:

Sure.

PRESIDING OFFICER: (SENATOR HENDON)

This should be Amendment -- Senator Crotty.

SENATOR CROTTY:

What we did is we tabled 2 and then we heard this yesterday,
so now it would be the -- the bill.

PRESIDING OFFICER: (SENATOR HENDON)

We'll check the record and return to 451. Senate Bill 452.
Senator Crotty. We'll return to Senate Bill 451. Senator Crotty
seeks leave of the Body to return Senate Bill 451 to the Order of
2nd Reading for the purposes of an amendment. Seeing no
objection, leave is granted. Now on the Order of 2nd Reading is
Senate Bill 451. Mr. Secretary, are there any amendments
approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

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SENATOR CROTTY:

Floor Amendment No. 1 to Senate Bill 451 retains the underlying bill. It just removed the authority for the -- for speech-language pathologists to give guidance or to perform examinations relating to the issue of balance.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Crotty moves the adoption of Amendment No. 1 to Senate Bill 451. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 451. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you. Senate Bill 451 amends the Illinois Speech-Language and Audiology Practice Act. It updates activities related to the practice of audiologists, as well as the educational requirements for speech-language pathologists and audiologists. This legislation updates the Practice Act to include the definition of "audiology", the assessment and application of the nonmedical methods to disorder relating to vestibular function. And it also -- changes were made necessary because audiologists who dispense hearing instruments in Illinois are no longer required to hold a separate license to do so. So the scope of the practice related to audiologists' work with hearing instruments needed to be accurately defined. In addition, Senate Bill 451 clarifies the educational requirements for audiologists to include the passage of a national exam. Although it was previously required, it was never clearly stated in statute.

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PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

I just rise in support of this legislation. The amendment clarifies the arguments. And I wish that we all vote for it and recommend a Do Pass.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 451 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 451, having received the required constitutional majority, is declared passed. Senate Bill 452. Senator Crotty. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you -- thank you very much. Senate Bill 452 is legislation to simplify the method of accruing interest on past-due child support obligations. It also clarifies that interest will only be charged at the end of each month on the balance of the unpaid support, excluding the support payment due during the month. And this also was brought to comply with the federal child support distribution requirements.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 452 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 452, having received the required constitutional majority, is declared passed. Senate Bill 453. Senator Cullerton. Senate Bill 457. Senator Ronen. Senate Bill 458. Senator Cullerton. Mr.

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Secretary, please read the bill. Senate Bill 458.

ACTING SECRETARY KAISER:

Senate Bill 458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I was surprised to learn that thirty-eight other states and the federal government use the eighteenth birthday as the age of adult criminal jurisdiction. But in Illinois, for a few years, we've had it at -- at seventeen. So, the purpose of this is to raise the age to -- by one year so that juveniles -- seventeen-year-olds would be juveniles. Eighteen-year-olds would be adults, as they are for voting, the common age for graduation from high school, entering contracts, marriage. And, as I said, a number of -- of states - thirty-eight - have already done this. We had a difference in Illinois between girls and boys. We had eighteen for girls and seventeen for boys. That was changed back in '73. The concern over the bill, quite frankly, is the fiscal impact that it would have on certain counties. So, some counties are opposed to it, primarily Cook, because of the cost. But there is a big difference of opinion as to how much it would cost. Right now, in Cook County, there is under five hundred people in detention who are between twelve and -- and sixteen. So, we don't think there's going to be that many more. And the reason for that is that the seventeen-year-olds who commit violent offenses are still going to be tried in adult court. There's still -- we still have the automatic transfers. And -- and -- but the ones that are nonviolent offenders, they would be -- benefit from this change because, obviously, we have more services to assist juveniles. We don't want to put seventeen-year-olds in with adults. We want them to be given a chance -- a second chance and avoid having -- having a -- a record for the rest of their life. There's a number of organizations that are supportive of this concept, including the bar associations and the Juvenile Justice Initiative and Catholic Conference and a -- a number of other organizations. I'd be happy to answer any

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questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill.

SENATOR RIGHTER:

Thank you. I rise in opposition to Senate Bill 458. I appreciate very much the sponsor's concern and his motivation here. The Department of Corrections has indicate that the ten-year fiscal note on this is about a hundred and twenty-six million dollars. I appreciate that some may think that that's an overblown figure, but I think they're the ones who'd be in a position to know that. We've all read about violent crime being committed by young adults, such as seventeen- or eighteen-year-olds. I don't think that the answer to that system -- and I don't know that our constituents are going to believe that the answer to that problem is to roll seventeen-year-olds back into the juvenile court system. I would urge opposition to this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. I think we should join the thirty-eight other states that have -- and the federal government that uses the eighteenth birthday as the age of adult criminals jurisdiction. And as I said, the cost I think is much less than what's been stated by the opponents. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill -- 458 pass. All those in favor, vote Aye. Opposed will vote Nay. And 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 voting Aye, 20 voting Nay, and 1 voting Present. Senate Bill 458, having received the required constitutional majority, is declared passed. Senate Bill 462. Senator Maloney. Senator -- Halvorson, for what purpose do you rise?

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SENATOR HALVORSON:

Thank you, Mr. President. I inadvertently hit the wrong switch and it didn't show up on the board. I wanted to be recorded as a Yes.

PRESIDING OFFICER: (SENATOR HENDON)

The record will show -- will so reflect. Senate Bill 467. Senator Haine. Senate Bill 474. Senator Cullerton. 474. Senate Bill 482. Senator Halvorson. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 482.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Senate Bill 482 came from the Comptroller's Office. It came to my attention quite some time ago and we've been working with -- people from my district. I don't think anybody realizes that when you have a contract with the funeral home director, you have just that one contract. You don't also have a contract with the cemetery. So a lot of times when you go to the cemetery, you do not have what you think you wanted when it comes to burial time. So all this does is a -- a couple of things. It makes sure that you have a separate contract with the cemetery and it also gives the Comptroller a little more ability to proper -- properly monitor its license. Illinois is only one of four states that does not require cemeteries, crematories or funeral homes to periodically renew their license. So, as a result of that, they -- they have out-of-date records. Also, there's an audit threshold that has not been raised since 1961. So this amends the Cemetery Care Act to increase the annual audit threshold from two hundred and fifty thousand to seven hundred and fifty thousand.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 482 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 482, having received the required constitutional majority, is declared passed. Senate Bill 485. Senator Halvorson. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 485.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. On Senate Bill 485, this amends the Mobile Home Local Services Tax on uninhabited mobile homes. When they first had this legislation, they left out the word "inhabited". So we had to change the legislation a little and now if you are not in the -- mobile home and you send a letter stating that you don't live in it and you don't ever intend to live in it, you will not have to pay taxes. This is just changing the wording. It's a little cleanup language.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Althoff.

SENATOR ALTHOFF:

Senator Halvorson, can you explain to me how someone indicates that the mobile home is uninhabited?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

They have to send a letter to the assessor.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Just a letter, no affidavit?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

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SENATOR HALVORSON:

Yes. That's also with sworn affidavit.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Is there a cost to that process?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

I don't know. I've never done anything by sworn affidavit. But I don't think that there's a cost for that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

My -- my concern again is, we're talking about affordable housing and trying to make it more affordable for individuals and we keep adding all of these fees and taxes on top of -- of the affordable housing. In addition, the only other comment I would like to make is, I think this is a good bill and I'm -- I'm going to vote Yes on it; however, I still think that we need to address how long that mobile home is uninhabited. After you file your affidavit stating it's uninhabited, if it's inhabited three weeks later, how do we know? So I would just kind of look at that as it goes over to another Chamber, and perhaps make a good bill better. And I -- urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson, to close.

SENATOR HALVORSON:

Thank you, Senator, and I intend to add those things to it; however, this has -- just to make the record straight here, it doesn't have anything to do with -- affordable housing. This has to do with language only in the law. So, but I will look into that and see how we can fix it even better.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 485 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. Senate Bill

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485, having received the required constitutional majority, is declared passed. Senate Bill 489. Senator Pankau. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. Senate Bill 489 is a cleanup bill from the omnibus election bill that we passed last year. It came to my attention from my local township road commissioner. His date of swearing in was different from everybody else and he said, "How come?" And we found out that it was just a mistake, everything wasn't picked up. So, the bill as it's being presented, would change the terms of the county board, county board executive and the highway commissioner. I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 489 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 55 Ayes, 0 voting No, 0 voting Present. Senate Bill 489, having received the required constitutional majority, is declared passed. On the bottom of page 13, Senate Bills 3rd Reading. Senator Hendon. Senator Hendon, on Senate Bill 500. Senator Hendon seeks leave of the Body to return Senate Bill 500 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On that -- on the Order now of 2nd Reading is Senate Bill 500. Mr. Secretary, are there any -- amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, to explain the amendment, sir.

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SENATOR HENDON:

Thank you, Mr. President. This Amendment No. 1 adds the movie production studios, minority-owned studios, to the -- to the bill. And I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon moves the adoption of amendment -- Floor Amendment No. 1 to House {sic} Bill 500. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 500. Senator Hendon.

SENATOR HENDON:

..Mr. President. This is a bill that we worked out with Treasurer Judy Baar Topinka...

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me. Excuse me. Excuse me. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 500.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This is a -- a bill that I worked out with Treasurer Judy Baar Topinka to bring more monies into the film industry for minority films and minority studios to bring that -- continue to grow that industry here in the State of Illinois. And I'd appreciate an Aye vote. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Welcome to the Chair, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR RIGHTER:

Can I ask Senator Hendon a question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Hendon, is the fund that you're creating here protected from the chargeback authority?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

I believe that Governor Blagojevich will not raid this particular fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Can I take it from that, Senator Hendon, that there isn't anything specifically in your bill that prohibits a chargeback?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

You're correct, but I think that there is a reality check for the Governor's Office when it comes to this particular bill. They understand what we're doing and I doubt, very seriously, if they attempt to raid this fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

I think you're probably right, Senator, but more out of the respect for you than anything else. Mr. President, the bill did pass out of Executive Committee unanimously and I would urge its support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Senator Hendon, to close.

SENATOR HENDON:

I appreciate Senator Righter and all those on that side of the aisle who supported it in committee, as well as on this side

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of the aisle. And I thank our Treasurer Judy Baar Topinka for working with us in this important area. Thank you, Senator Righter. I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. The question is, shall Senate Bill 500 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 500, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading on top of page 14 of your Calendar. Senate Bill 501. Senator Hendon, on Senate Bill 501. Do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 501.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. -- Mr. President. This bill was worked out between myself, Chairman Munoz and the City of Chicago to deal with a towing situation in the City of Chicago. Currently, if a -- a car is towed in the City of Chicago for tickets or a boot and that -- vehicle is sold, the poor person who owned the vehicle will get nothing out of that sale. They would -- they will still owe the tickets and the booting fees and everything, even after the car has been sold for enormous profits. I thought that that was wrong. Under this bill now, if the vehicle is sold, the poor owner's monies will be taken out from the tickets that they owed and the boot that they owe so they won't continue to owe the City of Chicago after they have -- the City has sold their vehicle. It's a good consumer protection bill. Also, now when a person goes to -- with the private tow companies to get their vehicle, the person who is collecting their money is -- is hidden from them. The people don't get a name, they don't have a face. If there's any problem, they don't even know who they

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spoke with, and this bill changes that. I urge an Aye vote. I'll be happy to answer any questions, of course.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 501 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 501, having received the required constitutional majority, is declared passed. Senate Bill 502. Senator Rauschenberger. I believe, leave of the Body, Senator Viverito is going to handle Senate Bill 502. It's a recall. So, Senator Viverito seeks leave of the Body to -- Senate Bill 502 to return to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 502. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito -- leave of the Body, Senator Viverito will explain the amendment.

SENATOR VIVERITO:

All this basically does - thank you, Mr. President - is to add some land to the -- to the Elgin area. It's a agreed-upon bill. And it just enlarges the Water Reclamation District's responsibilities. I'm only...(microphone cutoff)...Rauschenberger had to go to Washington.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you, Senator. Is there any discussion? Seeing no discussion, Senator Viverito moves the adoption of Floor Amendment No. 1 to Senate Bill 502. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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3rd Reading. Now on the Order of 3rd Reading is Senate Bill 502. Senator Viverito wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 502.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I would hope for an Aye vote. I think it's pretty well agreed upon. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. The Local Government approved this. It adds some land to the Metropolitan Water Reclamation District. Came out unanimously.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? No further discussion? The question is, shall Senate Bill 502 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 502, having received the required constitutional majority, is declared passed. Senator John Cullerton, on Senate Bill 505, sir. He wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 505.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with viatical settlements. It went to the Insurance

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Committee. At the time, the Chairman of the Insurance Committee, Senator Haine, said that he didn't know what "viatical" meant. And I promised him that I would tell him on 3rd Reading. So "viatical" settlements are contractual arrangements in which a business -- a company buys a life insurance policy before a person is deceased. The purpose of the bill is to -- to regulate this industry which is out there. We've been working with Larry Barry from the Life Insurance Council, as well as Life Settlement Institutes, to try to reach an agreement and we're still in negotiations with them. And, also, I wanted to let Senator Haine know that the -- the -- the word "viatical" comes from the Latin word "viaticus". That was another question he asked in committee. So, I wanted to answer that for him. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Brady, for what purpose you rise, sir?

SENATOR BRADY:

Speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR BRADY:

The Senator is absolutely right. We know what his intention is. It -- it did pass out of the committee on a partisan roll call. It's a shell bill and I just want to inform the Members on this side of the aisle.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, the question is, shall Senate Bill 505 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 37 Ayes, 16 Nays, 0 voting Present. Senate Bill 505, having received the required constitutional majority, is declared passed. Senator Haine, on Senate Bill 506, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 506.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate. The amendment becomes the bill. The amendment is -- oh, I -- okay. I'm sorry. I'm at 3rd Reading. This establishes a shaken baby program of instruction, Mr. President. And it also establishes a criminal penalty for shaking a child to such an extent that he or she is injured. I'm sure many of us are aware of the tremendous damage this violent shaking of an infant child can do to that child, and that damage is by and large permanent. This would be a program that will be supported by the Department. It will bring the -- the -- the information to new parents. And it would be something that would prevent serious injuries. Many of the ideas that were in the bill, as amended, were brought forth as a result of a discussion in the committee. Senator Sieben is the author of many of these and we appreciate his -- his input especially.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill. I want to thank Senator Haine. He was extremely responsive to the concerns and comments that were made in Health and Human Services Committee. It did come out on a unanimous roll call and I would urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any further discussion? Seeing no further discussion, the question is, shall Senate Bill 506 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 55 Ayes, 0 Nays, 0 voting Present. Senate Bill 506, having received the required constitutional majority, is declared passed. Senator James Clayborne, on Senate Bill 507, sir. Out of the record. Senator

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Maloney, on Senate Bill 508, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 508.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 508 requires that the Illinois Department of Transportation to adopt federal guidelines for complete streets. Complete streets is a process of preparing the entire roadway to accommodate all modes of transportation important to all Illinois residents, including pedestrians, bicycles and wheelchairs, in addition to motor vehicles. The -- the procedure would ensure that planning and construction recognize local needs for pedways and bikeways early in the planning process. These guidelines do not require pedways or bikeways in rural areas because there must be a demonstrated local need and that need is determined by IDOT. These guidelines do not require pedways or bikeways on resurfacing projects. These guidelines do not require pedways or bikeways where pedestrians and bicycles are prohibited, like on interstates or controlled access roads. And they do not require county projects funded with State dollars to be included. What these guidelines simply do is to require that -- that pedestrians and bicyclists in long-term planning be considered. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Risinger, for what purpose you rise, sir?

