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94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

31st Legislative Day

4/15/2005

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PRESIDENT JONES:

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 Reverend Richard Ahlgrim, Berean Baptist Church, Springfield.

THE REVEREND RICHARD AHLGRIM:

(Prayer by the Reverend Richard Ahlgrim)

PRESIDENT JONES:

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, April 13, 2005.

PRESIDENT JONES:

Senator Hunter.

SENATOR HUNTER:

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

PRESIDENT JONES:

Senator Hunter moves for the approval of the Journal just read by the Secretary. There being no objection, so ordered. Madam Secretary.

SECRETARY HAWKER:

Senate Journal of Thursday, April 14, 2005.

PRESIDENT JONES:

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the -- that the reading and approval of the Journal of Thursday, April 14th, in the year 2005, be postponed, pending approval {sic} of the printed Journal.

PRESIDENT JONES:

There being no objections -- Senator Hunter moves to postpone the -- the reading and approval of the Journal, pending arrival of the printed transcript. There being no objections, so

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ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 155, offered by Senator Link and all Members.

It is a death resolution.

PRESIDENT JONES:

Resolutions Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 156, offered by Senator John Sullivan.

Senate Resolution 157, offered by Senator Hunter.

And Senate Joint Resolution 38, offered by Senators Dillard, Watson and all Republican Members.

They're all substantive.

PRESIDENT JONES:

Madam Secretary, Messages.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 690, 805, 914, 1397, 1475, 1592, 2241, 2408, 2453, 3596, 756, 1463, 1633, 2461, 2526, 2547, 3555, 3628, 3694, 3819, 340, 794, 2577, 2578, 2946, 3523, 3528, 3532, 3800, 3816, 782, 834, 962, 1178, 2369, 2853, 2471 {sic} (3471), 2696 {sic} (3696), 3742, 3851, 875, 1285, 2941, 3488 and 3802.

All passed the House, April 14, 2005.

PRESIDENT JONES:

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 360, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 690, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 780, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 784 {sic} (794), offered by Senator Sandoval.

(Secretary reads title of bill)

House Bill 828, offered by Senator Jacobs.

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(Secretary reads title of bill)

House Bill 829, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 834, offered by Senator Link.

(Secretary reads title of bill)

House Bill 872, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 1094, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 1349, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 1362, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 1427, offered by Senator Link.

(Secretary reads title of bill)

House Bill 1445, offered by Senator Sandoval.

(Secretary reads title of bill)

House Bill 1517, offered by Senator Rutherford.

(Secretary reads title of bill)

House Bill 1541, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 1633, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 2190, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2407, offered by Senator John Sullivan.

(Secretary reads title of bill)

House Bill 2449, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 2461, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 2467, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 2525, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 2594, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 2853, offered by Senator Althoff.

(Secretary reads title of bill)

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House Bill 3048, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 3415, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3498, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 3526, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 3577, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 3622, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 3628, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3694, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 3742, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 3800, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 3831, offered by Senator Collins.

(Secretary reads title of bill)

And House Bill 1177, offered by Senator Munoz.

(Secretary reads title of bill)

And House Bill 1191, offered by Senator Dahl.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT JONES:

Will the Members, if you're in your office, kindly come to the Floor? We are about ready to begin Senate Bills on 3rd Reading. Kindly come to the Floor, because if your bill is called and you are not here, there's a great possibility we will not get back to that bill. So if you're in your offices, kindly come to the Floor immediately. We are about to begin Senate Bills 3rd Reading. Senator Dave Sullivan, what purpose you rise?

SENATOR D. SULLIVAN:

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

PRESIDENT JONES:

State your point.



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SENATOR D. SULLIVAN:

Thank you. If the Senate could please join me in welcoming my Page today, Logan Hall from Park Ridge, and his mother, Theresa, is in President's Gallery.

PRESIDENT JONES:

Will our guests please rise and be welcomed by the Senate? Senator Hendon, what purpose do you rise?

SENATOR HENDON:

Purpose of an announcement, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR HENDON:

I wanted to remind -- Senator Dave Sullivan, the other captain, and I wanted to remind the Members to bring your gym clothes next week - your cleats, your -- your softball bat - and be ready to practice. We are going to get a practice -- a couple practices in next week so we can defeat the House in the softball game, which is coming up in three weeks - three weeks. So please bring your gear next week. Thank you, Mr. President.

PRESIDENT JONES:

On the -- on the bottom of page 10, Senate Bill 1435. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1435.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This was a bill that became a shell bill on the advice of the Minority Spokesman of Executive Committee. It's a work in progress that we are working out with IDOT for a -- a solution on, as the title says, for something with Old Skokie Highway up in Park City. Be more than happy to answer any questions.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

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

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PRESIDENT JONES:

He indicate he will.

SENATOR ROSKAM:

Senator Link, this is the bill, as you mentioned, that came out of Exec. Just for everybody's clarification, it's -- it's your intention to -- to not give this property directly to a developer and to raise that issue. Could you -- speak briefly to that issue? And I rise in support of your bill. But just for the sake of clarification.

PRESIDENT JONES:

Senator Link.

SENATOR LINK:

Yes. This is some old unused property right-of-way -- very narrow right-of-way on Old Skokie Highway that hasn't been used for years that's going to be developed, that they're working out with IDOT, the City of Park City, that will be conveyed to the City of Park City, then in turn sold to a developer. But the -- the IDOT will be recouping money at a fair market value from it. But they're working out all the details. It hasn't been completed because the lawyers are taking a long time to get this completed. We're trying to work this out. It'll finally be completed with the correct words in the amendment in the House.

PRESIDENT JONES:

Senator Link moves -- sorry. The question is, shall Senate Bill 1435 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 voting Aye, no Nays, no one voting Present. This bill, having received the required constitutional majority, is declared passed. At -- at the top of page 11, Senate Bill 1444. Senator Silverstein, do you wish to proceed? Senator -- Senator Silverstein seek leave to return Senate Bill to the Order of -- Senate Bill 1444 to the Order of 2nd Reading for the purpose of a -- an amendment. There being no objection, so ordered. On the Order of 2nd Reading is Senate Bill 1444. Madam Secretary, are there any amendments?

SECRETARY HAWKER:

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

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Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. Floor Amendment No. 2 reinserts the provision of the underlying bills and just makes a -- a minor change, deleting the provision that the court document fee is not to be applied to petty -- offense moving violations written by a municipal police department in counties having a population of more than six hundred and fifty thousand and less than three million inhabitants. I'll take any questions or argue the bill on 3rd.

PRESIDENT JONES:

Senator Silverstein move for the adoption of amendment -- of the amendment to Senate Bill 1444. Any questions? All in favor signify by saying Aye. No Nays. The Ayes have it. The amendment is adopted. Madam Secretary, any further amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd Reading. Senator Silverstein, on 1444, as amended. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. Senate Bill 1444 amends the Clerks of the Courts Act by increasing the maximum -- maximum document storage fee to fifteen dollars - currently it's five - but retaining the minimum fee of a dollar.

PRESIDENT JONES:

Any discussion? Any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill: Just a word of caution. Those of you who are concerned about fee increases, this would give the county boards the authority to increase a fee. Thank you.

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Any further discussion? Any -- any further discussion? The question is, shall Senate Bill 1445 {sic} 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 33 voting Aye, 22 Nay, 1 voting Present -- Present. Senate Bill 1444, as amended, having received the required -- constitutional majority, is declared passed. Senate Bill 1445. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1445.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President. And a very good morning to all the Members of the General Assembly. Seems like just a few minutes ago, we were all here together. Senate Bill 1445 amends the Election Code. It abolishes the local canvassing boards and provides that canvasses must be done by election authorities. It also requires the election board to -- authorize them to transmit by fax, e-mail, or other electronic means -- to certify the results of an election to the State Board of Elections. Senator Wendell Jones asked for a fiscal note. The fiscal note was answered by the State Board of Elections and their -- their response was the bill has no fiscal impact or very little to the State Board of Elections. I ask for a favorable roll call.

PRESIDENT JONES:

Is there any -- any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1445 pass. All those in favor, vote Aye. Opposed, Nay. The -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 Nay, no -- no one voting Present. Senate Bill 1445, having received the required constitutional majority, is declared passed. Senator Luechtefeld, what purpose you rise?

SENATOR LUECHTEFELD:

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

PRESIDENT JONES:

State your point.

SENATOR LUECHTEFELD:

Behind me in the gallery is a group of young people from St. John's Baptist Church School -- Grade School, in Red Bud, Illinois. I would ask you to welcome them to the Senate, please.

PRESIDENT JONES:

Will our guests in the gallery please rise and be recognized by the Senate? Senator Dahl, what purpose you rise?

SENATOR DAHL:

Mr. President, on 1445, I inadvertently voted No. I meant to vote Yes. Change the record, please.

PRESIDENT JONES:

The record shall so reflect. Senator Lauzen, what purpose do you rise?

SENATOR LAUZEN:

A point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR LAUZEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to welcome to Springfield two Pages that I have working here today. Doolin and Colleen Galloway are brother and sister. Doolin is a seventh grader at Jefferson Middle School in Aurora, and Colleen is a fourth grader at Greenman School. Their parents and younger brother are in the President's Gallery just above President Emil Jones. Steven, Anne and Patrick Galloway, of Aurora, Illinois. Please welcome them to the Senate.

PRESIDENT JONES:

Will our guests in the gallery and our Pages please rise and be welcomed by the Senate? Senate Bill 1447. Senator Clayborne. Senate Bill 1448. Senator Clayborne. Senate Bill 1449. Senator Schoenberg. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1449.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT JONES:

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think this is an issue that's of interest to all of us who have nonprofit human service providers in our areas who struggle with the cost of maintaining health insurance for those dedicated individuals in the mental health/developmentally disabled field, those who are members of IARF, and all those fine people who really give of themselves in order to be able -- who essentially handle human service -- the bulk of human services for us in the State. Senate Bill 1449 would allow these nonprofits that get the majority of their funding over a three-year fiscal year period prior to their applying, to be -- to enable them to participate by -- through -- through financial participation in the State's group health insurance employee pool, so that they don't -- don't have to struggle with keeping employees and so that the annual reimbursements that we negotiate on the appropriations end with them, ultimately those dollars don't necessarily go into service, but rather they end up going to meet their increased costs. There are several states which do this already. I know this is an issue that's been of interest to Senator Syverson and Senator Radogno, as well as a number of others who have talked to me about this. And I would urge your support.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Brady.

SENATOR BRADY:

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

PRESIDENT JONES:

He indicate he will.

SENATOR BRADY:

Senator Schoenberg, I want to compliment you for your efforts. I think we need to do everything we can to help our human service providers who work so hard to pick up what -- those responsibilities that the State can't. And -- and this is an important issue. We discussed it. In fact, I asked in committee about a fiscal note for the Members on this side of the aisle. Before the fiscal note was filed, every Member -- every

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Republican Member voted against your bill in committee because we were concerned about the financial implications. Yesterday we tried to delay this till we got a fiscal note. We did get a fiscal note. Have you seen the fiscal note, Senator Schoenberg?

PRESIDENT JONES:

Senator Schoenberg.

SENATOR SCHOENBERG:

I have, and as a matter of fact, this -- the cost projections that Central Management Services have set for this are in -- it -- are -- are, I think, seriously questionable, because the projections that they have furnished, in -- in responding tardily to your request for a fiscal note, assumes that every nonprofit -- every employee and every employee's dependant in every nonprofit in the State that provides human services is going to participate in this. And that's simply not the case. It does set what a potential theoretical ceiling is, but it's really not accurate and I've conveyed those feelings to Central Management Services earlier in the week and as recently as this morning in the Commission for Government Forecasting and Accountability.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. The -- the Senator's right. The -- the fiscal note, for those of you who -- who care about that, it's over five hundred and -- to be specific, it's five hundred and eighty million dollars. What I think the Senator wants to accomplish should and can be accomplished, but it needs to be done in a way that doesn't provide for this kind of error. We have to rely on the fact that CMS is going to interpret the legislation as written and is going to provide for these resources. And I -- a question of Senator Schoenberg is, as it's drafted - and that's why I would caution people here not to support this at this stage - as it's drafted, it's six hundred million. Now, the Speaker has suggested that we have a two-point-plus-billion-dollar deficit. Senator Schoenberg, if it costs the five hundred and eighty million dollars, where would you come up with those resources? Yesterday, the -- the Governor blindsided all of us about the fact that he's got an eighty- to

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ninety-million-dollar budgetary problem. We can't continue to pass legislation that's going to create shortfalls. Now, I know you're as fiscally responsible -- a fiscally responsible person. I know you wouldn't want to sponsor legislation that would create a deeper hole. So, my question to you is, those of us who'd like to support this, as drafted even, how do we do that in good conscience without pretending to have money we really don't have, Senator? We -- we want to support your concept, but yet we need to do it in a way that's fiscally responsible. Have you talked to the Governor? Has he said that he doesn't have a two-billion-dollar hole, that he doesn't have to furlough thousands of State workers, that he doesn't need an eighty-million-dollar supplemental?

PRESIDENT JONES:

Senator Schoenberg.

SENATOR SCHOENBERG:

If you don't mind, I'll keep my response directly related to the central point of the bill. I have indicated, as recently as this week, to Central Management Services a desire to further refine this proposal so that we can all help our nonprofit human service providers by setting caps on the amount of money that could be appropriated. Another alternative might be, for example, to link a specific funding source - say, resources which came from the hospital assessment, and perhaps I'm in a better position than most to link that to the hospital assessment revenues since I helped generate that half a billion dollars. But my point being is that I think we can further refine this, sending this version over to the House and working to put those - - make those parameters tighter so that we can achieve our mutual objective. I think that that's not so unforeseen. In the end, as you can probably appreciate and all of us can, every year all the nonprofit providers, who we have a unique economic relationship with because we outsource our human services to them, when they come to us, they ask us for a rate increase; it doesn't really -- and if we're able to give it to them or not, it doesn't go into providing more care for the mentally ill. It doesn't go into helping the developmentally disabled to having them give more -- assist more clients. It just pays for the increased cost of their health insurance. So I want to, within



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the -- within good market-based principles, drive that down so that the dollars we give them work smarter. Is this a final product? I wouldn't say that. But I think it's far enough along where most of us can feel comfortable moving it here. It will come back with an amendment anyway. And if it's not suitable and I'm in agreement with you, then I won't move further with it.

PRESIDENT JONES:

Senator Brady, your time has expired. Senator Syverson. Senator Syverson. It is not your bill to close on. Senator Syverson. It was a clock in my head. Senator -- Senator Syverson.

SENATOR SYVERSON:

Okay. With that, couple questions. Senator Schoenberg, I -- I certainly understand what we're trying to do. We had talked earlier about that. My concern is with when we -- when we open up an option for these local providers to come into the State plan, we have what potentially could be called adverse selection. And what kind of impact would adverse selection have on the State's pool, on all of us who are currently in the State's plan now? How would that affect those rates if only the unhealthy or uninsured human service providers joined the State's pool, but those who were healthy chose to keep a lower cost, you know, Blue Cross or Trustmark or Aetna policies?

PRESIDENT JONES:

Senator Schoenberg.

SENATOR SCHOENBERG:

I don't believe that it's a function of who's healthy or not -- who's not healthy which will self-select who participate. I believe it'll be a function of who has the most leverage to negotiate health insurance for their -- their providers mainly by size. Specifically, most of the human services in this State are provided by the big three - by Catholic Charities and their affiliates, by Lutheran Social Services and their affiliates, and by the Jewish Federation of -- of -- and their affiliates. They have the -- provide the majority of human services in this State. So, the big ones will be able to take care of themselves in negotiating and they're -- it's not going to be favorable for them to participate in this, which is why the data given to us by CMS is outright wrong. Where this is really going to have some

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bearing, really is by geography - for those communities like your own and others outside of the metropolitan Chicago area and -- and in those underserved areas outside the metropolitan area where those providers have had to scramble every year on an annual basis, not just to keep employees, but in order to be able to -- to negotiate every year with a new human service -- with a new insurance carrier.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Schoenberg. The question is, shall Senate Bill 1449 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? Madam Secretary, please take the record. On that question, there are 32 Ayes, 21 Nays, 0 voting Present. Senate Bill 1449, having received the required constitutional majority, is declared passed. Senator Watson, for what purpose you rise, sir?

SENATOR WATSON:

...you. Thank you. A verification.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, a request for a verification has been asked. That order -- that request is in order. Would the Members please be in their seats? We have a request for a verification. Madam Secretary, please read the affirmative -- those voting in the affirmative.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Forby, Garrett, Haine, Halvorson, Harmon, Hunter -- pardon me, Hendon, Hunter, Jacobs, John Jones, Lightford, Link, Maloney, Meeks, Munoz, Radogno, Raoul, Ronen, Schoenberg, Shadid, Silverstein, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson, do you question any presence of any Member voting in the affirmative, sir?