SENATOR RISINGER:

To the bill and a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Yeah. I want to make sure that the intent is not to put bicycle paths and sidewalks on all rural highways and I think

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you've indicated that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

That's correct, Mr. President. The -- the -- the need is determined by IDOT where these would go. And -- certainly in rural areas, it would -- would not be -- it would be -- not be necessary.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Risinger.

SENATOR RISINGER:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

It's important that we recognize the need for pedestrians and -- and bicycles, particularly in the urban areas. But I want to state right now, the IDOT policy, in order to add a sidewalk, is to share that cost with the community. So, if you go through and -- and you do a road project and you ask the community, do -- "Would you like to have a sidewalk on this side?" -- and you may already have one on the other side - if the community has to pay fifty-percent, they think about it awhile before they decide. If they don't have to pay any, as this bill would -- would provide, obviously everybody is going to say, "Yeah, provide me with a sidewalk." The fiscal note that I have from IDOT, it's going to cost from ten to twenty million dollars a year starting in July 207 {sic} (2007) annually and we'll take that out of the Road Program. That would resurface somewhere between forty and a hundred miles of road, depending on how much asphalt you'd have to put on the road. So, while it's good to take that into account, I want to make sure the intent is to leave some leeway with IDOT to make sure that it's necessary in the areas and that the -- that the cost is not prohibitive. Because, in a lot of cases, if you have to buy right-of-way, if you have to move utilities, what seems like a very small addition to a project, becomes very costly. So, I just urge everyone to have caution whenever they vote for this and -- and understand that they may be costing several miles of resurfacing.

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PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Maloney, to close.

SENATOR MALONEY:

Thank you, Mr. President. Just for a point of clarification. If it costs more than twenty percent to add the bikeways, they will not be -- they will not be constructed. You know, a lot of traffic fatalities involve pedestrians and bicyclists. You know, we've considered much legislation here in the last few weeks aimed at a healthy lifestyle and I think this promotes it. So, we're not asking for more money, just that some of these dollars be dedicated to bikeways and sidewalks in areas -- only areas where they need it. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 508 pass. Those in favor, vote Aye. Those opposed will vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 41 Ayes, 0 -- 13 voting Nay, 1 voting Present. Senate Bill 508, having received the required constitutional majority, is declared passed. Senator Don Harmon, on Senate Bill 515, sir. Out of the record. Senate -- Senator Harmon, on Senate Bill 518, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 518.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 518 codifies existing practices and procedures for the awarding of contracts for construction management services. I am not aware of any opposition and I ask for your Aye votes. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 518 pass. Those

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in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 518, having received the required constitutional majority, is declared passed. Senator Martinez, on Senate Bill 519, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 519.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. Senate Bill 519 amends the Illinois Public Aid Code to provide that either the State minimum wage or the federal minimum wage, whichever is greater, shall be used to calculate the required number of hours of work for public benefit recipients who must work for their grants and to set the actual wage pay for workfare-type programs. The current law now with the federal minimum wage, instead of the higher State wage, is being used by Illinois Department of Human Services to calculate the number of hours of work activity required in either work experience and similar work off the grant program. What this bill will do is, it actually will put us at six -- six-fifty which is now the -- the minimum wage here in Illinois. There is no cost associated with this change. 519 does not increase the appropriation for any program or require an increase for -- in public benefits grants amounts. On the DHS policy, the TANF recipients can be required to participate in thirty hours of activities a week. So that if their work hours are reduced to fewer than thirty, they will still be required to participate in any useful activity, such as education, job skill training or work search. I'd be happy to ask -- to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any discussion? Senator Righter, for what purpose you rise?

SENATOR RIGHTER:

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To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you very much. I rise in opposition to the bill. I appreciate very much what the Senator is attempting to do in streamlining the minimum wage with the program, such as the Earnfare Program. The net result, however, of this legislation is going to be -- is to reduce the number of hours that participants in these programs have to work. We've seen the Welfare to Work Programs be an enormous success here in Illinois and across the country. This would change that formula, and in a negative way in my opinion. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Seeing no further discussion, Senator Martinez, to close, ma'am.

SENATOR MARTINEZ:

To just answer the -- the Senator Righter's comments. I just want to say that it might reduce their hours, but one thing that is very clear is that they will have to participate in other things, such as education, job skill training or work search. So it's not that we're reducing the hours, we're actually encouraging them to receive a higher pay and be encouraged that that's what they need to do is go out there and continue to work and look for a job that can -- that they can get high -- a high pay at. So I -- I will ask for -- for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 519 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 31 Ayes, 24 Nays, 0 voting Present. Senate Bill 519, having received the required constitutional majority, is declared passed. Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

Thank you. For an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

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SENATOR SCHOENBERG:

Thank you. This is an announcement for the members of the Commission on Government Forecasting and Accountability. We had heard testimony earlier this week regarding approval for the health insurance and vision contracts and we recessed. We will be reconvening tomorrow morning at 8:30 a.m. in Room A-1. Wanted to let you know we finalized that time to finalize the approval of the contracts, so you can plan accordingly. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Martinez, on Senate Bill 521. Ma'am, do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 521.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. 521, as amended by the Floor Amendment No. 2, requires insurers to cover routine surveillance tests for female insured who are considered to be at risk for developing ovarian cancer. The bill requires that the at-risk woman to have a family history of ovarian cancer, of -- a family history of cluster of women with breast cancer, or one or more first-degree relatives with ovarian cancer. As amended, it is supported by the American Cancer Society and the National Ovarian Cancer Coalition. And there -- also there was no opposition to the bill as introduced. Negotiations with the insurance industry resulted in Floor Amendment No. 2, which more clearly defines at-risk criterion. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BRADY:

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Thank you, Mr. President. Stand in support of the bill. The lady has worked hard with the industry to come up with a reasonable amendment. It -- this is a mandate, but it won't increase the cost, we don't believe. And it will do -- it's the right kind of mandate. So I will support your bill and I encourage others to do so.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Question is, shall Senate Bill 521 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 531 {sic}, having received the constitutional majority, is declared passed. Senator Carol Ronen, on Senate Bill 526, ma'am. Do you -- indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 526.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill is a follow-up to legislation that we passed this General Assembly about five years ago, making sure that unsafe children's products that had been recalled were taken out of the commerce stream, were no longer in childcare centers, and were not sold in -- in resale shops. What this bill does is facilitate the effect of that Act and make it work more smoothly by requiring the Department of Public Health to link directly to federal recall sites. I think this is a very important bill. It'll make it easier for families to understand when unsafe furniture and unsafe toys are around so they can keep it away from their children. Product recall notices are virtually the only way that families know about unsafe products. So, I would urge the passage of this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 526 pass. Those

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in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 526, having received the -- required constitutional majority, is declared passed. Yes. Senator Raoul, on Senate Bill 530, sir. Senator Raoul seeks leave of the Body to return Senate Bill 530 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 530. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to explain the amendment, sir.

SENATOR RAOUL:

Thank you, Mr. President. Floor Amendment No. 2 to Senate Bill 530 deletes all, becomes the bill. The amendment basically allows for service of process by private process server after unsuccessful attempt by the sheriff in counties of -- of one million or more. Such process is already available in all other counties.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion on the amendment? Senator Harmon, for what purpose do you rise, sir?

SENATOR HARMON:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Senator Raoul, I understand that there were negotiations with the Cook County Sheriff's Office over some of the mechanics. Are they now neutral on the bill or can you tell me where they stand?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

There were negotiations and -- with the Cook County Sheriff's Office and Public Aid. We left the meeting with an

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agreement which, in essence, is the Floor amendment. Since then, the Cook County Sheriff's Office says that they are still opposed to the bill, but they didn't really offer a good explanation as to why.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Seeing no further discussion, Senator Raoul moves the adoption of Floor Amendment No. 2 to Senate Bill 530. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 530. Senator Raoul, do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. I'd ask for a favorable vote on this bill that aims to facilitate service on deadbeat parents.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Senator Dillard, for what purpose you rise?

SENATOR DILLARD:

To ask a question if I may, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you. Senator Raoul, is this limited to Cook County?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

The bill is limited to Cook County; however, the law as

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exists right now, allows for service by private process servers throughout the State. So this brings Cook County in -- in compliance with the rest of the State.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Is there any further discussion? Seeing none, the question is, shall Senate -- Senator Dillard.

SENATOR DILLARD:

Thank you. I should be used to pushing buttons by this time of the day in this place. Senator Raoul, in the amendment we just adopted and -- and -- and we can take a look at this and, you know, I'm going to vote Yes. But we need to take a look at this. In the amendment you just adopted here on the Floor, it clearly adds more than Cook County and we need to -- we need to make sure that we don't knock off the ability of sheriffs to deliver a process for free. And, you know, I -- I -- I just want your commitment, sir, before we vote for this on 3rd Reading, that we'll take a look at the amendment you just put on. 'Cause what I don't want to do is increase the cost of this when we have sheriffs in all of our counties who will do this for no cost.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

You -- you do have my commitment on that. I -- I -- in fact, there's likely to be additional negotiations with regards to this bill once it goes over to the House. So, you have my commitment on that.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussions, the question is, shall Senate Bill 530 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 53 Ayes, 0 - - 2 voting Nay, 0 voting Present. Senate Bill 530, having received the required constitutional majority, is declared passed. Senator John Cullerton, on Senate Bill 537, sir. Senator Cullerton seeks leave of the Body to return Senate Bill 537 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd

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Reading is Senate Bill 537. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain the amendment, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The amendment changes the effective date on the bill as it applies to Cook County till July 1st, 2006. Move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton moves the adoption of Floor Amendment No. 1 to Senate Bill 537. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 537. Senator Cullerton. He wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 537.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This is an initiative of the American Lung Association and the Chicago Medical Society that will ensure that all prison facilities are tobacco-free in Illinois. A tobacco-free policy in correction facilities is meant to benefit the health of the staff and the inmates. And the policy in prisons eliminates health risks associated with secondhand smoke and reduces the risk of fires. In Illinois, we have ninety-two jails that have already gone smoke-free, and I received letters today from the Sheriff of DuPage County, Sheriff John Zaruba, in support of the bill, as

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well as the Sheriff of Kane County, Kenneth Ramsey. As I said, that a number of other -- virtually, all of our jails are smoke-free, as well as twenty-four Department of Corrections throughout the United States, including Arkansas, California, Colorado, Indiana, Minnesota and Nebraska. There's a report done by the Ohio Department of Rehabilitation, a recent report indicating that it did a study of these bans in these other jurisdictions. There's no disturbances as a result from inmates when the facilities became smoke-free. It also, obviously, saves a lot of money for the State. We don't have to treat people who get diseased from smoking. And it -- it will result in fewer fires, 'cause there wouldn't be the need for -- for lighters and -- and -- and matches. So, with that -- I should indicate that AFSCME did indicate they were opposed to it. We asked them if they had any other of these other twenty-four states, that if they represent Department of Correction workers in the other twenty-four states, to see what they had to say about that. They haven't gotten back to us on that. So, I'm not exactly sure why they're opposed to it. Again, I'll be happy to answer any questions and ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing lots of discussion. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank -- thank you, Mr. President. Now, everyone in here knows my respect for Senator Cullerton. I think this is going to be the first time ever that I've voted against a Cullerton bill in my twelve years of being here in the Senate. But we need to be very careful on this issue. This is a very important issue. It almost got past us, but there are people who are in the penitentiary and -- and I know the Department of Corrections is against this bill. Is that correct, Senator? Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Hendon.

SENATOR HENDON:

The reason why the Department of Corrections is opposed is because they know that you have people locked up for aggravated battery, murder - some of 'em are innocent, by the way; I'm sure we know that by now - and you're going to take away the one activity that can calm them down and keep them in line and under control. I just believe if you take their smokes away, we're going to cause a lot of other problems, such as riots, fights, gang wars, the -- the smuggling of cigarettes. Right now, cigarettes is a commodity. It's a -- it's a way of life in the penitentiary. Now, I'm not in the penitentiary, haven't been there, but I happen to know a lot of people who went that route and I'm telling you, Senator, you really need to take this one out of the record. Because you're going to cause more harm than good. Have you thought about the disciplinary problems, the violence that you're going to cause if this passes? Senator Cullerton, have you really thought about the problems that this is going to cause? You sit -- sit next to Senator Munoz. He's a police officer. I'm sure he can tell you, you gotta let -- at least let 'em have their cigarettes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, thank you. You have to bring your remarks to a close. Senator Cullerton. Was that a question, Senator?

SENATOR HENDON:

Yes. And I'm finished. I mean, I just want to know if John has really thought about -- I'm asking him to take it out of the record. I'm asking him to really think about the disciplinary problems he might cause.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Cullerton.

SENATOR CULLERTON:

Well, I'm -- I'm going to ask you to vote Yes or No. And -- so I'm not going to take it out of the record. It was brought to me by the Chicago Medical Society and the Lung Association. So, I asked the same questions you did. I asked the same questions you did. I said, "What about riots?" Well, they -- they said they just did a study in Ohio, said they had no disturbances as a result. I was surprised to learn there's twenty-four states that

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have already done this and ninety-two jails in Illinois. Virtually every jail in Illinois. I -- I -- I'm -- I -- I -- I think even in Peoria they -- they've -- they've banned this in -- in -- in -- and George Shadid was the one that started it. So, it -- it turns out -- it turns out that -- and think about this, think about secondhand smoke. You know, I sit next to Tony, sometimes Tony wants to light up a cigarette. Well, if -- if I don't want to sit next to him, I can walk over there. If you're in jail, if you're in jail, you can't walk out the door. You can't say, "Warden, can I have a -- just a few minutes outside for a breath of fresh air?"

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, we have a lot of people speaking -- seeking recognition. You can use that in closing.

SENATOR CULLERTON:

Fine. Very good.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SHADID:

Is this no-smoking ban, I understand, also in your bill to stop smoking in all county jails?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, the gentleman will yield for a question. Senator Cullerton.

SENATOR CULLERTON:

Yes. It covers the few jails that are not yet -- have not already voluntarily banned it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

I thought a day or two ago we just passed a bill that's going to allow cities to regulate the smoking in their own communities. And now we're going to tell the county jails from here that they can't have smoking in their county jail. Why don't we let the counties make that decision...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR SHADID:

...or the sheriff?

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SENATOR CULLERTON:

Well, that would be one way of doing it, 'cause it would then just apply to the -- to the Department of Corrections. But when I found out that ninety-four jails had already done it, I -- I figured I might as well add the counties in as well. And I -- I -- I was -- thought that in Cook -- Peoria, for example, that you were behind that initiative.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

I started it in Peoria about twelve, fourteen years ago. And county jails, I'm sure you're aware, are much different than -- than prisons. County jails, the inmates are there three, four, five days, thirty days. A short period of time. In a prison, a person could be in there twenty, thirty years or life. Has Corrections had an opportunity to maybe talk to you about having certain areas of the prison be nonsmoking areas? Maybe they can maneuver that. I don't know.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

I think they did say that they try to do that. They try to accommodate nonsmoking prisoners with others. But, you know, when you're in jail, you -- you don't have a lot of leverage in that regard.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, could you bring your remarks to a close? The time is...

SENATOR SHADID:

What?

PRESIDING OFFICER: (SENATOR DeLEO)

Could you bring your remarks to a close, sir? The time is almost up.

SENATOR SHADID:

The timer's on?

PRESIDING OFFICER: (SENATOR DeLEO)

Off. Thank you, Sheriff.