SENATOR WATSON:

Del Valle, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle? Senator Miguel del Valle? Senator Miguel del Valle? Is the gentleman in the Chamber? Madam

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Secretary, remove the gentleman from the roll call.

SENATOR WATSON:

Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson. Senator James Clayborne? Senator James Clayborne? Is the gentleman in the Chamber? Senator James Clayborne? Senator Hendon, for what purpose are you seeking recognition, sir?

SENATOR HENDON:

Procedural question, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR HENDON:

In order for the gentleman to be successful in his verification, how many does he have to remove? I mean, what is - - what amount does he need in order to be successful with this verification?

PRESIDING OFFICER: (SENATOR DeLEO)

To be -- to -- to -- to -- to be President of the Senate or for this roll call? Senator Hendon.

SENATOR HENDON:

Thank -- Mr. President. On this roll call, how many would he have to get us down to for us -- for him to be successful? Is it thirty? Thirty-one? Twenty-nine?

PRESIDING OFFICER: (SENATOR DeLEO)

The -- the -- the number would be twenty-nine, Senator.

SENATOR HENDON:

Twenty-nine. Oh. Thank -- thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne. Senator James Clayborne? Madam Secretary, remove him from the roll call. Senator Watson.

SENATOR WATSON:

John O. Jones, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones. Senator John Jones in the Chamber? Senator John Jones? Madam..

SENATOR WATSON:

Come on, Jimmy.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay. Madam Secretary, remove Senator Jones from the roll call. Madam Secretary, Senator del Valle has returned to the Chamber. Restore him to the roll call. Senator Hendon, for what purposes do you rise, sir?

SENATOR HENDON:

Mr. President, the -- the -- I thought it was against the rules to force a Member to leave the Floor, Mr. President, who voted for the bill and then they leave the Floor because they are forced to leave the Floor. That -- that's -- that's just unfair.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Watson, was there any further inquiry, sir?

SENATOR WATSON:

Senator Radogno.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Christine Radogno. Senator Christine Radogno? Is the lady in the Chamber? Senator Christine Radogno. Madam Secretary, remove her from the roll call. On a verified roll call, there are 29 voting Yes, 21 voting No, 0 voting Present. Senate Bill 1449, having not received the required constitutional majority, is declared failed. Senator Schoenberg, for what purposes do you rise, sir?

SENATOR SCHOENBERG:

Thank you. I'd like to congratulate Senator Watson. Your position was with the administration. Central Management Services was against this. I'd like to ask for Postponed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Schoenberg... Thank you so much. The gentleman requests Postponed Consideration. The bill will -- put on Postponed Consideration. Leader Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Yes. Thank you. My position was with fiscal responsibility, Mr. President. Fiscal responsibility that is -- that this administration doesn't know anything about.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Watson. Ladies and Gentlemen, let me remind the Body that today is Friday, deadline day. If we're going to keep up this rhetoric, we will work to -- to the late

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hours of this evening. If we'd like to get onto the business -- I think the tone of this Chamber has started off on a very, very bad note. Could we get back to the people, the business? Please keep your remarks very short. Thank you. Continuing on Senate Bills 3rd Reading, we have Senate Bill 1450. Senator Schoenberg, would you like to present Senate Bill 1450, sir? And -- Senator Schoenberg, do you wish to proceed, sir? He indicates -- Madam Secretary. Leave of the Body, we'll come back to that. Senate Bill 1455. Senator Dillard, do you wish to proceed, sir? Out of the record, Madam Secretary. Senator Syverson, on 1456. Senator Syverson... Out of the record. Senator Trotter, on 1461, sir. Do you wish to proceed? Madam Secretary, Senator Trotter seeks leave of the Body to return Senate Bill 1461 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 1461. Madam Secretary, are there -- are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, explain the amendment, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Amendment No. 1 to 1461 just deletes a lot of confusing provisions that were in the bill and -- and certainly makes it much stronger than it is.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Trotter moves the adoption of Floor Amendment No. 1 to Senate Bill 1461. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1461. Senator Trotter wishes to -- indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

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Senate Bill 1461.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I want to welcome back Senator Rauschenberger. I'm glad he wasn't here yesterday for 662. It went out reasonably smooth. To Senator Watson I want to say, the ACLU has not endorsed this bill, but -- but they haven't opposed it either. But the bill creates the Chronic (Kidney) Disease Awareness, Testing and Diagnosis Act, which will be administered by DPH Agency and it describes persons and entities that will be served by that program, and I'm here and available to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR RAUSCHENBERGER:

Would you please dispatch the electrician immediately to the Republican side of the Chamber? I've had my light on through, I think, four different bills. I've noticed colleagues on my side of the aisle who've asked for recognition to speak in the Chamber. We are all constitutionally elected and if we have a problem with the electronics here, I would appreciate immediate attention to whether the speak board is not working. So I would appreciate that immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger, this was the first time that your light was lit, sir. And it's -- Senator Rauschenberger, as you know, the fair -- the Chair is always fair and impartial. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I would like to compliment the Chair for both his department and the way he runs the Chamber. There's no criticism, but

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obviously there's a problem with the electronics. My light has been on for some time. I notice my colleague to my immediate left. I've been in the Chamber a long time, so I -- I generally know how to recognize a flashing white light on my desk. So if there's an electronic problem, I would appreciate immediate attention from the electrician of the Chamber.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. We'll certainly investigate that problem. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. With us today, or up in the gallery is former State Senator and Mayor of Springfield, Karen Hasara. I'm not sure why she didn't come on the Floor, but if you would help me welcome her back to the Illinois State Senate, I would appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest please rise? Mayor Hasara, welcome back. Senator Righter, your light is working. For what purpose do you rise, sir?

SENATOR RIGHTER:

It is, Mr. President. Thank you. I rise in support of the bill. I appreciate very much the sponsor's work on the original language with the -- that a number of people had some difficulty with and I would urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to close, sir. Yes.

SENATOR TROTTER:

Just ask for a favorable roll call, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 1461 pass. All those in favor, vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1461, having received the required constitutional majority, is declared passed. Senator Trotter, on 1465, sir. He indicates he wishes to proceed. Madam Secretary, please read the bill.

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Senate Bill 1465.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. 1465 requires that by July 1st, 2006, ISBE must adopt maximum weight standards for textbooks used by elementary and secondary students.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

You know, I understand what the sponsor of the legislation's trying to do relative to our children carrying such -- so much weight in these backpacks that they -- that they now carry. However, by limiting the size of the textbook, in my opinion, the kids will just be carrying more textbooks rather than just one larger one. So I think it -- it really begs as to whether or not this bill really will make a difference.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. There was two more people seeking recognition. Thank you, Senator Jacobs. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senator, I -- most every time that you get up, I vote for your bill. This one here, I -- I just think -- think about what we're doing. I mean -- and there are a couple of other bills that are going to come before the Legislature, but just think about what we're doing. We're wanting to limit the size of a textbook. I -- I



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just -- there are -- there are -- other people need to do that. There are school administrators. There are, you know, the -- the -- the -- the association. There -- this is not something we need to get into. I -- I said -- when I heard the bill, I said, what next? What are we going to do next? Give this some thought before you vote for it. That -- this is a road we -- I just don't think we want to go down. And I know the sponsor is -- really means well with this. But please think about the fact that this should not be -- other people need to make these decisions on the size of a textbook - certainly not the General Assembly. We have a lot of problems here and that's not one of our high priorities. So, anyway, for what it's worth.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to close, sir.

SENATOR TROTTER:

Yes. Just a comment. Just for clarity, we are not setting limits on the size of textbooks. What we're asking is that the ISB -- ISBE, along with the various school districts, set standards by '06. We're just telling them that they need to at least start discussing. Let the experts talk about how big the books could be and how heavy they should be. There have been suggestions that it should not be more than fifteen percent of any student's weight. But those are just suggestions. How they do it and how they work it out is their duty and their job. We just want to make sure that those discussions start. Because what -- what is happening right now, kids do not just carry textbooks. They -- they carry also computers in their bag. They carry gym clothes in their bag. They carry lunch in their bag. They carry a lot of things in their bag. Set standards is what we're asking them to do. We know that chiropractors, along with pediatricians, have said that there have been an -- just over the last few years, many kids who have had spinal injuries who've had a lot of trauma done to their body. But yet things have not been done. So...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill...

SENATOR TROTTER:

So I ask -- thank you very much, Mr. President. So, the point is, again - I just want to be perfectly clear - this is a

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good child health welfare bill. And I ask for its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 1465 pass. Those in favor, 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? Madam Secretary, please take the record. On that question, there are 32 Ayes, 25 voting Nay, 0 voting Present. Senate Bill 1465, having received the required constitutional majority, is declared passed. Senator Trotter, on 1466, sir. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1466.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. This one amends the Vital Records Act and -- and addresses the disclosure of information to grandparents. It's an initiative of the Illinois Grandparents Raising Grandchildren Program, which was started in 1996.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you very much. I rise in strong support of the bill. Appreciate very much the sponsor's work and urge its passage also.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 1466 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0

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voting Present. Senate Bill 1466, having received the required constitutional majority, is declared passed. Senator Harmon, on 1473, sir. Do you wish to proceed? Out of the record. Senator Winkel, on 1484, sir. Do you wish to proceed? Out of the record. Senator Harmon, on 1493. Senator Harmon seeks leave of the Body to return Senate Bill 1493 back 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 1493. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to explain the amendment, sir.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Harmon moves the adoption of Floor Amendment No. 2 to Senate Bill 1493. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

Senate Bill 1493.

(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. I'm pleased to rise this morning with a very boring bill. Last year you were all kind enough to help support

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legislation to address an issue in my district. The relationship between the schools -- the school districts and the township treasurer's office had deteriorated to the point where the school boards were filing Freedom of Information Act requests to get their bank statements. With the election in April of a new member of the board, I believe that we have reached a warming of relationships and should be able to proceed accordingly. There were some lingering cleanup issues - primarily this: The high school district that I represent is divided into two grade school districts. Only the residents of one of those grade school districts are able to vote for the trustees. It would be as if one of our State Rep districts weren't able to vote for us. So this would give them the -- the franchise. It's not unprecedented. It would also give that second district the ability to submit itself to the jurisdiction of the treasurer's office and to consolidate operations. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

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

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield for a question, sir.

SENATOR VIVERITO:

Senator, is -- is your intention to consolidate the school districts?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

No -- no, Senator. And it is my -- my -- my intent to permit the two school districts within the -- the single high school district, if they wish -- the -- the one that's outside the district to submit itself to this -- the jurisdiction of the township treasurer. We have talked. I've already drafted an amendment I'm working on right now for the House to focus, with even more laser-like precision, on the particular issue here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

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Senator, I -- I can kind of understand what you're talking about, but I know there's a great deal of anxiety on the part of the school treasurers at this particular time. You have brought this subject up more than once and obviously many people have called me in different districts asking me if this was going to be a consolidation of school districts, getting out of some districts they don't want to be in and going into other districts. So I am deeply concerned about that. But the thing that I have to call to your attention, just recently a school treasurer, who by the way, has to have at least an MBA, a certified teacher and also become a school business agent in order to be qualified as a school treasurer, which is a heck of a lot more sophisticated today than it was fifteen or twenty years ago. The point that I'm making, he discovered that there was a superintendent out in the south suburban area that was making something like a hundred and eighty thousand dollars a year and decided that he was going to pay his child's tuition at Purdue University and he took it out of his vacation time pay and obviously he didn't have to pay any income tax on it. So, I just want you to know I am deeply concerned about this and I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin, for what purpose you rise?

SENATOR CRONIN:

Thank you very much. I rise in support of this bill. Senator Harmon has worked on this issue for a while. I used to represent the area that Senator Harmon is seeking to address here. You have two communities. One that -- Village of River Forest has not had a voice in the election of township treasurer, yet they are bound by the decisions because they have one school district, Oak Park/River Forest High. I think this is a fair way to approach this. This has nothing to do with consolidation. It's just giving folks in one community some say-so who have not previously had that say-so and are bound by the decisions of the neighboring township. I urge my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Lightford, for what purpose?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill. I, too..

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PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR LIGHTFORD:

Thank you. I, too, rise in support of this legislation. I'd like to acknowledge that Senator Harmon has worked on this concept for the past couple years and he's been very patient with this Body and brought an amendment forth that will protect the community of River Forest, which is a community that he and I share. And in lieu of what Senator Viverito said, it's terrible when parents send their children to a high school and then do not have say-so in the process. So I rise in support of this legislation. I commend the sponsor and I'd ask all my colleagues to support this.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, the question is, shall Senate Bill 1493 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? Madam Secretary, please take the record. On that question, there are 56 Ayes, 2 voting Nay, 0 voting Present. Senate Bill 1493, having received the required constitutional majority, is declared passed. Senator Kirk Dillard, on Senate Bill 1494, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I, too, have a bill as boring as Senator Harmon's, and it comes from the Corporate Fiduciaries Association and it would permit a trustee to terminate a trust if it has a market value of less than one hundred thousand dollars and the cost of continuing the trust would be substantially -- or would substantially impair the purpose of the trust. There's notice requirements, but essentially it keeps a small trust from getting eaten up by fees. And I'd appreciate a favorable vote.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 1494 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? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1494, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on the top of page 12 of your Calendar is Senate Bill 1495. Senator Dillard, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1495.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is an initiative of the Mothers Against Drunk Driving organization. And it flip-flops the burden of proof in certain kinds of matters and puts the burden on the defendant to beg why they should get probation if they killed somebody in a drunk driving accident, and to -- to have the burden on the defendant and prove to the court why they shouldn't go to jail for causing an accident while driving under the influence of -- of alcohol. So, essentially what it does is, today there's a presumption of probation; this flip-flops that burden of proof. I'd be happy to answer any questions. But if you kill somebody while you're driving drunk, the burden ought to be on you to prove why you shouldn't go to jail for causing a death while driving under the influence of alcohol. And this is an initiative of the Mothers Against Drunk Driving, again. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Dillard. Is there any discussion? Seeing no discussion, the question is, shall -- I'm sorry. Senator Cullerton, for what purpose do you rise, sir?

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SENATOR CULLERTON:

Senator DeLeo, when you have that electrician look at Senator Rauschenberger's light, have him look at -- I think mine's out 'cause I talked so much yesterday.

PRESIDING OFFICER: (SENATOR DeLEO)

I believe it's been out a long time ago.

SENATOR CULLERTON:

I -- I just wanted to rise in support of the -- of the legislation. Came unanimously out of the committee. And actually it applies to all forms, I think, of Ag DUI, even if there's not death, and I think it's a good idea and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cullerton. Seeing no further -- see -- no further discussion, the question is, shall Senate Bill 1495 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1495, having received the required constitutional majority, is declared passed. Senator Forby, for what purpose do you rise, sir? Senator Forby. Senator Trotter, on Senate Bill 1503, sir. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 1503.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. This is an initiative of the Cook County Forest Preserve District. And what we're asking to do is that we increase the amount which there'd be non-bidding -- non-bid bids from ten thousand to twenty thousand dollars. It's an initiative that the rest of the forest preserves throughout the State got last year. And we are asking that we can do the same in Cook County.

PRESIDING OFFICER: (SENATOR DeLEO)



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Thank you. Seeing no discussion, the question is, shall Senate Bill 1503 pass. Those in favor, vote Aye. Those opposed -- Senator Wendell Jones, for what purpose do you rise, sir?

SENATOR W. JONES:

I'm sorry, Mr. President. My...

PRESIDING OFFICER: (SENATOR DeLEO)

Happy 4th of July.

SENATOR W. JONES:

Well, same to you. I was asked not to speak today. So I'm a little reluctant to talk since the President asked me not to speak. But since we're going so slowly, I thought I'd talk anyway. The Local Government Committee approved this after it was a shell bill and became a meaningful bill. We urge your passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. The question is, shall Senate -- Senate Bill 1503 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? Madam Secretary, please take the record. On that question, there are 49 Ayes, 7 voting Nay, 1 voting Present. Senate Bill 1503, having received the required constitutional majority, is declared passed. Senator Trotter, on Senate Bill 1504, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I'm -- I'm sorry. 1504 actually is a -- a vehicle and -- and I would like to take it out of the record.

PRESIDING OFFICER: (SENATOR DeLEO)

Out of the record. Senator Trotter, on 1505, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

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Senate Bill 1505.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. 1505, as amended, is legislation promoted and initiated by the Cook County Board and it allows Cook County to administratively adjudicate ordinance violations, such as building and zoning, public health violations and vehicle stickers. Currently, those determinations are done in the circuit courts. This will alleviate clogging up that system and allowing 'em to do it internally.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no lights flashing, the question is, shall Senate Bill 1505 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1505, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose are you seeking recognition, ma'am? Just... You got a problem with your switch? The record will indicate on Senate Bill 1505 Senator Geo-Karis' intention to vote Yes. Thank you, Senator. Senator Trotter, on 1506, sir. Out of the record. Senator Trotter, on 1507, sir. Out of the record. Senator Trotter, on Senate Bill 1508, sir. Out of the record. Senator Trotter, on 1509, sir. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 1509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. 1509 provides that if a person who has been convicted of a felony

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and has violated mandatory supervised release for that felony and is incarcerated in the county jail pending the resolution of a violation of mandatory supervised release, that the Illinois Department of Corrections shall pay the county in which that jail is located for one-half of its costs of incarceration.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Trotter, what's the estimated cost to the Department of Corrections or to our State budget to incur this liability?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Again, these -- those numbers will have to be determined through OMB, along with the -- the county government. But it supposedly might be up to about four hundred thousand dollars. The initial -- at least the initial estimate. But it can go more or it could be less.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

The four hundred thousand dollars is -- is what figure, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That figure is determined through, again, the per diem calculation done through the Department, or whatever the day-to-day per diem cost is for county jails. So, again, this is -- there is no set number. So, I -- I gave four hundred thousand dollars. It could be a million dollars, but also could be two hundred, depending on how many individuals. I mean, this is not per day -- I mean, per patient. But the calculation from Cook County's aspect, or at least determination, based on the numbers

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that they've gotten in the past, could go up to four hundred thousand dollars. So what -- whatever the per diem cost is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

So, Senator, just -- is that just -- is that a startup cost or is -- is that just the Cook County cost, or is that a statewide estimate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

The estimate I gave you is a -- a Cook County estimate, whereas the majority of people who are put back into waiting to be held are -- are in the Cook County area. So, that's the Cook County cost.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Senator Trotter, does the bill differentiate between situations where the individual is picked up because of a parole violation and situations where the individual is picked up for something else and, quite frankly, is being held on something else and that's when they notice the parole violation, which I think in the majority of cases, the latter is really the case?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Hello. Thank you. No, for only parole violations. That's what this bill is trying to address.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So can you walk me through the process? I mean, is the -- is the sheriff only going to be

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allowed to resubmit a request for reimbursement to the Department of Corrections if -- and they have to certify that they're in only for a parole violation? Can you -- and this is the last question I want to ask, but you -- can you walk me through some of the safeguards so we know that we're not picking up the tab for sheriffs' departments when they're holding someone they'd be holding anyway, regardless of the parole violation. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Trotter.

SENATOR TROTTER:

The -- the language in the bill says that counties are supposed to pay -- pay for pre-conviction incarcerations and the State pays for post-conviction incarcerations. And that is outlined in the bill. So, again, this is just for parole violators 'cause it is the post-conviction individuals. So, it -- it, again, should not -- the dollars would not be assessed for anyone who had a pre-conviction in this bill. So, the -- the -- State would share the costs for holding those violators.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 1509 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? Madam Secretary, please take the record. On that question, there are 39 Ayes, 16 Nays, 1 voting Present. Senate Bill 1509, having received the required constitutional majority, is declared passed. Senator Trotter, on Senate Bill 1510, sir. Out of the record. Senator Trotter, on 1511. Out of the record. Senator Trotter, on 1512. Out of the record. Senator Trotter, on 1513, sir. Senator Halvorson, on 1619, ma'am. Out of the record. Senator Maloney. Senator Maloney, on 1621, sir. Out of the record. Senator Sandoval, on 1623, sir. Okay. Senator Sandoval seeks leave of the Body to return Senate Bill 1623 for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1623 for the -- Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senators Dave

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Sullivan and Winkel.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, to explain the amendment. Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment -- just gives some specific requirements and limitations on the consular ID. I commend Senator Sandoval and Senator Winkel for working in a bipartisan effort - which obviously we need a little bit of that this morning - to get this done, and Jo Johnson on our staff. And Senator Sandoval can explain the entire bill on 3rd Reading. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sullivan moves the adoption on Floor Amendment No. 1 to Senate Bill 1623. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1623. Senator Sandoval, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, 3rd Reading.

SECRETARY HAWKER:

Senate Bill 1623.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 1623, as indicated by my colleague, Senator Sullivan, is a bill that I have been working over the last year and aggressively over the last three weeks with Members on both sides of the aisle. I want to thank Senator Sullivan, as well as Senator Winkel, and a number of members of the -- of Leader Watson's staff in helping me to address some of the concerns that both sides of the aisle may have concerning my bill. Senate Bill 23

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{sic} would allow State officials to recognize identification cards issued by consular offices. Consular ID cards are issued by consular offices to help them identify citizens who are in this country. Possession of a consular ID card does not connote residence. It merely establishes the identity of the cardholder. By allowing State and local officials to recognize consular ID cards, we can promote law enforcement. We can also promote the ability of cardholders to take part in a whole host of civic activities, including attendance at State universities of which they currently attend and entrance in -- even into State facilities, like entrance into the -- our State Capitol, or even at a local level -- or even at a local level, obtaining a library card. I've distributed a number of pieces of documents that would be of interest to all of you in the Chamber. Just want to remind that more than eight hundred police departments across the U.S. accept consular ID cards and rely on them to identify people from other countries. The City of Chicago and the County of Cook have passed ordinances recognizing consular ID cards. The consular ID card is even recognized by -- by municipalities like Kankakee or Highland Park, as well as fifteen other municipalities in Illinois - all who I've shared information with and all are municipalities that represent both sides of the aisle. Consular ID cards are also recognized by Indiana, Wisconsin, Iowa, Michigan, as well as nine other states in this country. I distributed a GAO report, a GAO report from the United States federal government which indicates that there are no federal laws or regulations, and that's including the Patriot Act, that forbids the use of consular ID cards for public or private use. In fact, the U.S. Treasury Department regulations under the Patriot Act, Section 326, consider the consular ID card a valid form of identification for financial institutions. As you are well aware, that there are financial institutions all throughout our country who have considered the consular ID cards as basis for making home -- home loan mortgages. The federal Homeland Security Department has gone so far as to say that they agree that consular ID cards are a reliable form of identification and that we should be concerned more with the validity of U.S. identifications, such as Illinois driver's licenses or State IDs. Ladies and Gentlemen of the Senate, this

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is a bill that is of -- of significant importance to many residents of the State of Illinois, to the people -- to the people of Illinois. It is recognized by the financial markets of our country. It is recognized by law enforcement departments throughout the State of Illinois. It is recognized by more than half of the municipalities throughout the State of Illinois. I ask your consideration today to protect our -- our State and to identify all residents who live in the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Just -- just a -- a couple of questions for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Senator, do Consular Matricular ID cards make it easier or harder? Easier or harder? Yesterday I asked you a question and I ran out of time because the answer took up all my time. Does it make it harder or easier for illegal immigrants to be here in the country?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Consular ID cards assist law enforcement officials to communicate with migrant communities to ensure that people are not afraid to come forward as witnesses and the ability to report crimes to law enforcement agencies.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

I -- I would ask you to answer the question. Does it make it easier or harder for the illegal immigrant to be here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Consular ID cards make it a lot easier and more verifiable for law enforcement departments throughout the State of Illinois to verify the identity of people who are residing in the State of



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Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Ladies -- Ladies and Gentlemen, I -- I do think it's important in this process that if a question is asked that it should be answered, especially on these more controversial issues. To the bill: I believe that the bill poses serious legal and national security issues. If the question had been frankly answered, the answer indicates that this is an incentive. It makes it easier for illegal immigration. I have an example that was given to me by a person who has -- it's so easy to counterfeit these, it's an embarrassment. We have been told this morning, just in the opening comments, that we should be more concerned about the accuracy and -- and...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Your time has expired. We'll let you go over a few more -- please bring your remarks to a close, sir.

SENATOR LAUZEN:

Thank you very much. Just a -- just a final comment. The U.S. Constitution does not permit a local or state government to decide, based on the advice or desires of a foreign government, that its own concerns overrides the will and intent of the Congress. I would advise a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Mr. President, I rise to move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. There is one, two, three, four speakers seeking recognition. We will close the debate -- after the fourth speaker. Senator Winkel, for what purpose do you rise?

SENATOR WINKEL:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR WINKEL:

The -- the bill has gone through some changes and I -- I thank the sponsor for being cooperative in -- our efforts. Our

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staff got together with them. I know we've helped draft the amendment that's become the bill. The consular identification document has been very tightly drawn. I know I'm satisfied that this is a document that does not meddle in any way in our government -- our U.S. government's foreign affairs or foreign policy, as was suggested by the previous speaker. Not -- it doesn't do anything like that whatsoever. My answer to the question as to whether or not it has anything to do with the illegal immigration is -- is no. I think it's simply no. What this does is it provides that if a foreign government provides, under very strict standards, identification to a foreign national, that we would look at it and accept it as -- as an identification. It's strictly -- it's -- it's very strictly drawn. It's true that documents can be forged. It's also true that domestically drawn documents can be forged. Everybody here knows that it's possible to forge the Secretary of State's driver's license. There is no evidence whatsoever that we've had from any of the hearings, there's no evidence that I'm aware of, that this in any way has anything to do with immigration. In fact, the way that this bill is drafted, it gives -- identifying information. You can see the picture. You can see the signature. You can compare it. You can use it like any other sort of identification. But, this is also strictly drawn so that you cannot use it for voter registration. You cannot use it to get a driver's license. And it has nothing whatsoever to do with immigration status. It cannot affect immigration status in any manner whatsoever and it certainly has nothing to do with our nation's foreign policy. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

On the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

On the bill, ma'am.

SENATOR GEO-KARIS:

I understand, Mr. President, Ladies and Gentlemen of the Senate, that the person who -- who gets this cannot vote and it will -- it will be a source of identification. And I think we

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should have a source of identification. And I'm certainly in support of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen of the Chamber, you know, first I want to thank the sponsor and congratulate him. He's done a lot of work on this bill. He's been very accepting of the suggestions and the language that's been put forward by some of the Members on our side of the aisle. But sometimes I think there's something to be said for the notion that you can take a questionable concept and only improve it so much. And I think that this falls within that category. I'm not aware of any other area of law where we tell the State and tell our local governments that they will accept, as a form of valid ID, any other document. You know, the -- the sponsor made a very good point in his opening about the fact -- he talked about the fact that maybe driver's licenses can be -- faked and -- and State IDs. That's true and that's the reason we, I guess, we don't tell our police departments that they have to accept someone's driver's license as valid ID or they have to accept someone's State ID as a license {sic}. We don't do that. The municipalities that the sponsor mentioned that accept this already as a valid form of ID, good for them. But you know what? We let them make that choice. They became comfortable with the idea and they've done that on their own. That's not what this bill says. This bill says, "You are going to accept it as valid ID", and says that the entity to whom the ID is being presented cannot request a second ID, unless that would otherwise be done. I don't want to place that kind of mandate on my local authorities, particularly my local law enforcement. I don't think that's fair to them. They know their jobs. Let's let them do their jobs. The problem is, this ID is not manufactured within the boundaries of the United States. I appreciate what

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the sponsor is doing, but I think this is a step backward in some of these areas. Let's let our local government officials, local sheriffs, local police departments do their job. Let's not tell them how to do their job. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator del Valle, to close, sir.

SENATOR DEL VALLE:

Well, thank you, Mr. President. I want to also commend the sponsor and those individuals, particularly Senator Winkel and Senator Sullivan and others and the staff, who worked with -- with the sponsor to improve this bill. And I think the process clearly shows that when we come together, we can -- we can reach consensus and that that consensus is reached for the purpose of making sure that the -- the people that we represent in the State of Illinois are well served by this Legislative Body. I want to address a couple of points. I know that in the letter that Senator Sandoval distributed to the Members, he indicated that the federal Homeland Security Department agrees that the consular ID cards are as reliable as other identity documents used in the United States. And let me tell you, I've been to the consular -- Consulate and I've seen the product that they -- they put out, the ID that they put out, and it's a very, very reliable, very reliable ID. But I think the big question here is, what's in our best interest, particularly from a national security standpoint? What's in our best interest as a State, as a country? Is it to be aware of who's here, to be able to identify everyone who is here, to allow in the case of law enforcement if an individual is stopped, to be able to establish identity and then to be able to do additional checks on that individual? Is that in our best interest? Or is it in our best interest to not have individuals identified? Certainly many law enforcement agencies have already reached the conclusion that it's in our best interest to have individuals identified. And so, here we are with an opportunity to basically apply a rule that is already in effect in the City of Chicago and in the County of Cook - the largest area -- populated area of the State of Illinois. This has been in effect for a long, long time. And law enforcement, particularly law enforcement officials, appreciate being able to identify individuals. I think that this is good public policy for the

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State of Illinois. It certainly allows us to follow the lead of other surrounding states that have done the same thing. And so, I want to thank Senator Sandoval for bringing this issue to the Illinois Senate and I encourage you to also support this measure and I want to remind you that this measure did pass out of the Senate Judiciary Committee on a unanimous roll call. And so, Senator Sandoval, thank you very much and I appreciate the assistance that's been given by Members of this Legislative Body to take this bill and turn it into a bill that I think we could all support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 1623 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? Madam Secretary, please take the record. On that question, there are 45 Ayes, 13, Nays, 1 voting Present. Senate Bill 1623, having received the required constitutional majority, is declared passed. Senator Viverito, on Senate Bill 1624, sir. Do you wish to proceed? Senator Viverito seeks leave of the Body to return Senate Bill 1624 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 1624. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito, to explain the amendment, sir.

SENATOR VIVERITO:

The amendment basically is the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, Senator Viverito moves the adoption of Floor Amendment No. 1 to Senate Bill 1624. All those in favor, vote Aye. All those opposed will vote Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1624. Senator Viverito wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1624.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito, on the bill.

SENATOR VIVERITO:

Thank you -- thank you, Mr. President. Basically, Senate Bill 1624 amends the Department of State Police through a statewide kidnapping alert and prevention program for missing endangered senior citizens. This is probably a long overdue bill. The intent of the bill is to find missing senior citizens, especially victims of Alzheimer disease. The seventy-six million baby -- baby boomers, those individuals between forty-six and sixty-four, will contribute the biggest number of Alzheimer disease in this country. And last, in 1999, thirty-two thousand senior citizens wandered off and got lost. This is a bill, I think, that every one of our senior citizens should be interested, and all of our legislators could be -- proudly go back to their area and tell them that you have done something for those that are beginning to slip memories a little bit. So, I would hope for a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you very much. I just want to congratulate the sponsor. He worked very closely with the State Police to put this bill in a -- a form that they could work with and I urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, sir. The question is, shall Senate Bill 1624 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? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1624, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we're going to page -- continuing on Senate Bills 3rd Reading on page 13 of the Calendar. Please let me remind the Body, we have worked for one hour and thirty minutes. We've done one page. We've worked for one hour and forty minutes and gone through one page of 3rd Readings. We have nineteen pages. At this point, we will be here till about 2 this morning if we keep at this rate. Please, please let me recommend to the Body, please let's try and keep our debates short. Every Member wants to be heard. Every Member has bills on the Calendar. We do want to get through 3rd Readings. Senator Schoenberg, on 1625. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the statutory raising of the bond cap for the State Finance Authority. It's currently set at twenty-three billion. It raises that to twenty-nine billion. The IFA's seeking an increase of five billion bond authorization in addition to the one billion approved early January 2005 not yet signed by the Governor. Number of bills in the pipe -- number of projects in the pipeline ready to go and we need the acquiescence of the Legislature to do so.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

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A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR RAUSCHENBERGER:

Senator Schoenberg, given the flux in this current administration and some concern about their stewardship on bonding in general, why would we grant a two-year authorization expansion for the Illinois Finance Authority - an agency that's in its infancy - rather than perhaps the two and a half to three billion, which is all they need for the next fiscal year, driving them back into discussion with the bright minds of the General Assembly?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Of the amount that's currently authorized, there's less than two billion that remains unencumbered and the projections based on the list of projects that's been furnished - and I believe that's been shared with all the four caucuses - that -- that the potential use of all the authorization available would be completed by the end of this year, which would impact projects throughout communities in our area, including some in yours.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Schoenberg, I support your effort to expand their authorization, but most of those that you're looking at on your list, excuse me, are applications. They're not projects ready to go. I -- from my analysis of this, between two and a half -- billion and three billion would be sufficient to carry the IFA through the next year so that we could continue to work with them. So, absent your choosing to -- to amend this, I -- I would recommend against giving them a full two-year grant of authority. And hoping, with good intentions, that this administration stays in communication with us. So I approve of what you're doing. I appreciate it. I'll be brief. I would urge a No vote if we're at the five-billion-dollar level.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Rauschenberger. Seeing no further



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discussion, the question is, shall Senate Bill 1625 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? Madam Secretary, please take the record. On that question -- on that question, there are 32 Ayes, 26 Nays, 0 voting Present. Senate Bill 1625, having received the required constitutional majority, is declared passed. Senator Wojcik, are you seeking recognition, ma'am? Senator Wojcik. I can't... Senator Wojcik.

SENATOR WOJCIK:

Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR WOJCIK:

Senator Dahl's switch is not working.