SENATOR SHADID:

Yeah. Well, I'm going to vote No. I'm not going to impose

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this on the Corrections Director and have all the problems. I would like to see him have the opportunity to work out something, if he can, for inmates who do smoke and inmates who don't, like we do in other places in the State.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

I would like to speak on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR GEO-KARIS:

To the bill, Mr. President, Ladies and Gentlemen of the Senate. I agree with Senator Shadid completely. I think we're overdoing this. For heavens sakes, we're going to regulate ourselves out of our skulls. Let the counties decide that, instead of us doing it. I see no good purpose for it. There are people who are pronounced smokers. I don't smoke. My gosh, what are we doing here? We're -- we're sounding like a most socialistic state I've ever heard. Let's knock it off. I oppose the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BOMKE:

It's already been said, and just to echo what's been said, we're creating a very dangerous situation. We know Corrections is against it. The union that represents the employees that work in these corrections facilities are against it. We -- we're shorthanded in correction facilities now. We're creating a very explosive and volatile situation. And I would urge a No vote on this legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Any further -- Senator Lightford, for what purpose you rise, ma'am?

SENATOR LIGHTFORD:

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Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, please.

SENATOR LIGHTFORD:

I, too, rise in opposition of this legislation. I did my graduate studies with the Illinois Department of Corrections and I've been in and out of several penitentiaries across the State. Worked in the parole division for a year. I worked with the electronic detention, and this is total devastation. This would devastate the system. A lot of men and women, this is what they do. They -- they live for their pack of squares. And I think it's just poor -- poor legislation and I, too, urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I would just remind you that the -- the people that brought this, medical community, Lung Association and sheriffs throughout the county, indicating that by not having matches and limiting the risk of fires, it -- it actually is -- makes it safer in -- in the prisons. And if you are a nonsmoker and you're in prison, you're really subject to the potential for true secondhand smoke. This would eliminate that. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 537 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 15 Ayes, 36 Noes, 2 voting Present. Senate Bill 537, having not received the required constitutional majority, is declared failed. Senator Righter, on Senate Bill 538, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 538 is a bill aimed at health care insurance fraud. Quite simply, the bill would first require courts to impose an order of restitution for individuals or entities that are convicted of health care insurance related fraud, including the State's Medicaid system. It would also impose the -- for the ability to -- to -- excuse me, suspend a -- health care provider's license if the restitution order in place against them was not paid in a timely manner. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 538 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 55 Ayes, 0 voting No -- Nay, 0 voting Present. Senate Bill 538, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on the top of page 15, and Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Senate Bill 540. Senator Maloney. Senate Bill 546. Senator Cullerton. Senator Cullerton seeks leave of the Body to return Senate Bill 546 to the Order of 2nd Reading for the purposes of an amendment. Is there any objection? Seeing none. Now on the Order of 2nd Reading is Senate Bill 546. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This amendment deals with gun show loopholes and this amendment brings this definition in line with -- more -- more in line with Senator Roskam's bill that passed already. Move for its adoption.

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PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 2 to Senate Bill 546. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 546. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 546.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a gun show loophole bill similar to the one, as I said, that Senator Roskam passed. We acknowledged in that debate that there is a need to -- to close this loophole. Right now, if a federally -- if you purchase a weapon from a federally licensed dealer, there's a background check, but if you buy it at a -- from a nonfederally licensed dealer at a gun show, there's no check. The reason why the check's important is, in the last two years, over two-thousand people have been -- when they did the check, they found out that they were barred from being eligible to even purchase weapons. So, obviously the check works - background check works. That's why we want to make sure we extend it to the -- the gun show itself. In addition, what we do in this particular version of the bill is to make sure that the Department of State Police, when they receive a request from a law enforcement agency regarding these records that Senator Roskam's bill dealt with, that the -- it has to be in writing and it has to follow a certain protocol so that the Department of State Police can ensure that it's only true law enforcement agency criminal investigations where the information should be released. Be happy to answer any questions and ask for an Aye

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vote, just like the bill that we passed out of here earlier.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs moved the previous question. There are two lights, now three lights lit. And, Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. Question for the sponsor. Will the gentleman yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR SCHOENBERG:

Senator Cullerton, you've drawn the parallels between this version of closing the gun show loophole and what we considered earlier in Senate Bill 57. Senate Bill 57 also -- Senate Bill 57 -- so that I'm clear -- Senate Bill 57 featured a home rule preemption that would eliminate the ability, as I understand it, for a local community, other than the City of Chicago which was exempted, to have its own local gun ordinance. So, for those suburban -- as I understand it, for those suburban communities that may have their current gun ordinances, this would wipe that out. Is that -- is that in your bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

So, that would be -- so, to the bill: I think that's an important distinction to raise as long as we're raising distinctions, because during the Floor debate on Senate Bill 57 this point was not raised, and that is, I -- I think that we should support this version of the bill because this version of the bill respects the ability of suburban communities to have their own local ordinances, as we say that local communities should have that prerogative which they enjoy under the

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constitution right now. The other version of the bill, aside from the contrasts that Senator Cullerton raised, that -- the other version of the bill would take away the ability of local suburban areas outside the City of Chicago, and that includes suburban Cook, Lake, Will, DuPage, Kane counties, all those collar counties. They -- those communities under this bill would not be impacted if they should desire to have their own local ordinances. So, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR RIGHTER:

Thank you. Senator Cullerton, following up on the previous speaker's points about distinctions between Senator Roskam's bill and yours, Senator Roskam's bill had a provision in it that required the State Police to destroy certain records that the federal government does not allow us to keep, unless we have a specific statute allowing us to keep those. Does your bill have that provision in it?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

No. It's silent on that regard. Senator Roskam's bill, which passed, had that provision in there.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Can you explain for me again, Senator Cullerton - you said in your bill there are certain criteria or requirements under which if there's a request made of the State Police about someone who may have purchased a gun or a number of guns - what that information has to be conveyed to the local law enforcement agency?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

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Yes. If I'm receiving a request from a law enforcement agency regarding records maintained within its Firearm Transfer Inquiry Program, the Department of State Police shall require in writing, at a minimum, the following information: the requesting agency's name, the agency's case or control number, the reason for the request, the requester's name and identification number, the contact information for the requester, the requester's signature and the date of the request, the name and identification number of the supervisor approving the request, whether the request is for information pertaining to a current FOID Card or to all FOID Cards that have been issued to an individual, a return fax number and the Firearm Owner's Identification Card information relating to the individual for whom an inquiry has been made. These provisions were drafted at the request of the State Police.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, briefly. Thank you. Ladies and Gentlemen, Senator Cullerton's correct in that his bill does not contain any provision to destroy records which, right now, federal law says we should not be maintaining because we don't have a specific statute saying we can maintain those. Additionally, in committee, I -- my recollection was there was discussion of the use of the information that maybe the Chicago Police Department or other local police departments may be using. And when they acquire that from the State Police, that, in fact, allows them to go and talk to individuals and do what's called in law enforcement terms a "knock and talk", where they knock on the person's door and discuss with them and use the information that they're -- they got from the State Police. That's not a proper use of that information. The police themselves, when they testified on behalf of the bill, agreed that that was not what they wanted it for, but that has, in fact, happened. I would urge your opposition to the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to close.

SENATOR CULLERTON:

Well, I don't think it's fair to criticize what's not in the

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bill. You're -- you're talking about something that was in another bill which has already passed. So, I just want to focus on what this is. This is closing the loophole, which I think we all acknowledges exists. It -- it's there. And this is a -- a very reasonable, well-thought-out bill that was -- that has been -- actually passed the House before in some form. And for that reason, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill -- 546 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 voting Aye, 29 voting Nay, and none voting Present. Senate Bill 546, having not received the required constitutional majority, is declared failed. Senate Bill 551. Senator DeLeo. Senate Bill 552. Senator DeLeo. Senate Bill 553. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 553.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. -- President and Members of the Senate. Senate Bill 553 amends the Mobile Home Park Act. It gives the Department of Public Health power to fine owners of mobile homes for not taking care of the things that need to. And the reason we came back with an amendment is because the Republicans in committee thought that there -- we should be setting the fine. So, I came back and we are setting the fine at three thousand dollars a day, instead of letting Public Health do it. It also gives the owners plenty of time to come back and fix it and do what they need to. But we've got to do something to put teeth in this law to make the people responsible for what needs to be done in these parks.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

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Thank you, Mr. President. I rise to congratulate the sponsor for listening to the Republicans. She did put a statutory cap on the amendment and we are happy for that. And we urge that it passes favorably.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 553 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 553, having received the required constitutional majority, is declared passed. Senate Bill 554. Senator Halvorson. Senator Halvorson seeks leave of the Body to return Senate Bill 554 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 554. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 1 deletes the reference to grants that will be received from Criminal Justice Information Authority or Department of Corrections. It also clarifies that the local programs used in this reentry program must be approved by the Department before inmates are assigned to them. And then it also requires the county or municipality to indemnify the Department for any loss incurred while the inmate is in a local program. I will debate the entire bill on 3rd Reading if that's okay.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Seeing none, Senator Halvorson moves the adoption of Amendment No. 1 to Senate Bill 554. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 554. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 554.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Senate Bill 554 was brought to me from the Sheriff in Kankakee County who has been working for years to try to figure out how to reduce recidivism of people that reenter the Department of Corrections. And so we have a bill here that, basically during the last year of their sentence, if a county chooses - this is very permissive - if the county or -- municipality has resources or a place to house these inmates, the last year of their sentence they will be released into the county or municipality to get the skills they need and to have a lot more training with regards to moving on with their life.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. The Illinois Sheriffs' Association and the Department of Corrections are in favor of this and it passed unanimously a couple of times in the Judiciary Committee. It's a good bill and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 554 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 554, having received the required constitutional majority, is declared passed. Senate Bill 556. Senator Clayborne. Senator Clayborne seeks leave of the Body to return Senate Bill 556 to the Order of 2nd Reading for the purposes of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd

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Reading is Senate Bill 556. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Floor Amendment No. 2 to Senate Bill 556 becomes the bill. It permits the county collector to assess the tax purchaser a bid automation fee of five dollars per parcel if a system of automatic bidding is used in the conduct of the sale.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen, on the amendment.

SENATOR LAUZEN:

Thank you -- thank you, Mr. President. I appreciate the sponsor's work of bringing the fee down from a thousand dollars in the original bill down to the five dollars. I mean, it's -- it's -- it's getting smaller and smaller. I would just like to say if there's anyone who's sensitive to fees being placed on businesses doing business in Illinois, you should be aware of that. But I applaud the -- I will be a No vote, but I applaud the effort to bring it down from a thousand to five hundred {sic}.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne moves the adoption of Amendment No. 2 to Senate Bill 556. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 556. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Clayborne.

SENATOR CLAYBORNE:

I just explained the bill. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for one question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield.

SENATOR GEO-KARIS:

This bill does not affect our counties, does it? Lake County?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

It affects all counties if they institute an automatic bid in the -- in -- in the conduction of a tax sale.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What do you mean if they institute the automatic bid?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

What happens at these tax sales, they will start the bid and everybody will raise their hand and you have to watch to see who had their hand up first. So, what we're trying to do is to create some fairness, and if you participate in the process, then you should pay for the automation. And -- and in fact, we amended this bill for the tax purchasers.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 556 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 35 voting Aye, 16 voting Nay, 0 voting Present. Senate Bill 556, having received the required constitutional majority, is declared passed. Senate

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Bill 557. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 557.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Senate Bill 557 allows the tax purchaser to make an application to the court and the court shall order the tax purchase to be set aside if, after the purchase, the city, village or incorporated town records a lien arising from the advancement of public funds after the date of the tax sale. Basically, what this does is, if any one of us purchases a piece of property and there's a lien on it, then we take subject to the lien. And, currently, the taxpayers are not going and running a title and then, when they find out there's a lien on it, they want the sale to be abolished. So, what we're saying is, if you're going to purchase property, you're -- you take, just like any other ordinary citizen, subject to that lien.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. On this side of the aisle, it passed out of -- out of the Revenue Committee unanimously and I love voting Yes on Jim Clayborne bills.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 557 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 557, having received the required constitutional majority, is declared passed. Senate Bill 558. Senator Clayborne. Senator Clayborne seeks leave of the Body to return Senate Bill 558 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 558. Madam Secretary, are there any amendments approved for consideration?

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SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to 558, Senate Bill 558, becomes the bill. It permits a sale in error to be issued. After a sale in error is issued, the county may begin -- its own collection efforts without having to wait for the next annual tax sale.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Clayborne moves -- oh! I'm -- I'm sorry. Senator Lauzen, you want -- Senator Lauzen.

SENATOR LAUZEN:

Mr. President, thank you very much for your indulgence. I was slow on getting my -- oh, I'm sorry. This is on the amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne moves the adoption of Amendment No. 1 to Senate Bill 558. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 558. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 558.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Again, I just explained the bill. It permits a sale in error to be issued. After sale in error is issued, the county may begin its own collection efforts without having to wait for the next -- annual tax sale.

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PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I believe that the problem on this bill was not only don't they have to wait for that next sale, but the provision on page 2, line 3 through 7, it says, basically, if the county board applies to purchase any property, no published or mailed notice is required. And so not only don't we have to wait, we don't even have to tell the folks, if I'm reading this correctly. So, that'd be a big concern. I would recommend a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 558 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 33 voting Aye, 23 voting Nay, none voting Present. Senate Bill 558, having received the required constitutional majority, is declared passed. Senate Bill 564. Senator Viverito. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 564.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

This is a public health bill for continuing to keep clean wells. It's a one-time fee.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none -- Senate -- Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: This actually just allows local communities to raise the fees to that potential limit. It can be less than that and it also allows them - they have not raised this for over fifteen years - it allows them the access to meet the needs with rising costs. I rise -- I urge an Aye -- vote. Thank you.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito, to close.

SENATOR VIVERITO:

Thank you very much for your comments, Senator. It was very kind of you and I hope that everybody understands this is a good bill in public health.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 564 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 34 voting Aye, 17 voting Nay, 0 voting Present. Senate Bill 564, having received the required constitutional majority, is declared passed. Senate Bill 565. Senator -- Senator Viverito. Senator Viverito seeks leave of the Body to return Senate Bill 565 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 565. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

Thank you very much, Mr. -- Mr. President. Basically, what this does, it requires that all licensed CPA firms and individual practitioners who provide licensed services undergo a peer review. And the Floor amendment -- amends the Illinois Public Health {sic} Act.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 565 pass. Senator Viverito moves the adoption of Amendment No. 2 to Senate Bill 565. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President -- Mr. President.

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PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 565. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 565.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. There are over forty other states that already have laws establishing mandatory peer review programs for licensed CPA and CPA firms. This was a complete agreement by the CPAs. It -- it's a bill that also cleans up the discipline and -- confidentiality privilege of the registered CPAs. I would hope that everybody would understand that this is very important to the CPAs.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Seeing none, the question is, shall Senate Bill 565 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 565, having received the required constitutional majority, is declared passed. Senate Bill 568. Senator Wojcik. Senator Wojcik seeks leave of the Body to return Senate Bill 568 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 568. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President and Members of the Senate. The amendment simply states, when the death of a child occurs within ninety days of that child's live birth, the mother shall be able

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to get a birth certificate that would list the child's birth. And this would have to be done within ninety days {sic}. I just ask for its passage of the amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik moves the adoption of Amendment No. 1 to Senate Bill 568. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 568. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 568.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President and Members of the Senate. This bill came to me from a lady who did lose her baby two days after it was born. The problem she had is, when she went to get the birth certificate, the birth certificate was marked deceased. She was very distraught about that, because she wanted to have a memento of a living birth. She could not get it. She wrote me a letter. She e-mailed me. We had her in the committee and she testified. And I hope this august Body could see their way clear to vote on her behalf and that she would be able to get this birth certificate that she so dearly wants. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 568 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 568, having received the required constitutional majority, is declared passed. Senate Bill 569. Senator Garrett. Madam

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Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 569.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. What we are offering today is the -- are the reforms to the Hospital {sic} Facilities Planning Board certificate of need. Here they are: First of all, we are extending the sunset from July 1st, 2006, to July 1st, 2011, which is a five-year period; we are raising the threshold amount to eight million five hundred thousand from six million seven hundred thousand; we are adding research facilities and auditoriums to the sample list of non-clinical service areas excluded from review; it also allows hospitals to add twenty beds or ten percent of their total bed capacity, which is ever less, if they are not changing services or exceeding the capital expenditure threshold. Additionally, we are allowing for the establishment of swing beds. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR RIGHTER:

Thank you. I rise in support of the bill. I congratulate the sponsor. She's worked with the potential opponents on the legislation. It -- did come out of the Health and Human Services Committee unanimously and I urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 569 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate

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Bill 569, having received the required constitutional majority, is declared passed. Senate Bill 572. President Jones. Senate Bill 573. Senator Burzynski. Senate Bill 574. Senator del Valle. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 574.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 574 creates the College and Career Services -- College and Career Success for All Students Act. The purpose of the bill is to make advanced placement courses more accessible to more students in our system. High school students can obtain college credit while they're in high school through these courses. I'll be glad to answer.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 574 pass. All those in favor, vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 574, having received the required constitutional majority, is declared passed. Senate Bill 575. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 575 with Floor Amendment No. 1 - and Floor Amendment No. 1 becomes the bill - is the language that gradually increases the high school graduation requirements in the State of Illinois. Those requirements have not changed for many, many years. And it also, I think more

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importantly, includes the implementation of a mandate for writing-intensive courses. This bill is supported by many groups, including the Illinois Business Round Table, the Illinois Board of Higher Education and the Chicago Area Writing Project. And it is one of the initiatives of -- of the Governor during this Session.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this bill. This is long overdue. We are now going to be requiring some of the basic curriculum that's been required in schools across the State already, and other states that have done well with -- with students upwardly mobile into college. This is a good bill. I commend the sponsor and I advise -- or recommend an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. As the Chair of the Higher Ed department, one of the -- Higher Ed Committee, one of the things I've been doing independently is investigating the graduation rates among our State universities. And in talking to university personnel, one of the things they cite as the biggest reason for non-graduates is that the students are not prepared properly. I think this will, while it's not the answer, will be a step in right direction. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 575 pass. All those in favor, vote Aye. Opposed, vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 575, having received the required constitutional majority, is declared passed. Senate Bill 578. Senator Cullerton. Senate Bill 579. Senator Forby. Senate Bill 580. Senator Forby. Senate Bill 581. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 581 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 581.

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Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Floor Amendment No. 2 to Senate Bill 581 deletes everything and becomes the bill. Senate Bill 581 with Floor Amendment No. 2 seeks to expand the current study of racial profiling in traffic stops to -- to include similar information from pedestrian stops in the City of Chicago only as a -- a pilot study - to the extent that the -- Chicago Police Department collects the data.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul moves the adoption of Amendment No. 2 to Senate Bill 581. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 581. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Again, Senate Bill 581 is an expansion of the already existing traffic stop study to include pedestrian stops in Chicago. I was approached by several individuals indicating why do we want to expand the study while the study is taking place and why don't we wait until the study is completed. Quite frankly, for me the reason is, I believe racial profiling takes place in instances more often when somebody can -- a police officer can see -- visibly see the victim of the racial

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profiling. I'm a former Cook County prosecutor, and as a Cook County prosecutor, I was once stopped in full suit and tie outside of my car with the key of my car, frisked, and told that I met the description of somebody committing auto thefts. I ask all my colleagues to support this bill to expand this study. This, again, is limited to the City of Chicago to the extent that the data is collected.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 581 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, 4 voting Nay, none voting Present. Senate Bill 581, having received the required constitutional majority, is declared passed. Senate Bill 595. Senator Garrett. Senate Bill 596. Senator Garrett. Senate Bill 597. Senator Garrett. Senate Bill 598. Senator Garrett. Senate Bill 599. Senator Wendell Jones. Madam Secretary, read the bill. Senator -- Senator Wendell Jones seeks leave of the Body to return Senate Bill 599 to the Order of 2nd Reading for the purposes of amendment. Is -- is -- is there any objection? Seeing none, leave is granted. On the Order of 2nd Reading is Senate Bill 599. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. We can explain this on 3rd if you'd like.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones moves the adoption of Amendment No. 1 to Senate Bill 599. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Now on the Order of 3rd Reading is Senate Bill 599. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. I'm originally from Indiana, I can't talk as fast as you can, but I'll do my best. This passed out unanimously out of the Local Government Committee. I'd like to think -- thank President Jones and Chairman Crotty for assisting with this. We had a couple of bills, Senate Bill 495 and Senate Bill 1673, and we didn't get 'em on the agenda and -- and they accommodated me and I appreciate it. There are three changes in the bill to the Election Code dealing with referendum voting language, backdoor referendum language and county split language. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 599 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, none voting Present. Senate Bill 599, having received the required constitutional majority, is declared passed. Senate Bill 600. Senator Lauzen. Senator Lauzen seeks leave of the Body to return Senate Bill 600 to the Order of 2nd Reading for the purposes of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 600. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

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SENATOR LAUZEN:

Thank you, Mr. President. The amendment becomes the bill, providing direct election of State central committee members in the Republican party. I'd be happy to describe it in more detail on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen moves the adoption of Amendment No. 1 to Senate Bill 600. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 600. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 600.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Ladies and Gentlemen, I'd like to thank Chairman Crotty and the members of the Local Government Committee for passing this bill out of that committee unanimously. It provides for the direct election of State central committee members in the Republican party and then the State party chairman is elected from among those State central committee members who have been elected by the voters. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 600 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay, and none voting Present. Senate Bill 600, having received the required constitutional majority, is declared passed. Senate Bill 601 -- I mean, 607. Senator Crotty. Senate

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Bill 608. Senator Crotty. Senate Bill 610. Senator Link.
Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This permits the storage of alcoholic liquor at a location other than the importing distributor's license permits. Provides that our Liquor Control Commission provides that such storage and importing distributor comply with the basic permits required under Federal Alcoholic {sic} Administration Act and on a temporary basis not to exceed thirty months.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: I rise in support of the bill. It did pass out of the Executive Committee unanimously. We urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 610 pass. All those in favor, vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting No, none voting Present. Senate Bill 610, having received the required constitutional majority, is declared passed. Senate Bill 613. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 613.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Senate

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Bill 613 makes two clarifications with respect to the two petitions that may be filed in connection with a township open space planning. The clarifications are that the public notice of the existence of a petition filed will be provided by the township clerk within five business days of the filing of the petition, just like he or she does in providing public notice of township board meetings, and the second one is to conduct a public hearing within thirty days of the petition filing to determine its validity. Know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This came out of Local Government unanimously. We recommend a -- an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 613 pass. All those in favor will vote Aye. Opposed will vote Nay. And 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 voting Aye, none voting Nay and none voting Present. Senate Bill 613, having received the required constitutional majority, is declared passed. Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 614. Senator Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

Yes. Can I find out what Senator Hendon had for dinner? I'd like to have some of it. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

I -- it -- it's -- it's on its way. Senate Bill 614. Senator Silverstein. Out of the record. Senate Bill 617. Senator Cullerton. Out of the record. With leave of the Body, we'll go to Senate Bill 630. Senator DeLeo. Senate Bill 635. Senator Garrett. Senator -- Senator Garrett seeks leave of the Body to return Senate Bill 635 to the Order of 2nd Reading -- out of the record. With leave of the Body, we'll return to Senate Bill 630. Senator DeLeo. Senator DeLeo seeks leave of the Body

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to return Senate Bill 630 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading. Senate Bill 630. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo, to explain the amendment.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment 1 to Senate Bill 630 becomes the bill. And what Floor Amendment No. 1 does, allows private charitable organizations - they can request criminal history information from the State Police for its employees or volunteers that have any responsibility over funds of an organization. Provides that the State Police can -- they shall charge a fee based on the actual cost, and the information disclosed shall remain confidential. This is -- comes out of a recent situation on the northwest side of Chicago. The proponents are the Archdiocese of Chicago and St. Eugene's Parish. The defendant was charged with stealing out of a collection basket. Undercover video saw him stealing weekly -- weekly. They ran a background check after he was arrested. He was -- did -- was convicted of a homicide in -- in Texas. So, I'd ask the -- this amendment to be adopted.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator DeLeo moves that -- the adoption of Amendment 1 to Senate Bill 630. All those in favor will say Aye. Those opposed, say Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the 3rd -- on the Order of 3rd Reading, Senate Bill 630. Senator DeLeo, do you wish to proceed? Senator DeLeo, on Senate Bill -- Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 630.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much. As I just explained the amendment, Mr. President, I'd ask that this -- for a favorable roll call.

PRESIDING OFFICER: (SENATOR LINK)

Senator Risinger.

SENATOR RISINGER:

Yeah. This -- thank you, Mr. President. This bill came out of State Government and initially was a shell bill then changed, I believe. And the way it was changed -- why we -- it came out unanimously and we urge an Aye vote on this side.

PRESIDING OFFICER: (SENATOR LINK)

Are there any further discussions? Seeing none, the question is, shall Senate Bill 630 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, no Nays, none voting Present. Senate Bill 630, having received the required constitutional majority, is declared passed. Senate Bill 635 with Senator Hunter now as the sponsor, seeks leave of the Body to return Senate Bill 635 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 635. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, to explain the amendment.

SENATOR HUNTER:

Amendment 1 -- thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment 1 creates the Intercity Passenger Rail Fund to be used by IDOT.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Hunter moves for the adoption of Amendment 1 to Senate Bill 635. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 635. Senator Hunter, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 635.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

The purpose of this bill is to capture the savings from State employee travel from Amtrak and use it to purchase additional Amtrak service between Chicago, Springfield, St. Louis and other lines, creating a -- a more reliable service with a frequent enough schedule to induce more employees and take Amtrak instead of driving. Every trip on Amtrak represents savings to the State. For example, if you purchase a one-way -- if you purchase a -- a one-way ticket on Amtrak, it'll cost sixteen dollars. The cost of driving one way is a hundred and eighty -- eighty-one miles, multiply it by the forty cents per mile and that brings a total of seventy-two dollars and forty cents, not excluding {sic} if you need to park downtown in Chicago, that's twenty additional dollars. So, therefore, the cost of -- and then also the cost of flying is like a hundred and fifty dollars including transportation from the airport to downtown. Last year there were approximately six thousand State employees who purchased Amtrak tickets on the State rate. So, this is a great money-saving opportunity for the State and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Risinger.

SENATOR RISINGER:

Yes. To the bill, Mr. President. This bill did pass unanimously out of State Government Operations. We did have some

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discussion about it. It does create a subsidy for Amtrak. It does save the agencies in their budget, but in return, money comes out of the General Revenue Fund. So, I advise you to look at that if you -- understand that it is a -- a subsidy for Amtrak, why then, vote accordingly.

PRESIDING OFFICER: (SENATOR LINK)

Any further discussion? Seeing none, the question is, shall Senate Bill 635 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? Madam Secretary, take the record. On the question, there are 55 Aye, no Nays, none voting Present. Senate Bill 635, having received the required constitutional majority, is declared passed. Senate Bill 658. Senator Cullerton. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 658.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an initiative of the Chicago Bar Association. It deals with the criteria for serving as the legal guardian of a person in an estate of a minor or disabled person. It adds to the criteria the requirement that the -- the -- the guardian may not be a convicted felon, unless the court finds it's in the best interests of the minor or the disabled person. And it prohibits the appointment of persons convicted of a felony involving harm or threat to a child or to a disabled person, including a -- a felony sexual offense. Those will be prohibited. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

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SENATOR RIGHTER:

Senator Cullerton, my understanding and -- and maybe I didn't draw correctly from your description. You talked about adding conditions, but actually what we're doing is -- right now in law there is a blanket prohibition against someone who's been convicted of a felony serving as a guardian. You're walking us backwards on that and going to create instances in which they could serve as guardians. Isn't that right?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

No. Actually, I don't think that's accurate. This is meant to clarify in -- in light of recent court cases. It's meant to clarify and straighten out some confusion about whether the judge has the ability to waive the requirement that there be no felony conviction for a guardian. It had been the practice up until recently that that was the case that it could be waived. A recent case threw that into confusion and this is in response to that.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

I apologize, Senator. I -- I must be confused. It was my -- is there any circumstance right now - before this becomes law - is there any circumstance right now in which someone who's been convicted of a felony can serve as an appointed guardian?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

I'm sorry. I -- I think, if I understand you -- I was talking to my -- my staff. If you could repeat that, please.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you. Is there any circumstance right now under which a person can serve as an appointed guardian if they've been convicted of a felony?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

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SENATOR CULLERTON:

Not statutorily. There had been a 1994 Appellate Court decision allowing the judges to waive the felony ban. That was recently overturned in a different case and this is in response to that case.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

In what court was that decision made? Was that the Illinois Supreme Court or was that one of the Appellate Courts in Illinois?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Yeah. I have a Westlaw site, the Estate of Muldrow. I don't know what the jurisdiction was.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, to wrap up.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: Ladies and Gentlemen, right now as the law stands, if you've been convicted of a felony, you are not eligible to serve as an appointed guardian. This bill would create situations in which you would be allowed to serve as an appointed guardian, even though you have a felony conviction. I appreciate there may be individuals out there who wish to serve as guardians who have felony convictions, but our priority here needs to be to look out for the best interests of the children, not necessarily those who wish to become guardians. And I would urge a No vote on the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you. From what I understand, there -- there are guardianship cases that are literally being continued until the Legislature acts to clear up this confusion that was caused by this last Supreme Court case. Up until now, there are no -- the judge could waive this. What we're doing in this -- in this bill is to spell out standards under which the judge can consider this

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waiver. And I think there's nothing wrong this bill. It's a Bar Association proposal and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 658 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 32 Ayes, 21 Nays, 1 voting Present. Senate Bill 658, having received the required constitutional majority, is declared passed. Senate Bill 661. Senator Haine. Senator Haine requests -- requests leave of the Body to return Senate Bill -- out of the record. Senate Bill 662. With leave of the Body, we will go back to Senate Bill 661. Senator Haine requests leave of the Body to return Senate Bill 661 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 661. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, to explain your amendment.

SENATOR HAINE:

Thank you, Mr. President. Apologize for the earlier mix-up on the bills. This amendment allows -- it's a Capital Development Board initiative. Under current law, building contracts in excess of a quarter of a million must be separately bid. The amendment raises this amount to seven hundred and fifty thousand dollar per projects, meaning these projects less than this amount would not have to be separately bid. They're all competitively bid, but they don't have to be broken up. And it lists the five subdivisions of the work to be performed. Again, this is a Capital Development Board project -- or initiative with the support of the American Council of Engineering Companies and the Illinois Construction Industry.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine moves for the adoption of Amendment 1 to Senate Bill 661. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

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SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 661. Senator Haine, do you wish to proceed?

SENATOR HAINE:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 661.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I would ask for an Aye vote, Mr. President and Ladies and Gentlemen of the Senate. According to the Capital Development Board, this would better -- allow them to better manage construction projects and hold contractors accountable, and thus save money.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR RIGHTER:

Thank you. Senator Haine, is it going to improve efficiency in these projects because we don't have to let as many -- we don't have to take as many bids?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

When was the last time the threshold was increased?