PRESIDING OFFICER: (SENATOR DeLEO)

If the gentleman would press his microphone and we can -- he could voice his intention, ma'am. Senator Dahl, for what purpose do you rise, sir?

SENATOR DAHL:

Mr. President, I intended to vote No. My...

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate that your intention on Senate Bill 1625 -- the record will so reflect that, sir. Senator Maloney, on 1628, sir. Out of the record. Senator Burzynski, on 1638, sir. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 1638.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. All this bill does is allow a school board to appoint a student to serve in an advisory capacity.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no -- no discussion, the

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question is, shall Senate Bill 1638 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? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1638, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on 1643, sir. Senator Steve Rauschenberger. Out of the record. Senator Kirk Dillard. Senator Dillard, on 1646, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill amends the Uniform Commercial Code and is an initiative of the Uniform Law Commissioners of this country and it makes changes to Article 7, which deals with documents of title. And again, it comes from the National Conference of Commissioners of Uniform State Laws. It's a model bill, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no discussion, the question is, shall Senate Bill 1646 pass. All those in favor, vote Aye. All opposed -- all those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1646, having received the required constitutional majority, is declared passed. Senator Dillard, on 1647. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1647.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This, too, like the previous bill, comes from the National Conference of Commissioners on Uniform State Laws. This deals with the Uniform Commercial Code also and makes changes to Article 1, which deals with general provisions, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CULLERTON:

Just to rise in support and indicate -- thank Senator Dillard. He did hold the bill so the bar associations could look at it. They have no problem, and urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cullerton. Seeing no further discussion, the question is, shall Senate Bill 1647 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1647, having received the required constitutional majority, is declared passed. Senator Radogno, on Senate Bill 1654, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1654.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. Senate Bill 1654 amends the State Prompt Payment Act to prohibit State agencies from delaying the review of bills or the submission of bills to the Comptroller's Office unless there's been a defect identified in those bills. I'd be try to -- happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator Radogno. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 1654 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1654, having received the required constitutional majority, is declared passed. Senator Righter. Senator Righter, on 1661. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1661.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Senate Bill 1661 is an initiative of the State Treasurer. It would simply allow the State Treasurer to place ATMs at the State fairs, both in Springfield and DuQuoin. It would also give the State Treasurer authority to -- exclusive authority for placement of ATMs in State buildings and State agencies. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any discussion? Seeing no discussion, the question is, shall Senate Bill 1661 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1661, having received the required constitutional majority, is declared passed. Senator Geo-Karis. Senator Geo-Karis, on Senate Bill 1665. Senator Geo-Karis seeks leave of the Body to return Senate Bill 1665 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 1665. Madam Secretary, are

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there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, to explain the amendment. And Senator Hendon in the Chair.

SENATOR GEO-KARIS:

Mr. -- Mr. President and -- Mr. President, Ladies and Gentlemen of the Senate, this amendment eliminates the fiscal concerns and is the result of negotiations between the AARP, the Department of Aging and the Department of Human Services. I'd ask for the passage of this amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1665. 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 1665. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill authorizes the Department of Aging to include in their casework trainings information on family future planning for persons who are -- age sixty or older and who are caregivers of their adult children with developmental disabilities. And also subject to appropriation or to inclusion of this population in the federal Older Americans Act, authorizes the Department of Aging to provide support to caregivers who are age sixty or older and who are caring for their adult children with developmental

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disabilities. And I urge passage of this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1665 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1665, having received the required constitutional majority, is declared passed. Senate Bill 1669. Senator DeLeo. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1669.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1669 amends the Uniform Police {sic} (Peace) Officers' Disciplinary Act. And this in regards to investigations of a police officer. This bill clarifies the requirements when a police officer is under investigation. And it -- it tells -- current law requires that a peace officer be informed of individuals involved in the investigation. This just spells out who the name, rank, unit officer in charge of the investigation, interrogators, and the police officer will be notified who is investigating 'em. I ask for a favorable roll call on Senate Bill 1669.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Dillard.

SENATOR DILLARD:

Thank you very much, Mr. President. I just rise to say this bill and the next bill, offered by Senator DeLeo, are fine and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1669 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

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wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1669, having received the required constitutional majority, is declared passed. Senate Bill 1670. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you -- thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As Senator Dillard explained, this is a follow-up of the last bill and this requires that any party wishing to conduct an -- an investigation to uniform police officers, they must require -- it's a seventy-two-hour requirement notice. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? The question is, shall Senate Bill 1670 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 58 voting Aye, 1 voting Nay, none voting Present. Senate Bill 1670, having received the required constitutional majority, is declared passed. Leave of the Body, we're going to skip over 1671. We're now on Senate Bill 1675. Senator Cronin. Senator Cronin seeks leave of the Body to return Senate Bill 1675 to the Order of 2nd Reading for the purposes of amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1675. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. This bill seeks to create an income tax credit for teachers. We have a whole host of tax

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credits on the books here in Illinois, ranging from tax credits for farmers to buy farm equipment, manufacturers to do research and development, people who send their kids to school and pay -- pay tuition. We thought that this is a good idea for teachers in the classroom, teachers that take money out of their pockets to supplement the experience for their children in the classroom. We thought that this would be a good policy for the State of Illinois. This amendment that was proposed and adopted seeks to reduce the credit from a hundred percent. That was our initial thought, but we found out that there was some issues with that. We wanted to be a little more prudent. Hundred-percent reimbursement to a fifty-percent credit, but the maximum credit amount remains at five hundred dollars. Since the reimbursement would be changed to fifty cents on the dollar for expenditures over two hundred and fifty dollars, teachers would have to spend one thousand two hundred and fifty dollars in order to get the maximum credit. So you put up a dollar, you get a -- you get fifty cents back on it. So, we think that this is a good policy. It strikes the right balance in terms of fiscal responsibility. I want to thank my colleagues who proposed the amendment and -- and shepherded it through the process. I think that's one of the reasons why it has been successfully advancing is because other people have handled it. And so, I want to ask for your favorable consideration here.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin moves the adoption of Amendment No. 1 to Senate Bill 1675. 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 1675. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1675.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)



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Senator Cronin, on 1675.

SENATOR CRONIN:

I will reference my remarks that I made moments ago in the interest of time, and ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill came out of the Senate Revenue Committee. The sponsor tempered his ambitions with the amendment, and I urge all of us on this side of the aisle to support it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Brady.

SENATOR BRADY:

Senator, if this bill is so important to you, why is it that you didn't take the time to attend either committee meeting?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Well, I think that you are a talented and enlightened legislator and I felt that, from a strategic standpoint, to give you some ownership of the issue, I thought it would be a -- a more successful endeavor.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin. The question is, shall Senate Bill 1675 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 1675, having received the required constitutional majority, is declared passed. Senate Bill 1676. Senator Cronin. Senator Cronin seeks leave of the Body to return Senate Bill 1676 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 1676. Mr. Secretary, are there any

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amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin, on the amendment.

SENATOR CRONIN:

Thank you very much, Mr. President. The amendment takes the language of "guidance counselor" and deletes that, because you got to be up with the program. Now "guidance counselor" is not the word anymore. It is called "school counselor". And we have now reinserted the proper language and ask for your favorable consideration of the amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill: I rise in support of this legislation. It did come through our Education Committee. The amendment clarified questions and I'd be happy to support this legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin moves the adoption of Amendment No. 1 to Senate Bill 1675 {sic}. 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 1676. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1676.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

This bill is -- is -- is an effort, Mr. President, to promote excellence in teaching and it also recognizes the fact

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that school counselors are, in fact, teachers and play a very important roll in -- in a child's education. And so this simply amends the School Code. Allows those individuals who have received National Board certification to obtain the Master Certificate and be recognized as such as a school counselor if employed as a counselor by -- a school district for the annual master teacher incentive payment of three thousand dollars. Ask for your favorable consideration for this recognition of excellent teaching.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1676 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1676, having received the required constitutional majority, is declared passed. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we have Senate Bill 1680. Senator Hunter. Senator Hunter, do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1680.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1680 authorizes the Department of Human Services, in conjunction with the Department of Public Health, to develop materials and resources on nutritional health for new TANF and Food Stamp enrollees. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any... Senator Righter, for what purposes you rise?

SENATOR RIGHTER:

To the bill, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. I rise in support of the bill. Did pass out of committee unanimously. I congratulate the sponsor on her hard work. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 1680 pass. Those in favor, vote Aye. Those in favor {sic}, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1680, having received the required constitutional majority, is declared passed. Senator Hunter, on Senate Bill 1681, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1681.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of -- of the Senate. 1681 creates a new Act. It creates the Grandparents Awareness Training Act. And it will require the Administrative Office of the Illinois Court -- Courts to develop and approve a training course to sensitize judges and judiciary personnel to the problems and issues faced by grandparents raising grandchildren. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Righter, for what purpose you rise?

SENATOR RIGHTER:

Will the sponsor yield please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question, sir.

SENATOR RIGHTER:

Thank you. Senator Hunter, now I was looking at your bill.

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The -- the first concern that came to my mind, and maybe you can alleviate that concern, is the General Assembly has been notoriously unsuccessful at telling the courts how to run the courts. They deem that to be a violation of separation of powers. I mean, we can say how many years someone's got to be put in prison for or how much money they got to pay if they're convicted of a certain crime. But when it comes to the internal working procedures of the courts, we have uniformly been told that is none of our business and those laws are stricken. Can you tell me how this would be different from those that we've tried before?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Minimum guidelines, Senator, will be imposed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, I mean, are -- I don't know if -- if you're suggesting that since we're not infringing on their -- their judicial powers very much, they won't mind. That's not been the experience, I think, that we've had before. I mean, I guess this is a threshold question, 'cause I understand. If it's declared unconstitutional as a violation of the separation of powers, then the whole thing goes out the window and what you're trying to achieve doesn't get done. So, I mean, is there -- is there a court case? Is there something that you can point to to give the Members on this side of the aisle some confidence that what we're doing here is not just an exercise in futility, that we're actually going to see something positive out of this?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, the question... Senator Hunter, would you like to close, ma'am? I'm sorry.

SENATOR HUNTER:

Yes. Well...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, to close.

SENATOR HUNTER:

That was a question.

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PRESIDING OFFICER: (SENATOR DeLEO)

Answer the question and close.

SENATOR HUNTER:

In closing, what I'd like to say is that this is simply a training -- this is training and training only. Judges are trained all the time. We have a situation where more grandparents are raising their grandchildren, and grandparents are simply intimidated by the process when going to -- going to court. Most of 'em are mobile. They're in -- in wheelchairs. They can't get around. So judges need to be trained on how to handle and how to deal with grandparents. So, this is simply a -- they're -- they're -- they're constantly undergoing training to keep abreast of the latest procedures anyway and this is simply a -- another latest procedure that -- an issue that they need to be made aware of. They need to be aware of the psychological, the social, financial and the physical problems faced by grandparents raising their grandchildren. And that's -- that's all this bill simply does -- this Act. So, Ladies and Gentlemen, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 1681 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 51 Ayes, 0 {sic} (4) voting Nay, 0 voting -- 1 voting Present. Senate Bill 1681, having received the required constitutional majority, is declared passed. Senator Don Harmon, on Senate Bill 1682, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1682.

(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 1682 is a pro-taxpayer bill. It amends the

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Property Tax Code to permit the use of ballot questions at referendum that accurately tell voters the results of -- what the results of approving a proposition will be and it requires all ballots and notices to contain meaningful and consistent information about the impact of the referendum. There is an -- amendment that I chose not to adopt. We had drafted that in response to concerns raised by Republican committee staff. Upon more careful review of the bill, I do not believe that those issues are -- are -- are correct. I believe the bill is better without the amendment. This responds in part to some issues that were raised in the local press. The Daily Herald ran a long piece on voters getting something very different than they asked for. This will clarify that. There's another bill moving through the House that will address another component of that problem. I will commit to working with the sponsor of that House bill to make sure these bills work together and get -- get better information to property taxpayers who are asked to vote a referendum. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Pankau, for what purpose you rise, ma'am?

SENATOR PANKAU:

Thank you. The sponsor and I talked at committee about the Daily Herald articles. And you said at that time that your bill addressed what they were talking about. Basically, what -- the -- a series of articles they had were -- were talking about the fact that some school districts, when they have not already reached the top of their tax limit, go out for referendum, and then when persons start getting their tax bill, they -- they are allowed to go to the top of their limit and then the increase on top of that of the referendum. So, where in the -- prior to the referendum, if taxpayers saw that a two-hundred-thousand-dollar house would pay a hundred dollars more in taxes if this referendum passed, what they were not including was that additional amount to take it to the limit first. Where in your bill is that specifically addressed? Because I looked over it again yesterday and you said that it would take care of that, but I'm not -- I'm honestly not seeing where it is in the -- in the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President and thank you, Senator. There are really two issues and let me try to -- and it -- it is very convoluted. Under current law, if your maximum rate is two percent but your extended rate is only at 1.5 percent, in order to increase your extended rate to 1.7 percent, you need to increase your maximum rate above two and essentially drag the extended rate up with it. What this bill does is it gives an alternative referendum question that says we're just going to ask to increase our extended rate from 1.5 to 1.7 without monkeying with the maximum statutory rate. So, we take that part of it off the table. That addresses part of the concern raised. Second, it gives the voters better information as to the consequences, so that they -- if -- if the district still chooses to do what they have been doing, the voters will have better information. The third piece of this is the -- the concept of the phase-in the four-year phase-in, that's allowed under law if the voters approve that...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator, please bring your remarks to a close. The time has -- debate time...

SENATOR HARMON:

That -- that is being dealt with with the House bill. That -- that -- that third piece of it is not in this bill. It's being dealt with in the House bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Lauzen, for what purpose do you rise? I'm sorry, Senator. Time has expired on the debate. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is not a pro-taxpayer bill. This is the opposite. Now, I won't go as far as Senator Link went yesterday in -- in characterizing the bill, but there are a handful of bills during each Session that become the defining major votes that our constituents really care about. And Senate Bill 1682 will be one of those bills. Past legislation has chipped away at the tax



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caps around the edges like minor skirmishes in the battle to hold down property taxes. Although the intent of this bill is to correct the language on referenda, the actual impact is to potentially cancel the savings from the tax caps. Perhaps inadvertently Senate Bill 1682 is a wholesale frontal assault against tax caps. This is complex legislation. In fact, just one sentence in this bill is a hundred and fifty-two words long. But basically the problem is that under this bill voters approve one tax rate, but the county clerks are instructed to use a different higher amount. And I'll read from the bill, but before I do that, in a nutshell, there are basically three important tax rates. First, the taxpayers in tax cap counties have an actual most recently extended property tax rate. So that's at the bottom, is the extended property rate. Number two, is the -- the tax rate -- that tax rate is less than the maximum statutory tax rate that would have been in place if the property taxes did not apply. The difference between the lower extended rate and the maximum rate represents the savings due to the tax caps. Finally, there is the approved by referendum rate which is authorized in the ballot proposition. When folks who we all work for vote on a referendum, they think that they're voting to authorize an increase that is the difference between the maximum statutory and the approved referendum rate. However, this language will authorize a tax increase that is the entire difference between the extended -- capped extended rate and the approved by referendum rate...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, could please bring your remarks to a close? Your time has expired.

SENATOR LAUZEN:

I will. And it is...

PRESIDING OFFICER: (SENATOR DeLEO)

We have to -- we have to keep to the...

SENATOR LAUZEN:

I understand. Let me just read -- the language in the bill is one sentence.

PRESIDING OFFICER: (SENATOR DeLEO)

Please bring your remarks to a close, sir.

SENATOR LAUZEN:

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Thank you. The bill says, quote, the rate increase is the total combined rate for the funds that made up the aggregate extension of the taxing district for the prior year plus -- plus the difference between the rate set forward in the proposition approved by referendum and the rate extended for the prior year, close quote. This is a bad bill. Please vote no.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you very much.

SENATOR LAUZEN:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, for what purpose you rise?

SENATOR ROSKAM:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

You know, the first duty that physicians take when they become doctors is the Hippocratic oath and that is to do no harm. And I know the sponsor is well-intended, but when we pass legislation, the purpose of the legislation is to make clear ambiguities, to restore intent, and to replace confidence in the law. Unfortunately Senate Bill 1682 is a failure in -- in -- in that regard. Senator Pankau was not given the opportunity to make the point that the -- what the bill directs -- what the bill is driving towards actually doesn't address the problem. That's the point that she was going to make had she been given the opportunity, Mr. President. That is cited in the Daily Herald article. The new language allows inaccurate information to be on the ballot and that's not fair in my view to the taxpayer. The -- the simple question is, why not use the ballot question that's already in the tax cap law? The simple question tells the voter that the district needs more dollars than the tax cap allows and asks for their proposals. This is ambiguous at best and very, very problematic. I think it clears up absolutely nothing. I would urge caution, caution, caution and ultimately a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Roskam. Senator Harmon, to close, sir.