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PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I -- I don't know, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

The only reason I ask, Senator, is because, I mean, this is a -- it's a three-plus-fold increase. I mean, it's a pretty hefty increase, and my concern is for - and -- and maybe you can dispel this concern - is for smaller entities that might otherwise have opportunities to land contracts, because if there's a bid process, then they're more likely to -- the smaller companies will likely to be bidding on smaller projects. The larger entities wouldn't necessarily be doing so. I mean, is that -- is that a legitimate concern? Or -- or is that -- is that something that you think is not really something we should concern ourselves with here?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, I -- I'm not an expert in the construction industry, but these are for contracts. And this is supported by the Illinois Construction Industry. It seems to me they would -- they would have sorted that issue out among themselves if there was any problem with that.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? The question is, shall Senate Bill 661 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 48 Ayes, 7 Nays, 1 voting Present. Senate Bill 661, having received the required constitutional majority, is declared passed. Senate Bill 662. Senator Trotter. Senator Trotter requests leave of the Body to return Senate Bill 662 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 662. Madam Secretary, are there any amendments approved for consideration?

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SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Amendment No. 3 makes three technical changes to the -- budget implementation changes to the Community Mental Health Trust Fund. Would like to debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter moves the adoption of Amendment 3 to Senate Bill 662. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 662. Senator Trotter, do you wish to proceed? On Senate Bill -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 662.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, again, and Members of the Senate. Senate Bill 662, as amended, does two things. This -- we first have brought this bill to the Floor as a consequence of a temporary shortfall in the -- the Community Mental Health Medicaid Trust Fund, commonly known as the 17 -- 18 Fund -- 718 Fund, which will delay advance payments for the mental health providers during the months of April and May. It incorporates new language to immediately allow for the transfer of fourteen million dollars into that fund from the Public Aid Recoveries Trust -- as -- Fund as a loan. It also halts the current 26.3 percent of the mental health federal financial participation revenues from being transferred to GRF. If there's any

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questions, I'm available to answer.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

SENATOR RADOGNO:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR RADOGNO:

Senator Trotter, could you tell us why there's a shortfall in the Mental Health Trust Fund?

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

Yes. As a -- consequence of us implementing our new fee-for-service program this year, we had made the determination that we would make advance payments to those providers that would be delivering the service to our mental health population. As a consequence of putting those dollars in - twenty-six percent which came out of the -- the mental health financial -- federal financial participation program - those payments have not kept up with the outlay of -- of funds that we have.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

SENATOR RADOGNO:

Well, if we had not diverted money out of the -- this Trust Fund into the General Fund, there would not be a shortfall, is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

No. That is not correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

SENATOR RADOGNO:

I don't believe that information is correct. The fact is that there's been that amount diverted out of the Trust Fund into General Revenue. And so the simple solution to this, and one for which we actually have an amendment, simply replaces the money that was diverted out of the -- the Trust Fund into General

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Revenue and replaces it back with the General Revenue that was diverted out. That is the simplest way to do it. And we've offered that amendment and we also have information that the House has not agreed to this approach that -- that we're moving forward on, or you're attempting to move forward on right now. So, hopefully, we would be -- have a chance to adopt the amendment that just straightens it out in the most straightforward manner and we could move forward and get support from the House.

PRESIDING OFFICER: (SENATOR LINK)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. I rise in support of this bill. This issue came up when we did the supplemental appropriations in January. Now, some -- someone's playing some games and I heard Senator Radogno talk about the House. Well, we -- when we did the supplemental appropriation, this should have been included at that time. General Revenue dollars and they refused to do it then. Something must be done because those persons who are providing these -- these critical services must get paid. Now if you go to General Revenue dollars that -- as you talk about at this particular point in time, it will be a month lag between the time that these delicate agencies who provide the service for the developmental disabilities and mental health clients in the State of Illinois, it'd be at least a month before it gets to the Comptroller's Office. This is the most simplified manner in which this should be done. It should have been done in January. But now here we are in the middle of April talking about these funds and -- and talking about what the House is going to do. We have got to act and this is the most appropriate way to act and -- and the bill, sponsored by Senator Trotter, is the right approach and it's the direction we are moving.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter, to close.

SENATOR TROTTER:

Thank -- thank you very much, Mr. President. Just to address a -- a -- a couple of things that were said from the other side. One, if this is not done in this manner as a transfer, then as pointed out by President Jones, these

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individuals, these one hundred and seventy providers who service one hundred and seventy thousand persons, they will not get paid and services will not be rendered. This is the simplest approach. If we go into a supplemental and trying to get a -- from GRF, we're now talking about delaying that by another month, maybe even two months, as a consequence of the process. To answer the final statement said, that this has not been accepted in the House, it hasn't been passed over to the House and we're doing that today.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 662 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 32 Aye, 23 Nay, none voting Present. Senate Bill 662, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 676. Senator Harmon. Oh. Has been changed to Senator Hunter. Senator Hunter requests leave of the Body to return Senate Bill 676 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 676. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, to explain your amendment.

SENATOR HUNTER:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment 1 becomes the bill and increases the abatement from forty to fifty percent to assist the CHA with the plan for transformation. And I'll be happy to answer questions during the 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Hunter moves for the adoption of Amendment 1 to Senate Bill 676. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

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SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 676. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill -- 676.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Thank you, again, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 676 amends the Property Tax Code regarding leased, low-rent housing abatement. It makes a limited change to current law to allow a higher property tax abatement threshold for three specific Chicago Housing Authority properties, which are the Hilliard Homes, Rockwell Homes and the Robert Taylor Homes. The current law establishes a forty percent tax abatement limit, which is adequate to cover the -- the great majority of CHA's mixed-income developments. However, in the case of the three developments, a higher level is required to avoid the pass-through to CHA of the owner's real estate tax liability with respect to the -- the PHA, the Public Housing Authority, assisted units. Three specific developments for which relief is required are those three I mentioned earlier: Hilliard, Rockwell and the Robert Taylor Homes. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This bill did come out of Revenue after amendment. We agreed with it unanimously. We recommend its passage.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 676 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, no Nays, none voting Present. Senate Bill 676, having received the

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constitutional majority, is declared passed. With leave of the Body, we will go to Senate Bill 750. Senator Meeks. Out of the record. With leave of the Body, we'll go to bill -- Senate Bill 760. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 760.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a -- a Security Employee Benefit Act. It's patterned after the Public Safety Employee Benefit Act which covers police officers and firefighters and emergency medical personnel that are killed or catastrophically injured on the job. We find that a -- a number of public entities are hiring security guards and if they are killed or severely catastrophically injured, we'd like to give them the health and educational benefits that the police officers do as well. Hopefully, it -- it won't apply and that people won't be injured, but there are approximately fourteen hundred that could be eligible for this. Last year there were four police officers and four security officers who were killed on the job. They are really performing many of the same functions that police officers do and think it's a fair way to treat the -- these folks if they are unfortunately either killed or catastrophically injured. I did adopt an amendment at the request of Senator Roskam to tighten it up, to make sure that they are truly not able to work anywhere for over a year. That's under the definition of catastrophic. And happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady.

SENATOR BRADY:

Senator, I think the third time's going to be the charm for you here. This is a good bill and I ask my colleagues on this side of the aisle to support it.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 760 pass. Those in favor

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will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 760, having received the required constitutional majority, is declared passed. Senator del Valle in the Chair.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne, on Senate Bill 761. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 761.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Just a brief explanation while we're here on this bill. On January 9th -- January 9th, 2001, the Supreme Court ruled in the Solid Waste Agency of north -- Northern Cook County versus United States Army Corps of Engineers, and basically said that the Army Corps of Engineers did not have permitting process under the -- under the Clean Water Act. And, basically, what this bill does, it is designed to create statewide standards, because there are none at this point in time. In fact, there are several counties that have acted up under their stormwater management, which there's no statutory authority that gives them -- that exists to give them such action to do so. This provides protection to the regulating communities by setting fees statutorily. It establishes that -- the IEPA and the Illinois Pollution Control Board as the regulatory bodies with jurisdiction over the Isolated Wetlands Program. Allows local implementation of new regulations. Basically, this bill is here to try to provide some uniformity throughout the State of Illinois. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, could we move the previous question, please?

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PRESIDING OFFICER: (SENATOR DEL VALLE)

We have five speakers. Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR LINK:

Senator Clayborne, you know it's very unusual that I would be opposed to one of your bills, but this is probably one of the most contentious bills in here. And I -- and I hope that all of our Members are -- and if the -- the President could gavel the silence in here, I think we need it. This is an important bill. If we could have silence in here.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Can we lower the noise level, please?

SENATOR LINK:

This is an extremely important bill, because what this is going to do -- as we are concerned about legislation, what this bill is going to do and all of us who live in the northeast corner of the State of Illinois, who have stringent regulations right now on stormwater management and are the fastest growing part of the State of Illinois, we're going to be told with this bill that we must lower our standards - that we have to lower our standards for the rest of the State of Illinois. So, now what we're going to be doing is -- why don't we just start eliminating home rule? Why don't we just tell every city and county in this State that the State is going to be running everything? We were concerned on earlier bills about local control. We're concerned about every other thing. What we're going to be doing in this bill is telling Lake, McHenry, Kane, DuPage, Cook County that we know what we're doing, you don't. We're going to lower the standards. I don't know why we're lowering the standards. We got rapid growth in these counties. I don't know why the Realtors are opposed to it. They're selling as fast as you could sell in those counties. I don't know why the Home Builders are opposed to it, because they're building faster than you could build in those counties, but they're fighting it. I want to tell you why they're all opposed to it, it's a money thing. It's as

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simple as that. It's money. And you want to lower a standard of those five, six largest counties in the State of Illinois. This is a terrible bill. It's not a bad bill; it's a terrible bill. It's a great sponsor, but it's a terrible bill. And I want to ask the sponsor one question. Would he want me to come down in his county and lower any standards for his county in what he's doing to our counties?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator Clayborne.

SENATOR CLAYBORNE:

Well, you know, Senator Link, with all due respect and -- and you know I have a lot of respect for you, but I guess to answer your question, it's not -- I'm not looking at just one county. I'm not looking at three counties. I'm trying to establish statewide standards. And if you look at the environmental -- Illinois' environmental briefing book that was put on by the Illinois Environmental Council on Education Fund, they talk about establishing a statewide program to -- to protect wetlands. Now they do mention the three counties that you talked about, but they believe that there should be a statewide program similar to other discussions today. Should there be a program for all one hundred and two counties or should we uniform it -- make it uniform? And basically, because of the U.S. Supreme Court, we're here to try to make -- or come up with statewide standards.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Well, you know, that is at least one thing we can agree on. But, you know, we had a lot of hearings on this, because this bill came over and I carried this bill in a different form. And I wanted a statewide standard, and when I was arguing this bill with the -- opponents of this bill, I said, "Fine, we'll do a statewide standard." I said, "We'll do the same as we have in Lake, DuPage, McHenry, Kane counties. We'll do that as the statewide standard. We'll use that pattern which we have in effect already and is working. We'll do that as the standard for the State of Illinois." And the response was, "No. We don't want that." And I said, "Why? It's been working." You know why

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they don't want it? Because it's too good of a standard for the State. And Cook County is enacting that standard. McHenry's enacting that standard and other counties are already doing it. I think this is a charade of a bill. It's a charade what they're trying to do. They want to lower a standard. I commend the sponsor for trying to put this forward, but I think the negotiations have to continue on this. We have to get serious about this if we want to do a statewide standard. But we should never lower standards of something. I would ask for a lot of red lights on this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I have a brief question for the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR SIEBEN:

Senator Clayborne, commend you for your work on this. I know it's been a multi-year effort with a lot of diverse groups. As I look in our analysis on the computer screen here and look at the proponents and opponents, I see one that's very important in the northwest side of the State that's not shown on either side of the issue and that's the Illinois Association of Drainage Districts. In other words, in order to farm the land that we farm between the Mississippi and the Rock River, for many, many years local areas have developed drainage districts and they tax themselves in order to drain this land so it can be farmed. And I know, previously, the Illinois Association of Drainage Districts was opposed to this legislation. Can you give me some indication? I see that the Farm Bureau now supports it, but I don't see that the Illinois Association of Drainage Districts have taken a position on the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Sieben, I've been told that they're in favor of this legislation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Shadid.

SENATOR SHADID:

Thank you -- thank you, Mr. President. You know, every day they say, you stick around long enough, you'll learn things. I learned something today, that Senator Link is not from downstate. He keeps telling us he's a downstater and that's not true. And I want to encourage everyone, look at all the people who are supporting this bill. Clayborne, this is a great bill and I'm urging everyone to vote for it. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, I think with Senator Jacobs' motion for previous question, does confirm for me the thought that we have just seen an extreme makeover of Senator Denny Jacobs in the last couple of months. Secondly, a brief -- a brief announcement. I have ordered -- chocolate, strawberry and vanilla shakes for the entire Senate. They should be here within the hour. So hold on, we'll have a little dessert. And -- thank you. And, thirdly, I -- I rise in favor of this legislation. I commend the great Chairman of E and E for bringing this forward. The business groups are for it. It's a -- it -- for anyone who's got a -- a Cook County Legislator, we're finally going to get some wetlands policy in -- in Cook County. They've been dragging their feet for years. This is -- this'll be good for Cook County. The Farm Bureau is for it. Downstaters are for it. It'll be good for Cook County. I urge your -- an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. To the bill: I rise in strong opposition to this bill. There's a reason why property in DuPage and the collar counties isn't -- hasn't been developed yet and that's because it's property that has problems. All the good stuff is gone. And now we remain with property that has problems. And in our area, because it's so flat, the problem is stormwater. When the rain comes down, it doesn't -- it doesn't say, "Oh, this is a good property and this is a bad property;

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I'll sit on this one instead of on that one." It sits wherever it lands. And we're flat. For the past fifteen years we have enacted stormwater ordinances to meet the needs of our particular counties, and they have worked. We have development that is good development, strong development and adds to our economies. Why are you asking us to lower our standards? A statewide standard is fine, use it as the floor, but give us the opportunity to do better. We already have; we've shown it works. I ask for No votes on this so that we can come back with something even better for the entire State. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

Senator Pankau, that's one of the reasons why we're -- like you say, there have been abuses and you've implemented something the last fifteen years. Well, maybe if -- sixteen years ago if there were statewide standards, you wouldn't have stood up and made the complaints that you made. So that's what I'm saying. It's time to implement statewide standards and have some uniformity. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 761 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 the question, there are 34 Ayes, 17 Nays, none voting Present. Senate Bill 761, having received the required constitutional majority, is declared passed. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR COLLINS:

Thank you. Ladies and Gentlemen, I would like to introduce a -- a classmate of mine. We went to Harvard together and this is Dr. Raj Lal. He's here today with the Illinois State Medical Society. He's a constituent of Senator Cronin's district. And I just wanted to let you know that Dr. Lal just returned from Sri

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Lanka, where he provided services for the victims of the Tsunami. And prior to that he was an international observer -- election observer for the Presidential runoff of Viktor Yushchenko. And so I just thank you for the opportunity to welcome him -- welcome him here to the Chambers to observe some of our activities. So, would you please give him a warm welcome?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to the Illinois Senate. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Yes. Mr. President, I inadvertently pushed the red button on that last bill and would like to be recorded as a green on that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The record will so reflect. Senator Clayborne, on Senate Bill 763. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 763.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Obviously, this is not as controversial as the previous bill. This bill -- this bill changes the date of the annual certification of the State's contribution to the General Assembly Retirement System from November 15 each year to -- December 15th of each year. And this is done because typically we may not have come into Veto Session at the time to have this certified. So, we've extended the date thirty days to allow this to be done. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 763 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 the question, there are 55 Ayes, none voting Nay, none voting Present. Senate Bill 763, having received the

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

SENATOR BRADY:

I don't know. Just to talk. Mr. President, I -- I would have like to have spoken last time and tell everyone that was a good bill. But, more importantly, I wanted everyone to know that we need to thank Senator Clayborne for -- yesterday he stood up -- we had a -- we had a board meeting yesterday for the -- the GARS pension board and he was nominated by Senator Harmon to be Chairman of that board. Unfortunately, he went down in defeat, but I want everyone to know that the Senators stuck together and we tried to get Senator Clayborne elected. We will have to suffer under the chairmanship of a Representative which will be left unnamed. But, thank you, Senator Clayborne.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, on Senate Bill 764. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 764.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a initiative of the Chicago Bar Association. Amends the Condominium Property Act. Currently, an association's entitled to recover from a defaulting order -- owner reasonable attorney's fees as determined by a judge. Unfortunately, some management companies that are hired by the association have been tacking on unreasonable fees. So, this clarifies that except for attorney's fees, no fees permitted pertaining to a unit owner's financial obligation to the association shall be added as part of the owner's share of the common expenses. No opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 764 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 764, having received the required constitutional majority, is declared passed. Senate Bill 766. Senator Link. Senator Link seeks leave of the Body to return Senate Bill 766 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 Senate Bill 766. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link, to explain your amendment.