SENATOR HARMON:

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Thank you, Mr. President. This is a pro-taxpayer bill. It gives taxpayers more information when they vote. The language that Senator Roskam raised about inaccuracies is existing law. That's a red herring. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 1682 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 30 Ayes, 28 Nays, 0 voting Present, 1 not voting. Senate Bill 1682, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Mr. President, I'd like to ask a verification of the vote, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen has requested a verification. That request is in order. Will all Members -- will all Members please be in their seat? Mr. Secretary, would you please read the affirmative votes, sir?

ACTING SECRETARY KAISER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Forby, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Ronen, Schoenberg, Shadid, Silverstein, John Sullivan, Trotter, Viverito, Wilhelmi and Mr. President. Senator Sandoval is registered as voting Yes, in the affirmative.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, do you question anybody's presence? Any Member voting in the affirmative, sir?

SENATOR LAUZEN:

No. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, sir. On a verified roll call, there are 30 Ayes, 28 Nays, 0 voting Present. Senate Bill 1682, having received the required constitutional majority, is declared passed. Senator Raoul, for what purpose do you rise, sir?

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SENATOR RAOUL:

Thank -- thank you, Mr. President. I hit my Yes button on -  
- on that last vote and I just wanted to be -- it didn't reflect  
on the board. I just want to be recorded..

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate your intention, sir. Senator  
Harmon, on 1683, sir. Do you wish to proceed? He indicates he  
wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1683.

(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. 1683 is a continuation of our attempts to implement the  
Help America Vote Act. Does two things primarily. First, it  
provides for clarification on the rules with respect to  
provisional balloting, when the voter votes in the wrong precinct  
and has not been correctly directed to the right precinct. It  
permits the counting of that ballot, those votes, down to the  
lowest common vote. In other words, if you -- if you -- if a  
voter shows up in a precinct in one of your State Rep districts  
when he should have been across the line in the other State Rep  
district, he can vote all the way down the ballot to State  
Senator, the lowest common race. Second, it requires what they  
call open source code with electronic ballot counting machines.  
This essentially means that -- that the government needs to be  
able to verify that the software used to count our votes counts  
them accurately. I'm not aware of any opposition and I ask for  
your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Wendell Jones, for what  
purpose do you rise, sir? Nice to hear your voice, sir.

SENATOR W. JONES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

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SENATOR W. JONES:

Thank you. After this was amended, the committee did vote Do Pass, but we had some questions about the electronic voting in Cook County. Would you address that, Senator Harmon?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator. I forgot to mention that. There is an -- a technical error in the bill that will be corrected in the House. The -- the mandate will be that the -- the software is tested, not each individual counting machine in Cook County. Thank you for reminding me and I apologize for the confusion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. In that case, we would recommend do pass on this side of the aisle.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The question is, shall Senate Bill 1683 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 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1683, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 1684. Senator Haine, do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1684.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Quite -- quite simply this bill would allow arson investigators to carry a weapon as a commissioned peace -- peace officer would. Current law restricts arson investigators to

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carrying a firearm during the -- the initial investigation at the scene of a fire. However, it's become apparent over the past few years that they work alone to follow up. Many of the people they interview are dangerous criminals. Many of them are suspects. They can't always have an armed police officer with them. This would allow them to carry a firearm. It also makes them subject to the standards promulgated pursuant to the Peace Officer Firearm Training Act. The Office of the State Fire Marshal is the proponent. I don't know of any opponents.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, do you have a motion, sir?

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. There are one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve -- thirty-one seeking recognition. We will limit it to three. Senator Bomke, Senator Link and Senator Munoz. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. To the bill: As Senator Haine indicated these arson investigators are allowed only to carry their firearms at the immediate scene of the arson and often they're required -- there's a required follow-up investigation at locations other than where the arson occurred, putting them in a very dangerous situation. And I stand in strong support of this bill and I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Bomke. Senator Link, for what purpose you rise, sir?

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

Thank you. Senator Haine, a couple questions. First question is, did these arson officers at one time, were they carrying guns before?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

As far as I know, they were only allowed to be armed during the -- the initial fire scene. After that, they lose the right to carry a firearm.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

My question is, were they, at a previous time, carrying guns and were these guns taken away from them previously under a different time period?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I don't -- I don't think so. I don't think they've ever had that authority.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Well, I think they did have that authority and I think they sought it again and I think they've been turned down numerous amount of times on that. My next question is, when you're at an arson investigation, I'm not a police officer and that, but I think at most times at an arson investigation you have a police officer with you because that's part of the investigation and that police officer is duly trained and duly equipped to handle a -- a gun and I think that that's adequate enforcement. So, can you explain to me if you are accompanied with a police officer, what grounds or what reason would that Fire Marshal officer who would have no training, whatsoever, to be carrying a gun?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Senator, that's a very good question. I appreciate that. If they're always with a commissioned peace officer, then you are correct. I think the problem here is they -- they frequently are on their own. The officers of the police departments cannot be with them at all times and they have to quickly follow up a lead

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and they're on their own. And they end up in a dangerous place. They're not equipped to carry firearms. So that's -- that's the -- that's the gist of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link. And your time has expired. Please bring your remarks to a close, sir. There's other people seeking recognition.

SENATOR LINK:

This is to wrap up. Just to the question. I think what we're doing is we're -- we're putting people who are ill-trained. They're experts in their field. They are extremely qualified in investigating arson, investigating fires, but they are not trained to be carrying firearms. They have police officers with them who are equipped, knowledgeable. I think this is an unnecessary bill. I would urge everyone to vote No on this. We do not need to put firearms in the hands of ill-instructed individuals.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MUNOZ:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MUNOZ:

Senator, my only concern is to making sure that any individual from the State Marshal Special Agents' unit will be going to an accredited academy and having received the required four hundred hours to be able to carry that firearm and also be required to take the individual training every year, once or, I think, twice a year, for weapons training.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Senator Munoz, for that question. I agree one hundred percent. The bill says that they may obtain this prerogative to carry a firearm only if they have satisfactory completed, one, a training program, offered or approved by the Illinois Law Enforcement Training Standards Board



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which substantially conforms to the standards promulgated pursuant to the Illinois Police Training Act and the Peace Officer Firearm Training Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you. Also -- to the bill:

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR MUNOZ:

I rise in support of the bill. Anytime an individual is out there doing their job and it's a safety matter for him or her and they do have the training, they should be able to carry their firearm for their own safety. So I do support its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Shadid, for what purpose you rise, sir.

SENATOR SHADID:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SHADID:

Senator, do I understand this right that they're going to be carrying the firearms when they're off duty?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, sir, Senator. Just as a commissioned peace officer would, because they -- their -- their hours are subject to the -- the investigation. That's...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR HAINE:

...one of the problems. It can't be restricted to daylight or...

SENATOR SHADID:

Comparing it to a police officer, a police officer is, according to the rules and regulations on police departments, are never really off duty, so they are required to carry their weapon, and some departments even pay them extra to carry it.

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Now, my -- I have some problems that when we go down this road, the local fire departments have arson investigators, and they're going to be wanting to -- to carry weapons possibly down the -- in the future. I don't think I can support this bill and allowing them to carry a weapon off duty at any time. They don't have any arrest powers, do they, when they're off duty?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Well, yes, they -- they do. Pursuant to an arson investigation, they would have powers of -- of arrest. But they...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

A city police officer or deputy sheriff will -- can make arrests when they're off duty on site. Do these gentlemen -- are they going to have this authority? Forget about the arson investigation. So I -- I wonder why they need a gun.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, Senator. They -- they would by the nature of the difficulty in circumscribing their investigative powers. So, by -- just by the fact that you can't -- that it's very difficult to craft a bill that would circumscribe their authority to investigate. So, therefore, they have all the investigative and powers of arrest of any officer.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, the time has expired. Senator Shadid, for -- for short...

SENATOR SHADID:

There is a big difference between a arson investigator and a police officer when they're off duty. The arson investigator when he's off duty is probably not going to be investigating an arson. The police officer, even if he's with his wife, if he sees a crime committed, he has the obligation to go in there and make an arrest. So, I'm not going to vote for this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to close, sir.

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SENATOR HAINE:

Thank you very much, Senators, for all your questions and comments. This is an initiative of the State Fire Marshal's Office. The State Fire Marshal is that officer that has charge of these arson investigators. These are specialized officers. They're placed in harm's way by the nature of what they do. The crime of arson at common law and for the -- for the centuries has been a great heinous crime. And these officers are charged with investigating that crime and apprehending wrongdoers. And therefore, they need the protection of a firearm, but only pursuant to the training and the standards set forth by our laws. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 1684 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 30 Ayes, 27 Nays, 1 voting Present. Senate Bill 1684, having received the required constitutional majority, is declared passed. Senator Link, on Senate Bill 1691. Senator Link, on Senate Bill 1691. Do you wish to proceed, sir? Out of the record. Senator Link, on Senate Bill 1692, sir. Do you wish to proceed? Out of the record. Senator Link, on 1693. The gentleman indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1693.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, on Senate Bill 1693.

SENATOR LINK:

Thank you, Mr. President. 1693 makes various changes in the sheriff's law enforcement personnel, which is commonly known as the SLEP, benefit provision of the Illinois Municipal Retirement Article of the Pension Code. This bill provides for an increase in the SLEP retirement formula. It allows SLEP employees to repay refunds immediately upon return to service. It eliminates the survivor's annuity reduction in situations where the

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surviving spouse is more than five years younger than the deceased IMRF member. The bill is also an increase to employee's contributions of SLEP participant. It contains a thirty-year amortization schedule for additional unfunded liabilities accrued back to IMRF as a result of added benefits. This is a bill that has been eighteen years in the waiting. Our colleagues across the aisle last year passed this bill out with a hundred and five Aye votes. They're waiting for us to -- to do this. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. Clarification, or question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Senator Link, I want to vote for this piece of legislation. At first, you know, an -- an expansion of benefits, you know that that's not something that I do. But folks who are proponents of this bill brought forward information demonstrating that police officers and people who serve us in law enforcement have a lower life expectancy and a -- a higher mortality, or a quicker mortality rate, and so it makes sense of why the benefits should be different. I did then get a piece of correspondence from an opponent who said that there's some kind of transfer of years credit, something like ten years of credit from another line of work. I'm worried if that's in here that, you know, that -- that takes away some of the good. Can you just clarify, was I misled by the -- the opponent to the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, can you answer the longest question in history?

SENATOR LINK:

First of all, I'm extremely excited that you want to come along with me on a bill, but, no, that's not in the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady, for what purposes you seeking recognition,

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sir?

SENATOR BRADY:

Question of the sponsor. Then I'll...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Senator, I want to applaud you for working on various pension bills. On this bill, we tried to amend it so that it didn't have a short-term unfunded impact to the counties. You agreed to try to do that. We're -- we waited till all the contracts expired. We were unable to reach agreement. But would you just concur that you will try to reach an agreement in the House to where we may not -- we may delay the impact until all the contracts have expired so there isn't a retroactive cost to the counties?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Link.

SENATOR LINK:

As I indicated to you, Senator Brady, we -- we tried vigorously to -- you know, work out the amendment here in the Senate. We were unable to, but as I made the commitment to you, we will continue to work on it in the House. If we could come up with something - I cannot make a guarantee we will ever come up with something, but if we can, we will be more than happy to do it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. And thank you to the sponsor. I rise in support of the legislation. It is important to note that this is a cost to the local counties. And I believe it's a two and a half percent of payroll costs. Half a percent of that to be paid by the sheriffs. Two percent of that to be paid by the counties. The reason I stand in support is because I look at this like a business. If we have X dollars to compensate employees with, we only have X dollars. It's up to them and us to negotiate what percentage of that comes in the form of take-home pay, what percentage of that comes in the form of pension and what percentage of that comes in the form of health care. In

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my opinion, the sheriffs are coming to us saying, "We'd like a larger portion of our compensation to come in the form of pension." They deserve that, and I would suggest that we all support this and hope it becomes just a little bit better in the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, Senator Righter's giving you some time for the second time. Please make this very brief.

SENATOR LAUZEN:

Thank -- thank you for your indulgence, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Is this to the bill, sir?

SENATOR LAUZEN:

It is to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Please to the bill.

SENATOR LAUZEN:

Okay. Clarification page 2, line 24, part (c), A sheriff's law enforcement employee who has service in any other capacity may convert up to ten years of that service into service as a sheriff's law enforcement employee by doing certain things.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Lauzen.

SENATOR LAUZEN:

So, I was confused by the...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to close, sir.

SENATOR LINK:

What it is, Senator Lauzen, if it -- if it is IMRF related retirement, it can be transferred in. If it's unrelated, it cannot be transferred in. That is what we were meaning. It cannot be a, you know, from something else unrelated. You can't transfer it in. It's got to be an IMRF retirement transferred in.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 1693 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

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that question, there are 54 Ayes, 4 voting Nay, 0 voting Present. Senate Bill 1693, having received the required constitutional majority, is declared passed. Senator Link, on Senate Bill 1695, sir. Do you wish to proceed? Out of the record. The Chair will recognize Senator Link for purposes of an announcement. Senator Link.

SENATOR LINK:

Thank you, Mr. President. The Senate Democrats would like to have a caucus immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

I rise to support the Senate Democrats request for a caucus and to request one for the Republicans as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Gentlemen, as you know, that order is always in -- that request is always in order. We will return to the Senate for -- all Members, Democrats and Republicans, we will return to the Senate Floor in exactly thirty minutes at the hour of 12:10. The Senate will stand in recess to the hour of 12:10. Democrats and Republicans alike, please be back to the Floor. We will be continuing on Senate Bills 3rd Reading. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Will all Members please, under the sound of my voice, come to the Chamber? Bottom of page 14. Senate Bill 1700. Madam Secretary. Senator Clayborne seeks leave of the Body to return Senate Bill 1700 to the Order of 2nd Reading for the purposes of amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1700. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne, to explain Amendment No. 3.

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SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Floor Amendment 3 to 1700 renames the Universal Telephone Service Protection Law of 1995 {sic} (1985) the Telecommunications Reform Act of 2005; finds that there is now significant communications competition in Illinois; declares that the State's telecom policy must be exercised within the framework of federal telecommunications policy; redefines a number of key terms so that they may comport with applicable federal definitions; exempts wireless carriers from the provisions of this Act; expressly prohibits the Illinois Commerce Commission from regulating a host of advanced services; except for rural carriers, statutorily declares all other telecommunication services competitive; grants price fixing -- price flexibility to carriers providing noncompetitive services by reducing the rate change notification requirements from forty-five to fifteen days.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne moves the adoption of Amendment No. 3 to Senate Bill 1700. All those in favor, 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 1700. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Since 2001, things have changed dramatically in the communications industry. Regulatory reform is now needed without delay. Senate Bill 1700, as amended, is a balanced and forward-looking legislative response to critical issues for both Illinois consumers and businesses. This bill does have bipartisan



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support. Senate Bill 1700 is supported by telecommunications industry, including SBC, Verizon, Citizens Communications, Consolidated Communications, Gallatin River Communications, Illinois Independent Telephone Association and Illinois Telecommunications Association. It's also supported by CWA, the Communication Workers of America. Today in -- in addition to the CLECs, wireless and cable telephony, and Internet-based services, they all -- they all provide competitive alternatives to the traditional landline. Between January 2000 and June of 2004, Illinois consumers chose more than six million new wireless cable, CLEC and Internet connections. That can be compared to the traditional wire line phone service offered by SBC and Verizon, which lost 1.7 million lines during that -- that same period of time. In fact, these new competitive connections now exceed the existing base of two largest incumbents in Illinois, SBC and Verizon, which also have about six million lines.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, could you bring...

SENATOR CLAYBORNE:

Yes. The -- the three key issues to Senate Bill 1700: Maintains consumer protection, service quality standards, customer credits, ICC enforcement powers that were added by the General Assembly in the 2000 Act; relies on the market, not government, to set prices for competitive services; establishes a Dial Tone Protection Plan with a three-year cap on basic residential primary line rate and local usage; and also would encourage significant new infrastructure investments and innovation by removing existing regulatory uncertainty.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Jacobs.

SENATOR JACOBS:

Mr. President, make a motion, move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs moves the previous question. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill.

SENATOR ROSKAM:

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First of all, my compliments to Senator Jacobs. He learns his role pretty quick. Quick on the switch there. I rise in support of this bill. I think Senator Clayborne has done a good job. He's done a good job of shepherding this thing through. It's controversial -- well, it's not controversial, but it is complicated. I think, you know, as we all look around at how our lives have changed over the course of the past couple of years - I've got my cell phone and my palm pilot and some of you have lurched further into the new millennium than have I with your BlackBerries and so forth - it is simply amazing the changes that have been brought into our daily lives and the lives of our constituents by competition. This bill, I think, will unleash that force of competition and I think the fruits of this work, if this were to be enacted into law, will yield some very, very good things for our constituents. Also, it's important to note that there is a comparatively short sunset on this bill so that this General Assembly, or future General Assemblies, will keep a fairly tight leash. Traditionally, I think the bill that's currently sunset now that we're addressing is a four-year sunset. This actually has a three-year sunset. So, for those reasons, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Sullivan.