SENATOR LINK:

I'll explain the amendment on the 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link moves the adoption of Amendment No. 2 to Senate Bill 766. 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 KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 766. Senator Link. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 766.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

First thing I want to say is, if I -- I would like everybody to look up there and see how forgiveness is so quick with us, that it's a Link-Clayborne bill. So that we work together quickly. This bill is the design-build bill that we've worked on for a couple of years. The underlying bill authorizes the Capital Development Board to implement a design-build method of construction projects. Senate Bill 766 establishes the rules for

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solicitation of contract, as well as establishment of criteria and procedures to be following in selections of entities that provide the design-build delivery system. A selection committee was to be formed to follow the two phases of selection procedures and to award the design-build contract. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

...Mr. President and Ladies and Gentlemen of the Senate. Question for the sponsor. Senator Link, earlier today a representative of the Illinois School Management Alliance saw me as I was going from the Chamber to my office and asked that if I would ask this question. As we see your bill here, it creates a Design-Build Procurement Act and that means a delivery system that provides responsibility within a single contract for the furnishing of architecture, engineering, land surveying and related services as required, and the labor, materials, equipment, and other construction services for the project. And their question is, a local school district passes a referendum to build a new school, would this in some way, the way your bill is drafted now, preclude that local school district from utilizing the services of local contractors to do the work or provide the materials? If there's this one design-build feature handled by CDB, does that exclude local vendors from being involved in this project which is being paid for by local taxpayers?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sieben.

SENATOR SIEBEN:

So, all we're doing then is creating a procedure, but then that architect that's designing the building then would be utilizing local contractors to provide materials, local vendors to provide materials, local contractors to do the work? They wouldn't do this all from one source, one location?

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Link.

SENATOR LINK:

That's open for discretion of those at the local board and the design-build.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Link, as you know, in the past several months there have been a number of stories commenting on relationships between individuals who are getting State contracts and individuals who may be contributing to certain political officials. And regardless of who those stories are written about, they make everyone who works in this building look less than at their best. I -- I'm not -- I'm not an engineer, so I'm not a specialist in this area. Does moving in this direction, adopting this model, allow more, for lack of a better term, fudge room? I mean, does it allow someone who's making the decision on who the contract's going to go to even more leeway to pick maybe a party they want to pick?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

First of all, Senator Righter, I don't want to point fingers and say that this is going on anywhere. But I don't think this is the idea of this and I don't think there is that -- you know, there's possibilities of anything happening anywhere, anyhow. This is a cost savings to the taxpayers of the State of Illinois. The intent of this bill is to save money to the taxpayers of State of Illinois. That's the whole intent of this bill. I can't stop crime, neither can you, if it's going to go on. That's -- you know, not for us to decide on this. There is no -- nothing in here that is encouraging it or making it easier.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President. To the bill very briefly: Senator Link, I appreciate that very much. That was -- that was really a question, because I don't -- I don't know what the net effect of this is. You carry much credibility in this Chamber. I appreciate very much your words and I would urge the bill's passage.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. Just a quick question for the sponsor, if I may, please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR CRONIN:

Senator Link, last year the Governor's Office aggressively pursued a new policy impacting the school construction program. You may recall, they -- they sought to put it under their control. They -- they abolished the priority of need. It was really something that this Body, you know, resoundingly rejected. Does this new Procurement Act have any impact on the current school construction program?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senator Link, with all due respect, is your bill following the same path that my colleague Senator Haine's bill does, is to continue to disallow opportunities for minority- and women-owned businesses to participate in -- in opportunities in State construction projects?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Absolutely not. This requires various stages in the design-build requirement utilization comply with the disadvantaged

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business and equal opportunity employment policy of the State as established in the Illinois Human Rights Act and the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval.

SENATOR SANDOVAL:

I appreciate that you can read that canned jargon that you've gotten from some State procurement official, Senator Link, but the proof is still in the pudding that minority- and women-owned businesses have -- and local small businesses in central and southern Illinois have been shut out of participating in State construction contracts. And, furthermore, you know, I don't know of many minority-owned or women-owned A and E firms that are currently doing business with the State of Illinois. This literally disallows them from participating in A and E design construction-type contracts in the State of Illinois. I stand in opposition, with all due respect to the great -- my great colleague from northwestern Illinois -- northeastern Illinois. The other way.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

Thank you -- thank you, Mr. President. I want to commend the sponsor for bringing this bill forward. I think this is the state-of-the-art way to build buildings now. That's why Capital Development Board needs to have this possibility. You can include in the contracts minority requirements in the construction. That's not any different than what you're doing today. This is a good bill. This is something that we need to move forward in the construction industry and I commend you for it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. First of all, my colleague from, I guess the southern part or whatever of Chicago, I happen to be as far east as you can get in the State of Illinois, because I'm about three inches from the Lake Michigan. But, to answer your

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question, it is not jargon, because what we did is we negotiated with the contractors and the State to make sure that minority-, female-owned and disadvantaged individuals have to be hired and that has to be shown before the procurement contracts are let to any of these design-build projects. This has to be shown. I think it's a positive step forward, and as my colleague from Peoria area said, this is step forward. It's a savings to the taxpayers of the State of Illinois. And I would hope for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 766 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 the question, there are 51 Ayes, 2 voting Nay, none voting Present. Senate Bill 766, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Thank you, Mr. President. I'm having quite a bit of trouble with my light today. It did not register again and I want to be recorded as I would be voting for it.

PRESIDING OFFICER: (SENATOR LINK)

On Senate Bill 766, the record will reflect. Senate Bill 767. Senator Demuzio. Senator Demuzio seeks leave of the Body to return Senate Bill 767 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 767. Madam -- Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes. Mr. President, the amendment is the bill and it's Floor Amendment No. 1 to Senate Bill 767. And what it does is, under this particular bill, it requires -- the regional superintendents are empowered to hire legal counsel to represent

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them in legal matters, with the county or counties within the educational service region paying a per capita share of the bill. This amendment makes this authority contingent upon the approval of the county board in single-county service regions and upon the approval of the county boards through intergovernmental agreements for multicounty service regions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Mr. President, I apologize for interrupting, but I pressed my light to indicate that on Bill No. 766 - it was frozen on the red light somehow - would have loved to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. Thank you. Senator Demuzio moves for the adoption of Amendment 1 to Senate Bill 767. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 767. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 767.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President and Members of the Senate, again I would ask for a favorable -- favorable roll call on Senate Bill 767.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. I rise in support of this. We heard compelling testimony from the witnesses in committee. The only concern is, the Metro Counties are -- the counties are still opposed to it. But, all in all, I urge my

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colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR LINK)

Any further discussion? The question is, shall Senate Bill 767 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 the question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 767, having received the required constitutional majority, is declared passed. Senate Bill 768. Senator Demuzio seeks leave of the Body to return Senate Bill 768 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 768. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes, Mr. President and Members of the Senate, Floor Amendment No. 1 to Senate Bill 768, the amendment deletes all and becomes the bill, requiring that the Interagency Coordinating Council is to develop a comprehensive plan to increase the availability of school personnel who are certified transition specialists and implement that plan by September the 1st of '06.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin, on the amendment.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of the amendment. Urge a favorable consideration on 3rd Reading. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Senator Demuzio moves the adoption of Amendment 1 to Senate Bill 768. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

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3rd Reading. On the Order of 3rd Reading, Senate Bill 768.
Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 768.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Again, thank you. I would ask for a favorable roll call on Senate Bill 768. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 768 pass. Those in favor will say Aye -- vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 768, having received the required constitutional majority, is declared passed. Senate Bill 772. Senator Sandoval. Out of the record. Senate Bill 773. Senator Sandoval. Out of the record. Senate Bill 776. Senator Sandoval -- seeks leave of the Body to return Senate Bill 776 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 776. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval, to explain your amendment.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Amendment No. 1 authorizes the Department of Military Affairs to establish a program for members of the Illinois National Guard who are called up to active duty in Iraq or Afghanistan, to assist those individuals in procurement of mortgage life insurance and payment of premiums to protect the service member from defaulting on a home mortgage due to critical injury or death caused as result of service.

PRESIDING OFFICER: (SENATOR LINK)

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Is there any discussion? Senator Sandoval moves for the adoption of Amendment 1 to Senate Bill 776. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further amendment -- Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. The Amendment No. 1 basically becomes the bill. The bill establishes an application process and stipulates that the Department of Military Affairs shall procure mortgage life insurance for the service member's mortgage and pay all the premiums approved for service members while the member remains on active duty in Iraq or Afghanistan. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I rise in support of this bill, Mr. -- Mr. President. It's -- it's an insurance bill for veterans who are on active duty and it's one of the things that -- that we can do if they suffer -- if they give the ultimate sacrifice on behalf of the United States. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady.

SENATOR BRADY:

Thank -- thank you, Mr. President. I find myself in a quandary. I now stand in support of I think Senator Sandoval's fourth bill. But I encourage all Members on this side of the aisle and -- and on that side of the aisle to support this bill.

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It's doing the right thing.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 776 pass. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 776, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 780. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 780.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Senate -- Senate Bill 780 requires that in order for charity organizations to be included in the State Employee Combined Appeal, SECA, charity organizations must meet minimum threshold of two hundred and fifty payroll deductions at least once every three years in order to remain qualified. Currently, it's set at five hundred deductions a year. And the reason why we want to lower it is so more charities can be included, especially during tough financial times. So, we would bring in more charities such as the Special Olympics that have -- wouldn't have the opportunity.

PRESIDING OFFICER: (SENATOR LINK)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This bill came through State Government Committee unanimously. And -- and we think that we should see all green votes on this bill.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 780 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. There are 53 Ayes, 1 Nay, none voting Present. Senate Bill 780, having received the required

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constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 818, but we'll return with -- to Senate Bill... With leave of the Body, we'll go to Senate Bill 834. Senator Wendell Jones. Senator Jones seeks leave of the Body to return Senate Bill 834 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 834. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones, to explain your amendment.

SENATOR W. JONES:

Yes. I'd like to explain this on 3rd Reading, Mr. President, if I could.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones moves the adoption of Amendment 1 to Senate Bills {sic} 834. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 834.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. We've been working on this now for a couple of years and I think we have -- I think we have it settled. And it's come to the Local Government Committee. It amends the Municipal Code. When the city annexes all or part of a territory where a township operates a sewage system that has a treatment plant, and if that city doesn't operate a sewage system that has a treatment plant, the

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township remains responsible for the sewage plant in the annexed territory. But user fees will continue to be paid to the township. When the city annexes all or part of the territory where a township operates a sewage system that does not have a treatment plant, the city assumes the responsibility for the system and user fees will be paid to the city. I'll be happy to respond in detail to any of your questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. This bill came out of the Local Government Committee and it's a great bill and everybody voted for it.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 834 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, no Nays, none voting Present. Senate Bill 834, having received the required constitutional majority, is declared passed. Senate Bill 839. Senator Crotty. Out of the record. Senate Bill 840. Senator Haine. Senator Haine seeks leave of the Body to -- to return Senate Bill 840 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 Senate Bill 840. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, to explain your amendment.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, this is a bill which affects the Kaskaskia Port Authority and the Tri-City Port Authority, allowing them the capability to permanently finance projects using conventional bank financing, instead of bond financing. The bill deletes language from the -- the Kaskaskia Regional Port District that provides the borrowed money must be repaid within one year after it's borrowed and it goes on to provide the same authorization to borrow money under the Tri-

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City Regional Port. Both of these Ports are attempting to do major infrastructure improvements, and they need new tools and financing in order to do it. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski, on the amendment. Senator Haine moves the adoption of Amendment 1 to Senate Bill 840. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any -- further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen. To further explain, the majority of the capital projects undertaken by these two Port Districts are under one million dollars. With the legal complexity and cost of issuing revenue bonds, it's just -- and -- and according to the managers of the Ports, it saves them money to use conventional bank financing. And they are many banks in the area willing to do it at competitive rates. And they can use their assets as collateral for the loan. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR BURZYNSKI:

Just looking at my analysis very quickly, Senator, I see that the bill itself was supposed to amend the Downstate Forest Preserve Act, but yet, your amendments amend the Port Authority

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Act?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, I -- I've yet to understand the -- the nuances of shell bills. But it -- it seems to be germane.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. We thought it was germane. We voted Aye. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 840 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, no Nays, none voting Present. Senate Bill 840, having received the constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 850. Senator Collins. Senator Collins seeks leave of the Body to return Senate Bill 850 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 850. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 basically made the bill a shell bill with a purpose and I will discuss it on 3rd.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins moves for the adoption of Amendment 1 to Senate Bill 850. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 850.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a shell bill with a purpose. And the purpose is, during the Session AARP brought me this legislation and we're trying to work out the language. What it seeks to do is to provide a legal method for grandparents who are raising kids. Over one thousand grandparents in Illinois have assumed the responsibility of raising their grandchildren, face legal hurdles when it comes to seeking medical treatment or registering their grandchildren in school. They've asked to keep working on the legislation to work with the Department of Children and Family Services. There were some problems with foster children, and so I just ask for the ability to pass it out and continue working in the House for the language agreed upon between DCFS and AARP.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you. Just -- just a couple of quick questions before we vote for this shell bill. Senator Collins, does this have anything or the potential to have anything to do with -- to do with custody rights of grandparents?

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

At this moment, I would say no. I was not told anything about the custody rights.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

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Senator Collins, this is supported, or probably will be supported by the AARP, the American Association of Retired Persons. Is that right?

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

Yes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Just real quickly to the bill: Anytime we see parental rights pop up on the board, we all take a double-check here. But staff tells me and I believe that this will be a worked-out bill. There's nothing in here to fear and we should all give it a green -- a green light.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I was just wondering, Senator Collins, does this relate to eligibility regarding residency for schools or is this one aspect of the bill that is still being worked on?

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

I really don't know whether it relates to residency. All I know is that they would like to have the ability if they have the children in their homes to be able to seek medical treatment with -- and the registration in schools. I'm at -- I don't really know, to be honest.

PRESIDING OFFICER: (SENATOR LINK)

Could we keep the noise down a little bit down here? I know it's late at night, but everybody's trying to hear one another. Senator Silverstein.

SENATOR SILVERSTEIN:

Question. Short question.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR SILVERSTEIN:

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How would this affect it if there was a guardianship or something or there was a potential for guardianship of a minor when a parent is designating somebody else? Do you -- do you have any idea or...

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

That's -- I'll look into the legislation. I -- this was not brought to me prior during the committee hearings. And so I was told that nothing would be done without the approval of DCFS and AARP. And none of the other issues were raised, but I'll look through the legislation if you need me to respond.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, to close.

SENATOR COLLINS:

There's nothing in the legislation at this point in reference to Senator Silverstein's concern and so I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 850 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 850, having received the required constitutional majority, is declared passed. Senate Bill 851. Senator Collins. Out of the record. Senate Bill 853. Senator Lightford. Senator Lightford seeks leave of the Body to return Senate Bill 853 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 853. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, to explain your amendment.

SENATOR LIGHTFORD:

Thank you, Mr. President. The amendment becomes the bill and I'd -- be happy to detail it out on 3rd Reading.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford moves the adoption of Amendment 1 to Senate Bill 853. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 853 creates the Illinois Dollars for Scholars Act. We know that education is important across the State and helping to create scholarship programs to advance children and adults in higher education is a goal of ours. And I'm happy to be joined with our Leader on the Senate side, on the Republican side, Minority Leader Watson, in this endeavor. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. I want to thank Senator Lightford for allowing her vehicle to be used as the Dollars for Scholars initiative. We -- Senator Cronin and I introduced this on this side along with Senator Halvorson. And it's a -- I think it's an important piece of legislation. And the fact that it will create an effort by the local people in -- in communities throughout this State. And there are several of these programs now, but we're going to establish a grant program, a matching grant program, and then volunteers and people in the local community will have fundraisers and have local, actual scholarships available for -- for young people in their area. I

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think it's an excellent program. It's modeled after many other programs throughout this country. And it's been successful and it actually has a sunset clause in it, so if it isn't something that works out, we will review it later. So appreciate your support.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

Thank you very much. I just wanted to rise in support of this. And I did want to point out, there's a man that if you met him, you wouldn't forget him, and it's Dick Dystrup. Remember that fellow? He has got an enormous amount of energy, has been personally pursuing this program for years. We started working together several years ago. I want to commend him and thank him and thank the sponsor and Senator Watson. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 853 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, no Nays, none voting Present. Senate Bill 853, having received the required constitutional majority, is declared passed. With leave of the Body, we'll be going to Senate Bill 944. Senator Clayborne. Out of the record. With leave of the Body, we'll be going to Senate Bill 1119. Senator Sandoval. Out of the record. With leave of the Body, we'll go back to Senate Bill 966. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 966.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. House -- Senate Bill 966 is in response to meeting with different municipalities and working with the Illinois Municipal League and the Northwest Municipal Conference, different mayors, Legislators to clarify some of the shortcomings of the Affordable Housing Act. And

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after several meetings, we have gotten consensus on several new parts to the bill. Generally, what we have done is, we provide more flexibility for municipalities, allowing communities to enter into intergovernmental agreements with other municipalities or counties with less than twenty-five-percent affordable housing and within ten miles of their corporate boundaries. Together these municipalities and/or counties can work to meet the requirements of the law. We've brought together additional tools to create affordable housing and meet local needs. Senate Bill 966 offers municipalities these tools to help in the creation of affordable housing. Communities will have the authority to create community land trusts and/or housing trust funds, use local zoning powers to promote the creation of affordable housing and accept donations of money or land to address affordable housing needs. We've also established clear standards at the State Housing Appeals Board. The developer already bears the full burden of proving to the State Housing Appeals Board that the proposed development was denied because of its affordable component. However, Senate Bill 966 clarifies precisely what standard the developer must meet in order to prove intent to prohibit affordable housing if an appeal is ever brought to the State Board. There are other technical cleanups and I'd be really happy to answer any questions that you may have.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: This bill came out of committee unanimously. I'd like to commend the sponsor for working as hard as she did to address the concerns that were raised and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. I rise in support of this bill, although I voted against the underlying bill last spring. As Senator Garrett said, it had shortcomings. And I would say, without a doubt, this bill and the underlying law has a lot of shortcomings. For example, Senator Garrett points out that the State Appeals Board does not begin to hear

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cases until January 1st, 2009. But be ready in your communities when the State Appeals Board begins to hear cases related to this type of situation in your community, because you're not ready for it and you won't be ready for it. And the underlying law is still a bad idea. But this amendment takes care of a couple of the shortcomings and I'm going to vote for this. But every time this comes up, I'm going to stand up and remind you that the underlying law is a bad law. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. As a fellow suburbanite, I want to commend Senator Garrett for her efforts. And with respect to what -- with respect to what the previous speaker had alluded to, I think there's widespread agreement that what we are looking for is a greater definition of the burden of proof which falls upon the developer with respect to the Housing Appeals Board, because before it was a blank slate, many of us took exception to it. The fact that the deadline is pushed back further only underscores the fact that we're looking to provide communities with opportunities to develop additional housing stock within their communities to help their residents. And with all due respect to the prior speaker, I'm glad that he's supporting it, but I think this is far more responsive to the needs of suburban municipalities than perhaps the original bill, and that's why I commend Senator Garrett for her efforts. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Any further discussion? The question is, shall Senate Bill 966 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 Ayes, 2 Nays, none voting Present. Senate Bill 966, having received the required constitutional majority, is declared passed. Senator Dave Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Thank you, Mr. President, for an announcement. The milk shakes have arrived.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Don Harmon.

SENATOR HARMON:

Thank you, Mr. President. I rise on a point of personal privilege. I just phoned home and spoke to my wife who tells me that our four-year-old is watching us here tonight, but hasn't seen me so he doesn't believe I'm here. I wanted to make sure he knew I was here. Son, I love you; it's time to go to bed.

PRESIDING OFFICER: (SENATOR LINK)

I'm -- I'm glad you didn't have to sing him a -- lullaby. We couldn't take it. Senate Bill 1094. Senator John Jones. Senator John Jones. Out of the record. Senate Bill 1119. Senator Sandoval. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1119.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Isn't there an amendment?

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval seeks leave of the Body to return Senate Bill 1119 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1119. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval, to explain your amendment.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. The amendment becomes the bill and I will detail it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval moves for the adoption of Amendment 1 to Senate Bill 1119. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1119.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 1119 prohibits a person from operating a motor vehicle that is equipped with registration plate covers that are tinted. It also defines a registration plate cover as any one that's tinted, colored, painted, marked, clear, or illuminated object that is designed to cover any of the characters of a motor vehicle's registration plate, or distort a recorded image of any of the characters of a motor vehicle's registration plate recorded by an automatic red light enforcement system or recorded by an automatic traffic control system. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Before we go on, could we keep the noise down a little? You're keeping Senator Harmon's child awake. Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. This came out of Transportation unanimously. I would urge its adoption.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1119 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, no Nays, none voting Present. Senate Bill 1119, having received the required constitutional majority, is declared passed. Senate Bill 1120. President Jones. Senate President Jones seeks leave of the Body to return Senate Bill 1120 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading. Senate Bill 1120. Mr. Secretary, are there any amendments

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approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Emil Jones.

PRESIDING OFFICER: (SENATOR LINK)

Senator Emil Jones, explain your amendment.

SENATOR E. JONES:

Thank you, Mr. President. Amendment No. 2 essentially becomes the bill and I will debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Emil Jones moves for the adoption of Amendment 2 to Senate Bill 1120. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any other -- are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. Senate -- Senate Bill 1120, as amended, simply establishes a new special license plate for autism awareness. It adds additional fees for the plate to be subject to appropriation of the General Assembly, approval by the Secretary of State and Department of Human Services, for the purpose of grants, research, education and -- awareness regarding autism and autism spectrum disorders. This bill is -- creates the Autism Awareness Fund where funds will be -- deposited. This special fund will be held by the State Treasury. This bill is the product of the Autism Society of Illinois. And I will be pleased to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bomke.

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SENATOR BOMKE:

Thank you, Mr. President. This came out of Transportation. There was one No vote, but it's a good bill for autism. I know we want to get some kind of uniform license plate. Hopefully, we will have that within the near future. But for right now, think this is a good bill and would urge the adoption.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1120 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 the question, there are 52 Ayes, 2 Nays, none voting Present. Senate Bill 1120, having received the required constitutional majority, is declared passed. Senate Bill 1208. Senator Wilhelmi. Senator Wilhelmi seeks leave of the Body to return Senate Bill 1208 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1208. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wilhelmi, to explain your amendment.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment replaces the bill and it grants the Illinois Department of Transportation permission to release its dedication rights to a parcel of land known as Douglas Street in Elwood. And I'll explain -- later the extent of it. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wilhelmi moves that -- Amendment 1 to Senate Bill 1208. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr.

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Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1208.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. Again, Ladies and Gentlemen of the Senate, Senate Bill 1208 allows for vacation of a portion of Douglas Street in Elwood. The three things that this will do is it'll increase and improve sight distance; it'll eliminate driver confusion; and it will promote a continuation of traffic flow along Mississippi Street in Elwood, which is a very fast-growing town of mine. And I appreciate your support and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1208 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 the question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1208, having received the required constitutional majority, is declared passed. Senate Bill 1210. Senator Cullerton. Senator Cullerton seeks leave of the Body to return Senate Bill 1210 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1210. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. The amendment becomes the bill. It's an initiative of the Illinois Cemetery and Funeral Home Association. And I'll be happy to explain it on 3rd Reading if we adopt the amendment.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Cullerton moves the adoption of Amendment 1 to Senate Bill 1210. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1210.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill updates the Cemetery Protection Act, provides for criminal offenses. Presently that Section allows for penalties for offenses such as desecration of human remains or vandalism. This Section has not been updated for over a century, does not specifically account for other conduct. This would cover such things as harassment of cemetery workers and mourners and destruction of cemetery safety equipment. And it's supported by the Illinois Cemetery and Funeral Home Association and by SEIU Local 1, and it did -- was approved by the Judiciary Committee. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Any further discussion? Seeing none, the question is, shall Senate Bill 1210 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 56 Ayes, no Nays, none voting Present. Senate Bill 1210, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 1230. Senator Harmon seeks leave of the Body to return Senate Bill 1230 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1230. Mr. Secretary,

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are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I'm happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon moves for the adoption of Amendment 1 to Senate Bill 1230. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill -
- Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1230 is an initiative of Cook County Sheriff Michael Sheahan. If you've been reading the newspapers, there's been some reports about an active secondary market in law enforcement badges. This would prohibit the production, sale or distribution of such badges without the written permission of the law enforcement agency represented on the badge. I am not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1230 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, no Nays, none

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voting Present. Senate Bill 1230, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 1233. Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1233.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is an initiative of the United Parcel Service. It's supported by the Illinois State Chamber of Commerce. And it makes a clarification on how the State of Illinois treats taxes for the use of something called dyed {sic} diesel fuel on your own property when you don't drive your trucks on public streets, but you're just moving vehicles around your own property. And it's a clarification on how the Department of Revenue of our State treats, especially the big United Parcel Service place called the CACH facility, which I believe is located in Senator Viverito's area, Senator Sandoval, it's near his, and Senator Radogno. It's a clarification and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR CULLERTON:

So this bill deals with vehicles? Does this bill deal with vehicles?

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Vehicles and taxes, yes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

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Would you say it's a vehicle bill then?

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Better to say it's a vehicle bill than a shell bill or a tax bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1233 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, no Nays, none voting Present. Senate Bill 1233, having received the constitutional majority, is declared passed. Senate Bill 1234. Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill is an initiative of Attorney General Lisa Madigan and it's part of an entire package over the last couple years to strengthen Illinois' sex offender registry law and crack down on its violators. It's still a work in progress. This is more than a shell bill. It is -- it probably might need some refinement in the House. But it's a pretty comprehensive bill continuing Lisa Madigan's efforts to bring our Sex Offender Registration Law up to date, both technologically and legally. It's a good bill and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1234 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, no Nays, none voting Present. Senate Bill 1234, having received the

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constitutional majority, is declared passed. Senate Bill 1235.
Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I think this is the last in a trio that I have in a row and I can sit down and be quiet. This is an initiative of the Township Officials of Illinois to clarify a problem that the Chicago Title Insurance Company has found with respect to the ability of townships to sell right-of-ways to adjoining landowners. And it's suggested by Chicago Title. It's an initiative of the Township Officials. And it really clarifies some things that case law have brought down with respect to how townships may sell vacated highways to adjoining landowners or not to sell land to them. And I'd urge a Yes vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1235 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, no Nays, none voting Present. Senate Bill 1235, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 1251. Senator Cullerton seeks leave of the Body to return Senate Bill 1251 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1251. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Mr. President. I'd like to adopt the amendment

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and explain it on 3rd Reading, if I could.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton moves for the adoption of Amendment 1 to Senate Bill 1251. All those in favor will say Aye. The opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 1251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is to clarify the rights of a shareholder to be physically present at a meeting of the shareholders to make sure that the shareholder can express their concerns to the corporate leaders and to make sure that if they, for some reason, try to silence them, that there would be a penalty that the company would have to pay, up to ten percent of the value of the shares owned by the shareholder. This is in response to a constituent request. Had a -- a situation where he actually attended a shareholder meeting and had asked for resignations of its corporate officers due to some fraud and was kicked out of the meeting. So this is in response to that and I think it does clarify the Act that needed clarification. So ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. This bill came through the Commerce and Economic Development Committee unanimously and I would recommend an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1251 pass. Those in

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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 56 Aye, no Nays, none voting Present. Senate Bill 1251, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go to Senate Bill 1324. Senator Crotty. Senator Crotty. Out of the record. With leave of the Body, we'll go to Senate Bill 1327. Senator Harmon. Out of the record. Senate Bill 1328. Senator Harmon seeks leave of the Body to return Senate Bill 1328 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1328. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I'm happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon moves the adoption of Amendment 2 to Senate Bill 1328. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1328.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1328, as amended, is the product of

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negotiations between the Attorney General's Sex Offender Registration Team and the ACLU. It is an amendment to the Registration Act with respect to juveniles. Under the current law, any juvenile offender -- any juvenile sex offender is forced to register as a sex offender for ten years. This would grant the degree of flexibility and -- and discretion to judges if a juvenile's crime is not so heinous that he or she is transferred to adult court, if he or she remains in juvenile court. A thirteen- to seventeen-year-old would register for five years. An offender under twelve would be registered at a judge's order. There is a five-year extension or up to a five-year extension. We are essentially granting some discretion to the courts to treat juveniles as juveniles. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Leader Watson.

SENATOR WATSON:

Yes. Thank -- thank you, Mr. President. You mentioned one of my favorite organizations, the ACLU. I'm just curious, you say there's no opposition. If they're for it, I'll guarantee you there's got to be opposition, and if there isn't, there will be at least from over here. Tell me, how is the ACLU involved in this and what is their position and why are they supporting this legislation?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Mr. Leader. The important part of that was it was the product of negotiations between the Attorney General's Office and the ACLU. I think the final product reflects the influence of both. It is an attempt to recognize that, for instance, a sixteen-year-old and a fifteen-year-old in the back of a car doing what sixteen-year-olds and fifteen-year-olds in the back of a car sometimes do, don't necessarily deserve to be registered as sex offenders for ten years. This grants the court a certain degree of discretion to look at the circumstances of the individual incident and respond accordingly.

PRESIDING OFFICER: (SENATOR LINK)

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Leader Watson.

SENATOR WATSON:

Well, if the ACLU is for it, I ain't -- I'm agin it. And if there isn't an organization in this country that is out of touch with the mainstream thinking of what this country stands for and believes in, it's the ACLU. So, my attitude would be, if they're for it, the -- the right vote is red.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

The sponsor will yield.

SENATOR RIGHTER:

Thank you. Senator Harmon, can you tell me, right now the law is that they have to be on the sex offender list from -- for ten years, is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

How is it not in the public's best interests, the people who are potential victims of sex offenders, not to require them all be on the list for ten years? I mean, who -- I'm concerned about who are we looking out for? Are we looking out for the people who could be victimized or are we looking out for the people who committed the offense and trying to give them a break?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. What this does is it recognizes the profound difference between an adult sex offender and a juvenile sex offender. If you look at the recidivism rates, a -- an adolescent who engage -- engages in illegal sexual behavior shows a recidivism rate of somewhere between seven and thirteen percent. For adult sex offenders, these numbers are far and away

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greater. The -- the arrest rate for re-repeaters is -- is over fifty percent. What we are trying to do is to recognize that some adolescent behavior can fall into the category of a sex offense, but it is still very different in some circumstances than an adult sexual predator. And this grants a judge some ability to discern between those cases and respond accordingly. Nothing stops a juvenile who is sexual predator from being sent to adult court and being treated just like an adult. In those cases where it's appropriate that the -- the juvenile is treated as a juvenile, it allows some degree of discretion. It still mandates at least five years of reporting of -- of registration for anyone -- anyone over thirteen to seventeen. No one tried as -- as an adult is qualified for this program.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, on a final question. Your time is up on this. A final question.