SENATOR J. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield.

SENATOR J. SULLIVAN:

First of all, I'd say that Senator Roskam, your first comment was correct. The bill is controversial and complicated. Senator Clayborne, why not go to the ICC? Why not -- why doesn't SBC go to the ICC and -- and let them make this decision that you're requesting this Body to do today?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Because the law that was created in 2001 was passed by us, and -- and it -- it entails us to review what is happening every so often to make sure that we're providing the best we can for

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consumers and business -- businesses in the State of Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR J. SULLIVAN:

I mean, the -- the ICC is there for this very reason. Why not give them -- why not let them do their job, what they were created to do? Why -- why come to this Body to do that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Again, we're not taking away from -- power from the ICC to control the dial tone. But technology has caused a transformation in -- in the telecommunications industry. And all their -- most of their competitors are not regulated by ICC. Internet, cable and wireless are not regulated by ICC. So, therefore, what we're -- what -- what this bill -- what we're trying to do in this bill is to move forward and be on the same level footing as the other -- as the -- as their true competitors.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan, can you bring your remarks to a close, please?

SENATOR J. SULLIVAN:

Thank you, Mr. President. I have several questions. This is an important bill and I think it does need to be discussed and questions asked. Senator Clayborne, under current regulation, SBC's rates are set to decline by fifteen million dollars in July. What will happen to that rate decline?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

That, Senator, amounts to twenty cents per customer per month, so it's not significant. But what we're doing here, I believe, will cause rates to further decline because of competition. It will -- it will cause the incumbents, SBC and Verizon, and -- and the smaller incumbents to invest more in new technology, which will cause them to be able to offer additional services that their competitors that -- that -- are offering, who are not regulated by ICC.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator, I will allow you to close. Senator Sullivan.

SENATOR J. SULLIVAN:

So, with this fifteen-million-dollar -- I mean, you -- you've -- you've -- there's been a great deal of discussion about freezing rates for the next three years. But that -- that rate freeze will not take into consideration that fifteen-million-dollar reduction in July that is -- would come automatically, just so that the Members know that. And is it also true -- is it true that SBC and Verizon own the two largest phone companies in this country and actually that is roughly forty percent of the market share?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik. Any -- any questions that are left for Senator Clayborne he will have to address at his close. The timer is here for both sides of the aisle and it's going to be used and respected. Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President and Members of the Senate. I rise in support of this legislation. I happen to have seven hundred SBC employees in my district and I'll give you a little statistics of what happens in my district. They're paid forty-seven million dollars annually in wages and benefits. They collected almost two million in municipal utility taxes and spent over fifty-five million with other businesses within my district. Unfortunately, the public policy has placed a burden on this company as it tries to compete with a myriad of other providers of advanced communications. It is time for Illinois to recognize the realities of this fiercely competitive industry and allow the collective power of the consumer to govern this market. Senate Bill 1700, as amended, is the right bill at the right time. And I urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill.

SENATOR HARMON:

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I'd like to speak very briefly about an issue that's bothered me in all of our telecom debates over the last three years and that's the notion that we can somehow create synthetic competition by forcing an incumbent to share its infrastructure and not expect the competitor to invest at all in facilities. Senate Bill 1700 acknowledges this and -- as have forty-nine other states. The FCC has said no more subsidies are to be paid by the incumbents to competitors through sharing their platforms of facilities. The FCC has said that the competitors on this subsidy serving existing customers have until March of 2006 to migrate into the world of real competition. If they want the platform, they'll have to pay a commercially reasonable price and not a subsidized price. As for potential new customers, the -- the FCC's been even more clear. There's no more. The subsidy's over. Forty-nine of fifty states, including California and Michigan, both of which are known to have very pro-consumer commissions, have followed the FCC's dictate, but -- but the ICC has not. They said that Illinois law, specifically Section 18 -- or, 13-801 gives 'em the authority to do what no other state in the country is doing - to continue the subsidy in -- in face of a directly contradictory order by the FCC. 1700 states the obvious, and the ICC should follow the FCC's direction. Where there's a national policy, we should get in line like everybody else. Opponents of the bill predict that the sky is falling. They say that the eight hundred and fifty thousand UNE-P lines will drop to zero. We're reasonably intelligent people and this is a -- a -- a grossly exaggerated prediction in my view. All that the competitors have to do is buy a switch. They have to invest in Illinois like any other business does.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this legislation. Not only are there rate caps in here, but it -- this law will actually give SBC the ability to drop their rates quickly, which they -- right now they have to go through a lengthy process. The consumer credits are increased. The service quality penalties to companies if they -- if they were to misbehave are increased and

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there's not more regulation here on cable and the cellular industry, which I don't think we should be doing greater regulation. Since we did 2001 rewrite, the FCC has changed the world of telecommunications and we have to live within the guidelines of the FCC. Back in 2001, which was not that long ago, we didn't even discuss VOIP. None of us would have even known what that is. It didn't exist. Now -- VOIP is voice over internet protocol. Now, you have companies -- you have -- you have companies like Boeing and Ford are using their internal communications over VOIP. Major corporations don't just make those decisions. That is where the industry is headed and we need to try to get out of the way and keep up with it. This legislation makes that attempt. And for the Body's information, Senator Clayborne and I are going to be involved in many more negotiations as this goes over to the House. We've already had one meeting with the Governor's Office. This discussion will continue and we look forward to that. I commend the sponsor on his bipartisan approach to that so that we could work together on this. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Briefly to the bill. I don't know how the NRA is on this bill, but I know that the City of Chicago is opposing this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne, if you will give me just one moment. By way of explanation, there were several, on both sides of the aisle, lights that were lit after Senator Jacobs moved the previous question. The Chair is not going to acknowledge any of those lights that were lit after Senator Jacobs moved the previous question, as per our rules. Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you. To answer your question, Senator -- Senator Sullivan, you're correct about the forty percent, but that deals

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with land -- the traditional landline and what we're saying here is that more people are using cell phones, Internet companies, cable. Comcast is offering unlimited local calling, unlimited long distance and toll calling for twenty-four dollars and ninety-five cents per month for the first three months. Then after that, it goes up to forty-eight dollars. They're not regulated. And what the incumbents are saying is, put us in the same position, as technology moves forward, where we can be competitive with those -- those companies and those industries that are not regulated by the State. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1700 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take -- take the record. On that question, there are 37 voting Aye, 14 voting Nay and 7 voting Present. Senate Bill 1700, having received the required constitutional majority, is declared passed. Senate Bill 1701. Senator Clayborne. Senate Bill 1701. Senator Clayborne. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1701.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President, Members of the Senate. This is a cleanup bill as an initiative of the Illinois Environmental Protection Agency. It modifies several definition and repeals the current Environmental Audit Privilege Law in order to bring the State into compliance with the federally delegated programs. I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you -- thank you, Mr. President. This bill passed committee unanimously. I urge its support.

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PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1701 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 1701, having received the required constitutional majority, is declared passed. Senate Bill 1708. Senator -- Oh! I'm sorry. 1703. Senator Harmon. 1708. Senator Silverstein. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1708.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Code of Civil Procedure in allowing a plaintiff to recover as costs those expenses required by law or a law enforcement or court officer for purposes of enforcing a judgment including levy bonds and replevin bonds.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1708 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 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1708, having received the required constitutional majority, is declared passed. Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR MUNOZ:

Ladies and Gentlemen of the Senate, I have Holy Cross with me. Sister Angie and the students with the Teen REACH Program. If we can give 'em a warm welcome, I'd appreciate it.



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PRESIDING OFFICER: (SENATOR HENDON)

Would our guests please rise and be welcomed to the Senate? Welcome to Springfield. Senate Bill 1709. Senator Silverstein. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1709.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Code of Civil Procedure to allow a certified copy of a federal judgment be entered in the Cook County Court -- in the Illinois courts in any...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1709 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1709, having received the required constitutional majority, is declared passed. Senate Bill 1711. Senator Silverstein. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This legislation requires a bank to disclose certain financial records under a lawful citation to discover assets.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you. I'd encourage a vote -- positive vote for this.

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It's a good piece of legislation.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1711 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 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1711, having received the required constitutional majority, is declared passed. Senate Bill 1712. Senator Silverstein. Madam -  
- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1712.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Mr. President, this amends the Code of Civil Procedure regarding wage -- minimum wage subject to collection. It raises the exemptions. The purpose of the bill is to clarify that the exemptions set forth in the Wage Garment {sic} Act are mandatory and not permissive. They are not to be increased or -- decreased by any court, are to be strictly followed. An exemption hearing is to -- is to determine whether or not the calculations are correct. This is not -- this -- it -- it is not to determine personal or family needs. I'll take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussions? Seeing none, the question is, shall -- Senate Bill 1712 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 1712, having received the required constitutional majority, is declared passed. Senate Bill 1713. Senator Silverstein. Senate -- Senate Bill 1715. Senator Raoul. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1715.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you -- thank you, Mr. President. This amends the -- the Property Tax Code to bring Cook County in line with the rest of the State with regards to having the option to allow seniors to not have to reapply for their homestead exemption. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1715 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 1715, having received the required constitutional majority, is declared passed. Senate Bill 1721. Senator Clayborne. Senate Bill 1723. Senator Clayborne. Senator Clayborne seeks leave of the Body to return Senate Bill 1723 to the Order of 2nd Reading for the purposes of amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1723. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Senate Bill 1723 is a cleanup of language which would open up competition to companies who perform other significant tasks that add value, quality or reliability in Illinois and the U.S., such as design, final assembly, processing, packaging and testing. Basically, this is a revision of the Illinois Procurement of Domestic Products Act.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne seeks leave -- Senator Clayborne moves the adoption of Amendment No. 2 to Senate Bill 1723. All those in favor, say Aye. Those -- opposed will say Nay. And the Ayes

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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 1723. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1723.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. Just what I said. This is a cleanup of the Illinois Procurement of Domestic Products Act. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill: This came out of Commerce and Economic Development Committee unanimously and I would recommend an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1723 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 1723, having received the required constitutional majority, is declared passed. Senate Bill 1724. Senator Dillard. Senate Bill 1725. Senator Ronen. Senate Bill 1726. Senator Sandoval. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1726.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

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SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. The -- Senate Bill 1726 is a -- is a proposal from the Illinois Farm Bureau. Me, as the adopted Senator of Franklin County, I've got the honor of carrying this bill on behalf of my colleagues on this side of the aisle: Senator Demuzio, Senator Forby, Senator Sullivan, Senator Wilhelmi, Senator Shadid. It amends the Wildlife Code. Provides that there shall not be a limit on the number of resident or nonresident archery deer hunting permits in Illinois. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This represents ongoing negotiations on this issue of the caps on deer hunting -- out-of-state deer hunting permits in the State of Illinois. There are ongoing discussions with DNR, the Farm Bureau, the Sportsmen's Caucus, and I would urge an Aye vote at this point. And we'll see something a little different come over from the House.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

With my driving experience with deer, I may have a conflict of interest, but I will be voting in the affirmative on this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Just so all the Members know, this did pass the Ag and Conservation Committee with the understanding from Senator Sandoval that there will be, as Senator Sieben mentioned, continued work in the House on this bill. We're trying to reach a compromise to give access to all Illinois resident hunters, as well as out-of-state hunters.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1726 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 1726,

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having received the required constitutional majority, is declared passed. Senate Bill 1727. Senator Sandoval. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1727.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Senate Bill 1727 is a bill supported by the Illinois Association of Realtors. It's a very important piece of legislation that will ensure that residents across Illinois receive basic constitutional protection. The bill simply imposes some reasonable requirements for the imposition and enforcement of local inspection ordinances. In short, the bill takes a reasonable approach on this fundamental issue in that it allows for municipalities to obtain an administrative warrant if consent is denied. And also, allows tenants to request an inspection. This has been in compromise with the City of Chicago in regards to allowing tenants to do inspections. Let there be no mistake, the bill is necessary. All of us are reluctant to preempt home rule powers, but the General Assembly has a responsibility to step in when there is an abuse of home rule powers and that is in the case of a widespread basis with municipal inspection and ordinances. Let me close, Senator Hendon -- President...

PRESIDING OFFICER: (SENATOR HENDON)

You will have the opportunity to close. Senator Jacobs.

SENATOR JACOBS:

Make a motion, move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs moves the previous question. Do not light up your light, because you will not be acknowledged after this. Senator Halvorson.

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator -- Senator Halvorson.

SENATOR HALVORSON:

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Senator Sandoval, I just have a few questions. There's been a lot of discussion about this bill. If -- if a municipality still wants to inspect a home for safety or structural issues, real things that need to be fixed before a person sells this home, can they still do that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Halvorson, the municipality always has the right to inspect a home for health and safety reasons at any time during the day.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

So this has nothing -- this will not stop them from being able to perform their ordinances? Because I've had the Municipal League tell me that they will not be able to inspect homes, so that the people moving in will be moving into unsafe conditions. Is that true?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

That is false, Senator Halvorson.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Halvorson.

SENATOR HALVORSON:

Then since we still can inspect homes for structural or safety reasons, I stand in strong support. Because I've had many people come to my office and tell me that they have not been able to close on a home because a municipality has said you must paint your house. They paint the house. Then somebody comes back and says you must change the carpeting or fix the windows. And I just want to stand here and say we should never stop a person from moving out of their home, because we think they should spend all kinds of money on fixing things up that are cosmetic. But as long as we can still do something with regards to safety and structure, I'm all for it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

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SENATOR ALTHOFF:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR ALTHOFF:

If -- thank you. If all of the concerns that Senator Halvorson just raised actually can be put aside, can you explain to me why the Illinois Plumbing Inspectors Association, the Illinois Fire Inspectors Association, the City of Chicago, the Illinois Municipal League, all stand in opposition to this legislation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator, I can't explain why the organizations you just mentioned are in opposition. I'm trying to protect person's basic constitutional right, the Fourth Amendment right, to -- that -- that protects basic property rights in this country.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Senator Sandoval, I certainly sympathize and empathize with those statements. I also concur with Senator Halvorson with regard to holding up the sale of a home based on an inspection for minute items. However, this piece of legislation, the way it is currently written, takes away all of the safety provisions a municipality has to ensure that the people that live in their community live in safe homes. I really don't think it does what you intend it to do. I would respectfully request you reconsider, take this out of the record. Let us continue to work on it and make this bill do exactly what you want it to do without hindering the very people that we serve and protect. I would urge an Aye -- a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. To the bill: Heard this proposal two years ago when Senator Sandoval brought it forward and I had many of the same concerns and reservations that



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previous speakers have raised. And -- he's discussed it with me over this period of time and -- and I'm aware of the way he's tried to address those concerns and still respect the rights of those inspecting units at the local government, local municipalities and the municipal concerns. I think he's done an excellent job in -- in drafting and redrafting and reworking this bill, responding to those various concerns. And I think -- I think it's time for us to support the Senator on this bill and move this bill forward. I think it strikes a great balance between the rights of a person, an individual, with their own personal property rights and their rights to privacy, that he's raised this concern over the past two years and I think the correct vote here is a Yes vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Brief point of order, and then to the bill.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR ROSKAM:

Well, Mr. President, point of order is we've been tracking - we've got some secret software here - about the number of hits to the General Assembly online website for the camera, and when you're in the Chair, it goes up a thousand percent.

PRESIDING OFFICER: (SENATOR HENDON)

You just earned yourself another minute and a half. Senator Roskam.