SENATOR RIGHTER:

To close if I might, Mr. President. Thank you. Ladies and Gentlemen of the Senate, God forbid that it be any one of our children or any child we know who falls victim to these seven to thirteen percent of juvenile sex offenders who decide to become repeat offenders. I appreciate what Senator Harmon is here -- is here doing, but having said that, this law as it stands now is for the protection of the people who could be subject to the crime. Those are the ones who we should be here looking out for and not the juveniles who committed the offense themselves. I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, Ladies and Gentlemen, I've heard many speeches that have changed my mind, but very few that have changed my vote. I ask that we move to the previous question, Mr. Chairman.

PRESIDING OFFICER: (SENATOR LINK)

There are three speakers -- three lights. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. -- thank you, Mr. President. Senator Righter said it very well, and I want to point out to our Members on this

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side of the aisle that this was a party-line vote in committee. I don't know what happened to our usual stalwart who votes with us, Senator Bill Haine, on this one. Maybe the pain in his foot was excruciating. And, Senator Jacobs, I don't know if I'll change your vote, but I bet your dad would even vote against this one. This is not a good bill. And if you ever have an election, I'll guarantee you, you'll see a mail piece saying that you are soft on sex offenders if you vote Yes on this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, the inclination to be a sex offender is there whether these -- he's ten or twelve or eleven. And once the inclination is there, I don't think you're going to get it out of his system. And, therefore, I don't feel that the prudent vote would be a Yes vote on this. Therefore, I urge my colleagues to vote No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I'm generally pretty supportive of giving young people a second chance and not, you know, branding them for life, that sort of thing. But I really do have a lot of concerns when we're talking about sex offenders. And I do appreciate the situation that you described, about a sixteen- and a seventeen-year-old engaging in some kind of mutual behavior, but maybe we ought to address that situation and not brand those kids as sex offenders. But when you have kids, you know, eleven-, twelve-year-olds, who are engaged in -- in this type of behavior, that should be a huge red flag that those kids need to be watched. And to cut down the amount of time we're watching 'em, I don't think makes any sense at all. And I think, you know, we treat sex offenders differently in a number of ways, because they are different and they do tend to repeat. So, I think that that would argue that we should definitely not support this bill, that they should go ahead and be registered for the time that -- that we currently have. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to close.

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SENATOR HARMON:

Thank you, Mr. President and I will be brief. To respond to a couple of those points, especially Senator Geo-Karis. Studies show there's a real watershed at about age sixteen or seventeen that differentiates younger people from older people in the -- in the likelihood that they are truly a sexual predator or a sex offender. This recognizes that. To respond to Senator Righter. You made a very good point. God forbid it's ever one of our children who's victimized by this. I would ask you to remember one other thing too: God forbid it's ever one of our children who's engaging in some goofy adolescent behavior and gets tagged a sex offender and is registered and on the Internet for ten years and doesn't go to college and doesn't get a job because they were behaving like a teenager. This doesn't lessen the intensity of the review. It doesn't reduce the amount of time we're watching these kids. It gives judges some degree of discretion to be compassionate and understanding and discern between bad kids and good kids who did bad things or good kids who just did stupid things. This is not a bad bill. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1328 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 the question, there are 10 Ayes, 39 Nays, 6 Present. Senate Bill 1328, have not -- having not received the required constitutional majority, is declared failed. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'm going back to gun bills.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, on Senate Bill 1329. Out of the record. Senator DeLeo, for what purpose do you rise? Senator DeLeo, on Senate Bill 1330. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Leave of the Body, I'd ask Senator Silverstein, who presented the amendment in the Executive Committee, to present the -- the amendment on the Floor.

PRESIDING OFFICER: (SENATOR LINK)

Leave granted. Senator Silverstein. Hold on a second. There's no amendment on this bill? Excuse me. We're checking right now. Senator Silverstein, to speak to the bill.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This bill is the same bill that was heard in the Senate Judiciary Committee. It was a tie vote 5 to 5. It creates the Firearm Accountability Act, creating a civil action for anyone who intentionally or negligently delivers a firearm, ammunition, or silencer to anyone not legally authorized to possess it, a person who is purchasing on behalf of another, or anyone -- or -- or -- or to anyone the transferor has reason to know that it would be used in -- the item illegally. We heard some very compelling testimony in Judiciary regarding this bill. Whether you're pro- or anti-gun, this is an important bill. Because if you're pro-gun, you want to make sure that guns are transferred properly and you want to make sure that it doesn't fall into the hands of the wrong individual and the gun is not used for an improper purpose. It creates a civil action, yes. I don't know if anyone could ever collect on a civil action like this, but it creates some deterrent. And I think that's important. I'll take any questions.

PRESIDING OFFICER: (SENATOR LINK)

Leader Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Just a quick question of the sponsor. If the vote was 5 to 5 in committee, how did it get out on the Floor?

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

That -- that was in the Judiciary Committee, but it was referred to the Executive Committee.

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PRESIDING OFFICER: (SENATOR LINK)

Leader Watson.

SENATOR WATSON:

What? So, it was in Judiciary Committee, had a fair hearing, 5 to 5 vote, and then it goes to Executive Committee. Why was that done?

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

That's the rules we follow here.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs. Oh! I'm sorry. I didn't see your light on, Leader. Leader -- Leader Watson.

SENATOR WATSON:

Well, I -- just that -- I guess the fix is in. You know, if you can't get it in one way, let's do it somewhere else. You know, I guess that's what happens around here when you got leadership like we got.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, I'd like to give my friends, the Republican side, a chance to vote and I move the previous question.

PRESIDING OFFICER: (SENATOR LINK)

There's three speakers. Senator Wendell Jones.

SENATOR W. JONES:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR W. JONES:

Senator, isn't this covered in the Safe Neighborhood Act? This transfer of a -- of a firearm?

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

It covers criminal, not civil liability. This is civil liability, suing somebody for monetary damages.

PRESIDING OFFICER: (SENATOR LINK)

Please turn your lights back on. Senator Wendell Jones.

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SENATOR W. JONES:

So, that's the only change? I mean, we -- we agreed that it would be a criminal offense in the Safe Neighborhood Act.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

This creates a civil cause of action.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

But -- in the Safe Neighborhood Act, it is a criminal action.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

Ask -- asked and answered. Yes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

We spent a lot of time down here on the Safe Neighborhood Act. I would think that we could use the provisions of the Safe Neighborhood Act to implement this bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben.

SENATOR SIEBEN:

Thank you -- thank you, Mr. President. I rise in opposition to this legislation. And in the interest of time, I will not read the seven different points on the fact sheet shared with many of the Members by the State Rifle Association in opposition to this bill. But just very briefly, this bill is just another attempt by the City of Chicago to rid the City of -- of gun dealers and manufacturers. And it affects not just gun dealers and manufacturers, but also applies to private parties as well, making anyone who sells or gives or trades a gun to another person civilly liable. Strong opposition to this and I would just urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Not seeing any further discussion, so Senator Silverstein, to close.

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SENATOR SILVERSTEIN:

Thank you, Mr. President. This creates a civil cause of action. Now -- July of 1999, my neighbor -- in July of 1999, my neighborhood was affected by a shooting. It was on the Sabbath and Mr. Benjamin Hale {sic} (Smith) came into my neighborhood on Friday night, shot two people -- three people and went up to Evanston and, unfortunately, killed Ricky Byrdsong. One of the people that he shot is in -- goes to my synagogue. He's in pain every day. God forbid any of us should be shot. Four kids and he can't do a thing. He's in pain, because of what this jerk did. Excuse my language. Now, unfortunately, Mr. Smith took his own life. But he should have some right to go after somebody, because Mr. Smith got that gun illegally. And, yes, Senator Jones, this is covered by the criminal statute, there's no question. But if God forbid, someone shot you and you were in pain or you had some type of disability, you would want to try to sue somebody or try to go after the individual who transferred the gun illegally, and don't deny it. So what we're doing here is just creating a civil cause of action. You want to have a gun and you want to transfer a gun, fine, but make sure it's done legally, because you have to be responsible for the consequences of your actions, both criminally and civilly.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1330 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 24 Ayes, 31 Nays, none voting Present. Senate Bill 1330, having not received the required constitutional majority, is declared passed -- or, failed. Senator DeLeo.

SENATOR DeLEO:

On 1331, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 1331. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1331.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator DeLeo.

SENATOR DeLEO:

Thank you again, Mr. President, Ladies and Gentlemen of the Senate. I'd like to defer to Senator Silverstein on -- on the language in Senate Bill 1331, sir.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This expands the definition of "public nuisance" to include operating a business that sells or delivers firearms without taking reasonable precautions to ensure that the firearms are not to be used or -- possessed illegally. I'll take any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Mr. President. For the -- in the interest of time, for the same reason the previous bill, 1330, was not acceptable to the Illinois State Rifle Association, to law-abiding gun owners, to Illinois gun manufacturers, I would urge a No vote on this legislation as well.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR LINK)

You did a great job. No speakers. The question is, shall Senate Bill 1331 pass. Those in favor will -- will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 Ayes, 31 Nays, none Present. Senate Bill 1331, having not received the required constitutional majority, is declared failed. Senate Bill 1332. Senator Hunter. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1332.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment 1 deletes everything and becomes the bill and I'll be more than happy to discuss it further. It's been adopted? Oh, okay. Thank you. 1332 broadens unlawful sale of firearms to include firearms possessed with the intent to unlawfully transfer them. It also makes it illegal to transfer more than one handgun to an individual within a thirty-day period or for an individual to acquire more than one handgun within a thirty-day period. It also creates a State Police preapproval process for handgun acquisitions in excess of one per month. A first class -- in terms of violations, a first class violation would be a Class A misdemeanor, one year, twenty-five hundred dollars. A second or subsequent violation would be a Class 4 felony, one to three years, twenty-five thousand dollars. Be happy to -- answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR LINK)

There are three speakers. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: We -- we had a good debate on this in -- in committee. And I just want to talk a little bit about one of the scenarios that I provided in committee that -- that makes this bill really, I think, unwieldy. And, the fact of the matter is, a lot of us -- I go home on a weekend and -- and I realize there are differences from Chicago to downstate and everything else, but one of the things I like to do for relaxation is -- is to go to an auction, perhaps. A farm auction, an estate sale. And, you know, this bill would preclude me from going to that estate sale and having an opportunity, perhaps, if there's a firearm there or two firearms, handguns, to purchase those at a price that is very reasonable, perhaps cheap. And this bill would say, no, you can't do that. You can only purchase one handgun within a thirty-day period. Another situation might be where I want to purchase -- have the

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opportunity to purchase a collector's item or two collectors' items that I want to give to my kids at some point. This bill, again, would preclude me from doing that without prior approval of the State Police. That prior approval, the deadlines, the timeframe to work in will be set in rule should this bill pass. There's no guarantee they can do it within a seven-day, a -- a twenty-four-day, or whatever period. I'm not an auctioneer, but in the first case that I -- I've gone in, I think that that auctioneer would be very hard-pressed to sell me more than two handguns if I'm waiting for prior approval, or anybody is, from the State of Illinois to be able to do that. So, I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. To the bill: I asked the sponsor yesterday in committee what was the particular problem that you were trying to solve with this additional gun regulation here, and said the multiple purchase or the answer that I heard was the -- someone in -- in their area selling, making multiple -- multiple sales of firearms or handguns to somebody for someone else's benefit. So, I checked on that, and according to the State Rifle Association, again, it's already -- Illinois already has a law against these straw purchases. It is illegal for someone to lie to a gun dealer and attempt to buy a firearm for someone else. It is also illegal to give a firearm to someone who is a convicted felon or not otherwise eligible to own or possess a firearm. Another reason that this -- this is just another burden on the law-abiding citizens of this State who have FOID Cards, who follow all the rules of gun laws. And I'd urge a No vote also on this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I've sponsored this bill in the past. I thought I'd address a couple of those issues that Senator Sieben and Burzynski raised. They're straw purchases. It's not against the law for a -- a gun show -- a gun seller to sell multiple guns. It's illegal for

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that person to turn around and give it to someone. So, we -- we're -- we're trying to address the fact that there's a straw purchaser. Someone's purchasing a whole bunch of handguns so that they can give 'em out illegally. That's the problem we're trying to address. We are cognizant of the issue that Senator Burzynski talked about. So, in the bill, we put a provision that said, if you need to get more than one handgun per month or you and your wife more than two handguns per month, you -- you would go in and you would make that purchase, just like you would now at a -- at a -- from a dealer or an auction company, because there is a waiting period. So, you don't really buy the gun the first -- on the spot when you buy it right now. So, you go in, you negotiate the deal, you -- you say I'm -- I'm going to buy this weapon from you, I just have to apply to the State Police and I'll get permission to come back and get it. That's why it's a reasonable -- it's a reasonable bill. And it's -- if -- if -- if anything, it's an inconvenience to the purchaser of the gun, compared to an effective way to stop the straw purchases from -- from occurring. That's why I'm for the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, to close.

SENATOR HUNTER:

Mr. President and Ladies and Gentlemen of the Senate, the purpose -- there are provisions in this bill for preapproval. If you know that you're going to -- that you have an intention to -- to purchase in bulk, as Senator Cullerton indicated, you purchase them in bulk, but you must seek preapproval, you know, and before you can take the delivery of -- of any of your guns. There are provisions in this bill for preapproval. Now, obviously, you-all do not have the kind of problems we have in Chicago. Okay. I've been living on the southside all of my life. The majority -- a great deal of my district has been public housing. You know, we have huge, huge increases everyday of crime. We have drive-bys, you know. Some people can't go -- walk down the street -- can't go down to the store without getting shot. There are too many handguns - not only in Chicago, but they are out in the suburbs, and they're downstate also. You know, they're downstate. They're everywhere. They're everywhere. And these handgun provisions are here because we're trying to control the amount of

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guns out there on the streets. So, Ladies and Gentlemen, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1332 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 20 Ayes, 34 Nays, none voting Present. Senate Bill 1332, having received -- have -- having not received the required constitutional majority, is declared failed. Senator Emil Jones.
SENATOR E. JONES:

Yeah. Thank you, Mr. President. I think we accomplished quite a bit today. And it -- it is the intent to come in at 9 o'clock tomorrow morning and complete the Calendar. And if we can hold Wendell Jones down, we can get out of here in a reasonable time tomorrow. But we did accomplish quite a bit today. And so we'll start off early tomorrow morning. Get a good night's rest and hopefully we can get out of here in a reasonable time tomorrow.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Mr. President, I -- I was so busy and distracted reading my NRA monthly newsletter that -- that I inadvertently punched the Yes button on -- on Senate -- on Senate Bill 1328.

PRESIDING OFFICER: (SENATOR LINK)

I'm not sure if we -- oh, no, the record shall reflect. Senator Garrett.

SENATOR GARRETT:

Mr. President, I was -- I was working so hard to get them to vote Yes that I inadvertently did not vote on Senate Bill 1332. So I would like the record to show that I voted Yes.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. Madam Secretary, do have you any motions on record?

SECRETARY HAWKER:

Yes. I have -- a motion on file with respect to Senate Bill 761.

Filed by Senator Ronen.

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PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, that should be reflected on tomorrow's Calendar. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m. on Friday, April 15, 2005. The Senate stands adjourned.