SENATOR ROSKAM:

To the bill: You know, I -- I rise in support of this bill, Mr. President. I think that Senator Sandoval has done a good job of accommodating a lot of concerns. The bottom line is, we're -- we're about the business of balancing in this arena. We need to balance various interests and I think what he's done is he's struck an appropriate balance. We ought not empower municipal governments or anybody to knock on a door in the middle of the night and say, hello, I'm here to inspect your home. That's completely inappropriate and that is legal, or it's happening, at the very least, right now. What he's done is, he said, look,

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you've got a -- you've got a right to your home and so forth. And if the municipality has -- has a -- a reason to go in, they can get the consent of the owner. They can get a warrant and they can go through an appropriate procedure. So, we're not taking anybody's right away to inspect a home, but we're saying there are procedural safeguards that you need to go through. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, are you -- are you certain you're finished? You know, you can talk a little longer. I did get an e-mail. They -- they say I got those many hits 'cause they thought I was Emil Jones. That's why my -- the lights light up. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Senator is trying to solve a very -- a -- a problem in his district, a very important problem, and we've commiserated about similar problems we face, and I want to help you. But you have a very specific problem in your district that requires a surgical approach and I think this is the legislative equivalent of carpet bombing. I represent over forty thousand Latino residents, living primarily in twelve suburban municipalities, in my district. And in my experience, these Latino residents are far more vulnerable to unscrupulous landlords and property owners than they are to intrusive governments. In fact, in my communities, the governments are really the last line of defense, especially in emergency situations like fires and porch collapses. This bill would take away, to some extent, and preempt home rule, and take away the power of these municipalities to protect Latino residents in my district. So let me quote one of my legislative idols, Senator Martin Sandoval of Chicago. I can't in good conscience put the health and safety of forty thousand Latinos in my district in jeopardy. And I'm going to vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you -- thank you, Mr. President and Members of the Senate. I think this bill punishes many because of a few

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exceptions in this State. Whenever we have two or three exceptions in this State, we certainly do not need to write a law for those two or three exceptions. I agree with Senator Harmon. And also I've been asked by Senator Haine to say that this blinds the consumer of the purchase of the real estate. He -- he doesn't know what he's getting, unless the -- unless the community helps with this situation. This preempts home rule. It provides that a home rule unit may not regulate the inspection of residential real property in a manner more restrictive than the regulation of the State. That's preposterous. It's absolutely preposterous. We've had home rule in this State for many, many years. I have not had one complaint in my district about this, and had nothing like this, when I was Mayor of Palatine, come to my attention. We -- we are restricting the few -- we are restricting the many, because of the problems of the few. I would recommend a No vote on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair is going to recognize Senator Lauzen, even though Senator Lauzen's and Senator Righter's lights were lit after the -- the motion, but Senator Righter pointed out to me that I was not giving Senator Lauzen ample time. So Chair recognizes Senator Lauzen. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. I rise in support of this legislation. Our homes are our castles. Senator Sandoval says it eloquently in a letter that he sent to all of us. Quote, hundreds of years ago, it was said that even the king could not enter a person's home without notice and cause. This principle has now been enshrined in our federal and State constitutions. Even Dorothy in The Wizard of Oz says, "There's no place like home." "Be it ever so humble, there's no place like home." Let's protect one of the last places to remain sanctuary in our lives. Let's vote Aye on Senator Sandoval's bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval, to close.

SENATOR SANDOVAL:

Senate Bill 1727 merely restates the ancient unquestioned law of this land, that government may not enter into my home or your home or the home of your neighbor without consent, a

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warrant, or a public emergency. In restating this law, Senate Bill -- 1727 simply affirms, once again, that all governments in this State will respect one of the most fundamental rights that come to us from the Magna Carta, the U.S. Constitution and the Constitution of this great State. I ask a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill -- 1727 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, 15 voting Nay, and 2 voting Present. Senate Bill 1727, having received the required constitutional majority, is declared passed. Senate Bill 1734. Senator Garrett. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1734.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Thank you very much, Mr. President. Senate Bill 1734 requires the State to reimburse school districts for driver's education on a quarterly basis, and it also deletes the requirement that reimbursement on behalf of a student not exceed the district's per pupil cost of providing driver's education and then, finally, the statutory deadline for filing claims in duplicate with the State Board of Education. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1734 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 1734, having received the required constitutional majority, is declared passed. Senate Bill 1739. Senator Link. Mr. Secretary, read the bill.

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Senate Bill 1739.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Senate Bill 1739 is an attempt to straighten the integrity of a prescription drug supply change to bring Illinois into compliance with the FDA recommendation for -- implementing, tracking and tracing of technology for prescription drug. This is a work in progress. We will be amending this bill in the House. All sides are working together. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

I rise in strong support of this bill. This is not a drug safety bill. It's a drug distribution safety bill. We need this. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill. It passed unanimously out of the Executive Committee. It's a very good safety measure and I urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1739 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 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1739, having received the required constitutional majority, is declared passed. Senate Bill 1750. Senator John Sullivan. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1750.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen. Senate Bill 1750 simply gives the Comptroller the authority to withhold the wages of certain employees, primarily for the purpose of pension and health care, and only upon the request of the employee.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

Committee voted unanimous on this. It's a good bill. Vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1750 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 1750, having received the required constitutional majority, is declared passed. 17 -- Senate Bill 1752. Senator Collins seeks leave of the Body to return Senate Bill 1752 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 1752. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment basically took in the concerns raised by the Illinois Creditors Bar Association that had initially opposed the legislation. We took the amendments suggested by the Illinois Creditors Bar and basically removed the opposition to the bill and I will discuss it further on 3rd.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins moves the adoption of Amendment No. 1 to Senate Bill 1752. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it. The amendment is adopted. Are

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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 1752. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1752.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. All SB1752 does is assure that wage earners take home forty-five times the State or federal minimum wage, whichever is greater, each week. This is similar to the -- Senate Bill 1751 that also passed out unanimously from the Chambers.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. -- thank you, Mr. President. To the bill: Notice, this bill passed out of Judiciary on a unanimous roll call and I would urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 1752 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 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1752, having received the required constitutional majority, is declared passed. Senate Bill 1753. Senator Halvorson. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1753.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

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SENATOR HALVORSON:

Thank you, Madam -- Mr. President and Members of the -- the Senate. Current -- this amends the School Code regarding lease levies for transportation. Currently, a school district can levy a tax to fund the leasing of computer technology or educational facilities. All this does -- it doesn't make anybody be able to raise another tax levy or add to it. They -- just adds the word to lease a bus to the leasing abilities, because if you got the line anyway, people aren't buying their buses anymore, they're leasing them, and they want to be able to use that leasing ability.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this bill. Although it uses the word "tax", it does nothing to increase anyone's tax. What it simply does is include the words "transportation vehicles" in a line item that gives school districts a little more flexibility. I ask for your favorable consideration. It passed out unanimously.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 1753 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 1753, having received the required constitutional majority, is declared passed. Senate Bill 1770. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1770.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- Bill 1770 was introduced at request of the Department. It amends the Unemployment Insurance Act to



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eliminate the Security Administrative Fund. The fund was established in the early nineteen -- 1990s to cover an anticipated shortfall in case we had federal administrative funds. When the expected shortfall did not occur, it was amended to the dedicated fund to initiatives to reduce prevent unemployment. The balance currently at one time was eleven or twelve million dollars. I think the current balance is thirty-three hundred dollars. And the -- the Department has asked to transfer it to the Unemployment Insurance Trust Fund. There is no opposition to the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

We are shrinking the size of government by two whole funds. Vote Yes.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1770 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1770, having received the required constitutional majority, is declared passed. Senate Bill 1771. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you. Once again, thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1771 was brought to us by the Department of Employment Security. This is -- from the past bill. It amends the Unemployment Insurance Act by removing existing language referring to State Employees' Unemployment Benefit Fund. The Unemployment Benefit Fund should be transferred. The account -- and the account will be abolished. This just eliminates the fund.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

Again, another good bill. Vote Yes.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1771 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 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1771, having received the required constitutional majority, is declared passed. Senate Bill 1776. Senator Lauzen. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you very much, Mr. President. Ladies and Gentlemen of the Senate, over the last couple of days we've had some difficult decisions to make, but here's an easy one. I'd like to thank the members of the State Government Committee for their unanimous support. I would also like to thank Leslie Root, my administrative assistant, for her patience in coming up with the bill number at 1776. What it -- what it does is it creates a new Illinois patriot organization under the Military Code of Illinois, and it creates an honorary regiment of Colonels to be known as the Governor's Regiment within the Department of Military Affairs. The Governor may appoint individuals to the Regiment with the honorary title of Colonel whose accomplishments, achievements and service have contributed to the fellowship and goodwill of the State of Illinois. Answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Are there any -- is there any discussion? Seeing none, the question is, shall Senate Bill 1776 pass. Those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all

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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 1776, having received the required constitutional majority, is declared passed. Senate Bill 1777. Senator Rutherford. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1777.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. This bill reflects discussions going on with the Treasurer's Office and the various banking associations with regards to some minor changes they look to take place in the Illinois Public Treasurers' Investment Pool.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1777 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 10 voting Aye, 44 voting No, and 1 voting Present. Senate Bill 1777, having failed to receive the required constitutional majority, is declared failed. Senate Bill 1778. Senator Rutherford. Mr. -- Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1778.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rutherford.

SENATOR RUTHERFORD:

Well, obviously the roll that was going had some kind of a speed bump put in there. Ladies and Gentlemen of the Senate, if I may have your attention, please. I have a shell bill on behest of the Treasurer of the State of Illinois so that she may continue her discussions with the banking community with regards

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to some potential minor changes to the Illinois Public Investment Pool. The sponsor and the hyphenated sponsor request your support, please.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, shall Senate Bill 1778 pass. All 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 25 voting Aye, 32 voting No, and none voting Present. Senate Bill 1778, having failed to received the required constitutional majority, is declared failed. Senate Bill 1781. Senator Rutherford. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1781.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rutherford.

SENATOR RUTHERFORD:

As a Senator who votes for shell bills, let me now tell you I have a third opportunity for all to participate in good government. On behest of the Treasurer's Office, we bring forward a bill sponsored by Senator Watson and myself in which the Treasurer will continue discussions with the banking association for minor, oh, so minor, changes potentially in the Illinois Public Treasurers' Investment Pool, and I would answer any questions that the piercing Body of the Senate's inquisitive minds may present.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. Thank you, Mr. President, Members of the Senate. I -- I rise in strong support of this legislation. Having voted No on the last two shell bills, I think the least we can do is give Senator Watson and Senator Rutherford one little piece of the action today. So, let's try to put fifty-nine green lights up there and -- and be kind, be kind to your neighbor.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan.

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SENATOR D. SULLIVAN:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a minor request for a little bipartisanship. Can we please put up at least thirty green lights? Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Senator Rutherford, one of the great champions of the State Treasurer is Senator Hendon. Do you have an opinion as to a prediction on Senator Hendon's view on this bill? Have you talked to him on the shell bill? Or based on his previous position to supporting the Treasurer and her agenda, have you formed an opinion, Senator, about what direction you think Senator Hendon's switch might go, 'cause that's going to be actually fairly informative for me?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rutherford.

SENATOR RUTHERFORD:

Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair heard the question from Senator Roskam and the Chair did vote in the affirmative for your last bill, which went down ten to forty-four. So, I have voted with you and the Treasurer. On this one, I'll hold my response. The question is, shall Senate Bill 1781 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? Have all voted who wish? Take the record. On that question, despite my vote, 27 voted Aye, 30 voted Nay. Senate Bill 1781, having not received the required -- constitutional majority, is declared failed. Senate Bill 1787. Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1787.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you very much, Mr. President. This is indeed a bill dealing with safety and it makes a clarification in the leaky underground storage tank program, that somebody who has acquired a property that has things in the works gets to continue to access this. We've worked tirelessly with the EPA and we've satisfied any suggestions they have, and this is an attempt to make sure that leaking underground storage tanks do get cleaned up. And I'd appreciate a favorable roll call, and of course, I'd answer any questions that anyone has.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. This bill came out of the -- committee with support. I would urge your -- your support on this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1787 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, none voting Present. And Senate Bill 1787, having received the required constitutional majority, is declared passed. Senator Sandoval, on 1791. Senator Hendon, on 1793. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1793.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. This bill is for the Board of Review and we will put some language on -- in it that is more specific when it gets over to the House.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Would the sponsor please yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

I'm sure he will. He's got to have a refill on his coffee.

SENATOR BURZYNSKI:

Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Hendon, is it my understanding this is a shell bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Well, since Senator Roskam got me kicked out of the Chair with his last question, I'll take this out of the record.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Watson, on 1805. Senator Sieben, on 1808. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1808.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. In light of the great success of the Republican shell bills today, I'm going to take this one out of the record also.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Rauschenberger, on 1810. Senator Rauschenberger. 1811. Senator Harmon, on 1815. Senator Harmon. 1817. Senator Watson. 1821. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1821.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. And just to remind the -- the Body, as you may recall, we passed legislation last year dealing with fireworks and the sale of fireworks and the -- the ability of people to purchase fireworks. It passed this Senate with thirty-six votes. Passed the House, went to the Governor and was vetoed. And the reason it was vetoed is because -- we sat down with the Fire Marshal's Office, the Fire Service, those who are interested in the fireworks industry and worked out what we think is a reasonable agreement. The -- the Fire Marshal, the -- the Fire Service has some additional suggestions that we are looking at and we're willing to correct in the House if -- if everybody agrees to the language. And I don't see any problem with that necessarily. So, I -- there is no opposition that I know of to the legislation. It will enhance consumer fireworks availability and the usage of -- of consumer fireworks in this State, but under certain parameters that is supported by the Fire Service industry and the Fire Marshal, who had the major objections to what we did last year.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1821 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 46 Yeas, 4 voting Nay, 2 voting Present, and Senate Bill 1821, having received the required constitutional majority, is declared passed. Senator DeLeo, on 1822. Senator DeLeo, on 1823. Senator Link, on 1825. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1825.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This bill codifies the Illinois statute that requires the federal final rule on commercial



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driver's license standards, requires -- requirements and penalties, commercial driver's license program and improvements and the noncommercial motor vehicle violations. Be more than happy to -- ask -- answer any questions. I know of no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. This came out of Transportation unanimously, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1825 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 Yeas, 2 voting Nay, none voting Present, and Senate Bill 1825, having received the required constitutional majority, is declared passed. Senator Righter, on 1828. Senator Cullerton, 1829. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1829.

(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. This bill upon original introduction had a lot of opposition. I worked with the Department of Corrections to get their support, but we still do not have the support of the State's attorneys. I'll tell you what it's about and see if you -- what you think. It -- it has to do with medical parole. Right now when people are being -- when people are incarcerated and they're dying or they're physically incapacitated, of course the State has to -- has to pay for their health care and they're not eligible for Medicaid. So what this contemplates is the Department of Corrections to work with the Department of Human Services to make certain qualified individuals eligible for Medicaid. The

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conditions are -- not -- they're not eligible for people who are -- have a life sentence. They are people who are within six months of death as determined by a doctor, terminally ill, or someone who is physically incapacitated -- permanently physically incapacitated. In committee Senator Haine raised some concerns and I've since talked to him about it. Apparently he had a situation like this when he was a State's attorney and we've agreed, if the bill passes, to add a requirement that there -- that the Prisoner Review Board, who would be the one that would determine whether or not someone should get medical parole, would be required to have -- first of all, give notice to the State's attorney in the county in which the -- the person was convicted, and, secondly, to have an automatic hearing every six months to make sure that -- the status of the offender, whether or not they've, in fact, died or whether or not they're -- determined that they're still physically incapacitated. Again, it was not an agreed bill. Did have some bipartisan support and opposition, and whatever you think. But it definitely would save the State some money, 'cause these people would be eligible for Medicaid. They'd still be under control of the Department of Corrections. They would be dying at home. They'd be eligible for Medicaid. They'd have an ankle bracelet or whatever the prison and pardon review board -- conditions they -- they imposed. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Madam Chairman, make a motion, move the previous question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Four speakers, Senator. Thank you. Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR PETKA:

Senator, in the definition that you have placed into this bill about an individual who is perhaps within the imminent -- is going to die imminently, do you envision, or can you envision in

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a diagnosis in which there is actually a reversal or an instance where a person is cured and what will happen?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. And that's why -- I -- I failed to mention also that Senator Haine's suggestion also was that the State's attorney have the absolute right to have their own physician determine whether or not they think this person is terminally ill and have that evidence at the prison -- or the pardon and review board. And then also, if -- after someone's released, six months later, automatic hearing; if they're still alive and they're not about to die, they -- they could be ordered back into prison, because they recovered or no longer are physically incapacitated.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

If a -- if a person in that situation that you have just described is -- is suffering from a disease that may be considered to be contagious, so to speak, as a result of a -- a secondary type of infection, would that imply?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, what -- whatever the condition, if the pardon review board after reviewing the physician's statement, if they decided that they were going to let 'em die at home and they recovered in any way, the pardon and review board six months later would have a hearing, and if the guy's still alive, they would send 'em back to prison. That's the way I envision it -- it working.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka, the time is up. Do you have one last thing to say?

SENATOR PETKA:

Yes. If I -- yes, I would just like a brief statement. If I've analyzed this correctly, I believe that the classification of the prisoners that we are dealing with here are individuals who are under C-Numbers. And these were individuals who were convicted back in the 1960s, in the 1970s when we had

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indeterminate sentencing. Many of these individuals were originally given the death penalty. Their sentences were -- were reduced as a result of a United States Supreme Court decision and that the -- the individuals in question had committed truly some of the most heinous crimes on the face of the earth. I do believe that the -- the intention of this sponsor is -- is well-intentioned. But it still is something that I think would offend the conscience of the community, that -- that I live in at least, if we are letting people who are on -- who were at one time on death row out for -- for whatever reason. And for that reason alone, I'm going to vote in opposition to this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GARRETT:

Yes. Senator Cullerton, I may have missed this, but I have a question on how you define "incapacitated". I've had constituents call me on this, so I just want to make sure that I can get back to them on that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

The -- the definition of -- is "permanently physically incapacitated". Again, the language was drafted by the Department of Corrections. We're contemplating people who are confined to a bed or -- or a wheelchair, and that's the definition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I think Senator Petka did a very good job of alerting the Membership that this is a controversial bill and I often vote for bills I might not because of my respect for Senator Cullerton. And as usual, John is probably on the right side economically on this issue for the State of Illinois. It clearly economically is a good thing for

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the State, but this is highly controversial and I'm going to vote No and just want to make sure. And I think Senator Petka alerted everybody, this is highly, highly controversial. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

Yes. Thank you very much. I agree it is controversial. Just vote your conscience - what -- whatever you think is the right vote. I did try to tighten this up as best I could. I want to mention to Senator Petka, there is -- I apologize, 'cause I was negotiating with Senator Haine after the bill came out of committee. There -- I checked with the Department of Corrections. You're right. There are three individuals who are C-Number individuals who were sentenced to death prior to the Supreme Court decision that overturned the death penalty. There's three of 'em. It would be my intention, if, obviously, the bill passed, to have that included in the prohibition, 'cause we did -- we -- if we're going to -- if we're going to not allow it for people who got a life sentence since then, we certainly wouldn't give it to those people who got it before. However, to -- to concede your point, there are many C-Number individuals who got one hundred to three hundred for very heinous crimes who would be eligible. I acknowledge that. They also, as you know, are eligible every twelve years for a parole hearing, which is also in the law and they have that right. So, with that, the -- the concept is the -- the State would save money. People would be on -- we wouldn't be treating -- paying for their care. They -- these are people who are no longer a threat to society and we -- we save money.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1829 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 11 Yeas, 46 Nays, 1 voting Present. And Senate Bill 1829, having not received the required constitutional majority, is declared failed. Senator Rauschenberger, 1834. Senator Haine, for what purpose do you rise?

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SENATOR HAINE:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point. Quickly.

SENATOR HAINE:

Okay. I -- I -- I want to introduce, first of all, Anne Gricevich, who's from Glen Carbon, Illinois, who's the mother of -- of Katharine, one of our staffers, one of our brilliant staffers. She came all the way to see what we do and how we give headaches to her lovely daughter. Give a round of applause to Katharine Gricevich.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. You should be so proud. Katharine's wonderful. Senator Rauschenberger, on 1834. Senator Hunter, 1837. Senator Hunter, 1838. Senator Meeks, 1839. Senator del Valle, 1842. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1842.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This is a bill that is, I guess, half a shell in that it started out as a bill. We've negotiated with the Illinois Nurses Association. We ran out of time to file an Amendment No. 3. We had filed Amendment No. 2, I think it was, which stripped the bill and now we want to put the Amendment No. 3 on in the House.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

Yes, Madam President. I would just like to alert my side of the aisle that this is half a shell.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you. Is there any further discussion? Seeing none, the question is, shall Senate Bill 1842 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

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the record. On that question, there are 42 {sic} (43) Yeas, 14 Nays, none voting Present, and Senate Bill 1842, having received the required constitutional majority, is declared passed. Senator Dillard, on 1843. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. When we passed the landmark death penalty legislation a year or two ago, we created a legislative death penalty commission to, for the next five years, oversee how those recommendations are implemented and what effect they have on our judicial system. Recently, and I'm a member of that commission, we elected former United State's Attorney Tom Sullivan to be the chairperson of our commission. He asked the commission and he asked myself and Representative Art Turner in the House if we would introduce two shell bills. These are shell bills, but they have a purpose, a very important purpose. If Art Turner -- and Art Turner will pick this up when it goes over to the other side of the Rotunda. But this one and the next one are shell bills to implement the Death Penalty Reform Oversight Commission's recommendations some time in the next year or two. And these are two shell bills directed at a very small part of the -- the Criminal Code and we need to have both of these around to do whatever that Commission recommends we need to do. And I'd urge an Aye vote on this one and an Aye vote on the next one without screwing around. Let's put it that way. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall 1843 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, 1 voting Nay, none voting Present. And Senate Bill 1843, having received the required constitutional majority, is declared passed. Senator Dillard, on 1844. Madam

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Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1844.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Members. So that Art Turner can continue to do the good work here and pick it up on the other side of the Chamber, I'd appreciate the same roll call on this one as the previous bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1844 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? Have all voted who wish? Take the record. On that question, there are 25 Yeas, 33 Nays, 0 voting Present. And Senate Bill 1844, having not received the required constitutional majority, is declared passed. Senator Petka, on 1845. For the record, in case I said passed, Senate Bill 1844, having not received the required constitutional majority, is declared failed. Top of page 18, on 1846. Senator Cullerton. Senator -- Senator Lightford, on 1849. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1849.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1849 is an initiative from the Illinois State Board of Ed in an effort to reduce costs and the workload. It's regarding the teacher supply and demand report. Right now this report is required yearly. We'd like to extend that to every three years. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

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



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shall Senate Bill 1849 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, and none voting Present. Senate Bill 1849, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LAUZEN:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I would like to introduce to the Senate not only Andy Simmons, my intern from the University of Illinois at Springfield, but also his father in the -- gallery, the President's Gallery, over here on the Republican side. Andy's father, Ty Simmons, has given us thirty-seven years of distinguished service in the United States Army. He earned the rank of Chief Warrant Officer IV. He's been a helicopter pilot, not only in Vietnam, but has just returned, in the past nine months, from Operation Iraqi Freedom, where he was also a helicopter pilot. He is a decorated warrior for our country and our State and -- and for our town in Aurora. Among many other meritorious citations, he's earned the Silver Star, the Distinguished Flying Cross and two Bronze Stars. He also now serves with the Illinois State Police. Please welcome Ty and Andy Simmons to the Illinois Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Lightford, on Senate Bill 1851. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1851.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1851 cleans up the fact that if a bilingual education claim is submitted, that the deadline be removed - instead of July 20th, not having a deadline at all. And it gives the discretion to the superintendent to determine whether or not they have to go through a -- a process. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. I just rise to urge some caution here. You know, we supported the effort of the chairman and the committee, but really and truly, you know, if you think about this bill, there really is not a lot of logic to it, except that maybe somebody's having a hard time making deadlines. Once this bill passes, you can be assured that your school districts will be getting these payments now even later. Vote your conscience.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Madam President. Well, actually there's other reimbursement programs, such as the regional safe school programs, that do not have a deadline and I think it's unfair to only have a deadline on bilingual reimbursements. And that's the real issue and I'd be -- hope that you'll vote for this initiative.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1851 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, 17 Nays, none voting Present. And Senate Bill 1851, having received the required constitutional majority, is declared passed. Senator Lightford, on 1852. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1852.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Lightford.

SENATOR LIGHTFORD:

This is a vehicle bill, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1852 pass. Those in favor, vote Aye. Senator Lightford.

SENATOR LIGHTFORD:

Yes. Madam President, will you please take this out of the record?

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Lightford, on 1853. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is one of the final initiatives of the Illinois State Board of Education requiring some cleanup. One note that I do want to make is that school districts in financial difficulty, we're looking to establish an oversight panel that will bring some type of assistance to the school district before they're too far in the red and increase financial accountability of that district at the same time. There was a -- a provision in here that created a stipend for that board, and I've asked the Illinois State Board of Education to remove the stipend. I believe a volunteer is that - a volunteer. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. To the bill itself and to the point that Senator just raised. I appreciate your willingness to -- to remove that stipend for those serving our financial oversight committees. The fact of the matter is, however, the

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State Board of Education has yet to do that. I just wanted to point that out. Thank you, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1853 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 38 Yeas, 18 Nays, 1 voting Present, and Senate Bill 1853, having received the required constitutional majority, is declared passed. Senator Lightford, on 1856. Senator Hunter, on 1859. Senator Garrett, on 1861. Senator -- we'll -- Senator Clayborne, on 1871. Senator Cullerton, 1872. Senator Clayborne, 1874. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1874.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President, Members of the Senate. Senate Bill 1874 seeks to address the problem of relocated vehicles going unclaimed and vehicles abandoned at a repair -- repair facility by owners. When vehicles go unclaimed, it presents a large debt for the relocater and the consumer. This legislation provides for the notice by the relocater or repair facility to the registered owner and any lienholders. Allows a relocater or repair facility to charge for the cost of a title search to identify the owner and lienholder. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1874 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 1874, having received the required constitutional majority, is declared passed. Senator Demuzio, on

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1877. Senator Collins, on 1881. Senator Cullerton, 1883. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton seeks leave of the Body to return Senate Bill 1883 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 1883. 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:

Thank you, Madam President, Members of the Senate. Amendment No. 1 was put in at the request of some folks who represent groups devoted for the improvement of people with disabilities to make sure that they weren't inadvertently covered by the bill, which was not our intent. Move for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 1883. 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:

Yes. Thank you, Madam President. Similar amendment. Folks in the insurance industry asked for it to clarify that this bill would not affect insurance companies' abilities to employ attorneys in litigation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 2 to -- Senate Bill 1883. All those in favor will say Aye. Opposed, Nay. The Ayes have

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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 1883. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill is virtually identical to a bill that Senator Dillard and I passed last year that passed 56 to nothing and was held up in the House. It prohibits an unlicensed person from -- entity from advertising or holding himself out as a -- providing legal services. It adds "entity" to the current prohibition against any person from receiving compensation for legal services, unless it's from a licensed attorney. Current law authorizes contempt of court for any person who practices, charges or receives fees for legal services without being licensed. This adds the word "entity" to person under that Act's jurisdiction. I don't know of any opposition. Be happy to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you. Sounds like a full employment bill for lawyers. Who is impacted here? I notice that's -- there's a certain unlicensed person that's -- must be putting himself out as there being a -- some sort of a legal -- having some sort of legal services. Who -- who might this be?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

I don't know if there's any one specific individual that

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this is addressed at. It was brought to me by the Illinois State Bar Association to clarify the law with regard to making sure that people don't represent themselves to be attorneys when they're not. I know Senator Sandoval was the sponsor of this bill last year with me, because there was a particular problem in the -- his community with regard to people calling themselves notary public, which has a different meaning from -- in other countries, so that was a -- a concern. Again, I -- I don't know if it's anything controversial. I know you supported it last year when we passed it, and it's identical. This was held up in the House.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1883 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 58 Yeas, none voting Nay, and none voting Present. And Senate Bill 1883, having received the required constitutional majority, is declared passed. Senator Winkel, on 1884. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1884.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

Thank you, Madam President. Senate Bill 1884 simply reenacts provisions regarding the juvenile delinquency programs that had been in law, and these are programs where county government seeks private funds to support juvenile delinquency programs. This, as I say, simply reenacts those provisions. Glad to take any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1884 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 58 Yeas, none voting Nay, none voting

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Present, and Senate Bill 1884, having received the required constitutional majority, is declared passed. Senator Lightford, on Senate Bill 1886. Top of page 19. Senator Lightford, 1887. Senator Silverstein, on 1893. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1893.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Miss -- Miss President. This -- this allows the court to grant an extension of six months' discovery for up to -- for good cause for a period of ninety days for withdrawal of a plaintiff's counsel or for good cause. I'll take any -- this is initiative from the Chicago Bar Association. Take any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1893 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, and none voting Present. And Senate Bill 1893, having received the required constitutional majority, is declared passed. Senator Brady, on 1900. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Thank you, -- Madam President. This is a shell bill. Its purpose is to continue the negotiations with the Illinois State Rifle Association, the NRA and the State Police to provide for a mechanism for judges and attorney generals to enable them for concealed and carry. In light of the recent tragedy in Chicago and other tragedies that have taken place throughout this State and nation, our judges and our State's attorneys are in difficult



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positions. I think this is a -- a worthwhile issue. I would simply ask that we move it to the House so it could be further considered.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR HENDON:

Senator, is this a shell bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke. I mean, Senator Brady.

SENATOR BRADY:

Senator Bomke says he'll answer it. It's a shell bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Senate -- Senator, I doubt you will be able to use this one on your campaign literature for your run for Governor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1900 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 22 Yeas, 30 Nays, none voting Present, and Senate Bill 1900, not receiving the required constitutional majority, is declared failed. Senator Bomke, on 1902. Senator Cullerton, on 1907. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1907.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a bill request of the Chicago Bar Association and deals with the

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examination of records section of the Code of Civil Procedure. Right now, every private and public health care facility has the obligation of providing at the request of a patient, that they provide their records to that patient. All this does is to allow for the patient to authorize someone else to get the records on their behalf. Again, ask -- ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1907 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 Yeas, none voting Nay, none voting Present. And Senate Bill 1907, having received the required constitutional majority, is declared passed. Senator Haine, on 1909. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

This is a bill -- this is a bill that provides changes to the Environmental Act, allowing the use of coal -- coal combustion by-products in the -- in the use of other materials. The Coal Association wanted Floor Amendment No. 1 to address their concerns about Illinois coal, which was done. The only entity that was left out of the loop was IEPA. They've indicated they -- they would support moving this bill, which is an initiative of the Chamber of Commerce and now the Coal Association, to the House where they believe their concerns can be addressed. They are minor concerns. So I would ask for an Aye vote, as amended.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. In the spirit of bipartisanship, this -- bill passed committee unanimously. I urge its support.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1909 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 1 voting Nay, none voting Present, and Senate Bill 1909, having received the required constitutional majority, is declared passed. Senator Haine, on 1911. Madam Secretary, read the bill. I mean, Senator Haine, on 1910. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1910.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1910 seeks to allow the management and mitigation of stormwater drainage in certain counties that are listed - Kankakee, Grundy, LaSalle, DeKalb, Kendall, Boone and Winnebago - as well as those in the SWIDA district - Madison, St. Clair and the surrounding counties. It follows the general plan that was implemented years ago for the collar counties, except, in the past two months, we negotiated out all those aspects of this proposal that -- that were -- objected to by the Realtors, the Builders, the Farm Bureau, and the last of all, the Drainage Districts. I have two things to bring on the record in the Senate as to the drainage districts. Because of a time constraint, we could not complete their concerns about the bill and we have committed, through the House sponsor, Mr. Holbrook, to delete entirely Section (k) of the bill for the Drainage Districts and to add another paragraph in Section (g) that will make it abundantly clear that none of these stormwater rules will impede in any way the presumption in favor of an agricultural use, which they said they're okay on. I also want to add that for -- as legislative intent - this is for the Realtors and the Home Builders - that Senate Bill 1910 provides statutory authority for certain counties to establish stormwater management

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planning committees for the management and mitigation of stormwater drainage. This bill is not intended to grant the Stormwater Management Planning Committees the authority to regulate isolated wetlands under a 2001 United States Supreme Court decision. The regulation of isolated wetlands is addressed exclusively in Senate Bill 761, a measure that was sponsored recently and passed by Senator Clayborne. That's the legislative intent. So I would ask for an Aye vote. This allows a county to set up the -- the commission. The commission has authority to tax, but only with a front-door referendum on two separate -- two separate taxes. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. I think this bill's been around since Senator Sam Vadalabene, I believe. Seriously, this -- that's why I applaud the sponsor for getting everyone to sit down and cooperate and -- 'cause we had a lot of major concerns with this originally and I just want to, I guess, ask a question, 'cause I never heard you really say it. I think now there's three watersheds in Madison County, I believe, or at least that are impacted by this -- this proposal.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

I believe so, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Well, then I understand also then that each watershed area will have their own set-aside funding, if by front-door referendum, for -- for problems in those particular regions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Yes, sir. That is correct. That's what the stormwater coordinator indicated to me, that the money raised in one watershed will remain there and not be spent, for example, on the bottomland.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Thank -- thank you, Senator Haine. I just, once again, want to -- appreciate your work on this, 'cause that was the major problem we had. We -- we were actually going to tax people who weren't contributing to the problem. They were going to be part of the solution and we didn't think that was fair. You've come up with an excellent proposal here, I believe, and be glad to support it. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I'd like for the timer to be switched back, please. Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

You have to keep an eye on everything around here. But anyway, that's not bolted down, even some of the things that are bolted down. Senator, why are all of these other counties -- if you're trying to address something in the Metro East area, why are these other counties included in this particular piece of legislation?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Senator. They came in and asked to be in.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR HAINE:

I did not intend...

SENATOR BURZYNSKI:

Thank -- thank you. And -- and I believe that's -- that's an honest answer, and I think that's -- that some of the people have -- have asked to be in. You know, I -- I'd just like to point out a couple of things. And I had no reason to -- to not believe the Senator that he has the agreements worked out. But around here we have all of these organizations that beat on us

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constantly - and if any of you are up in the gallery, I wish you'd listen - to tell us to vote No or to say this creates a good concern for us. And then agreements are reached, and I believe they probably have been in this situation, and not a one of 'em has contacted me to tell me that. So, I'm going to vote No on this bill. Now, in addition to that, I would encourage others to do the same thing and send -- send a message to these people that they need to be contacting us to tell us when they've changed their positions on bills. Now, in addition to that, we've had a lot of bills that have passed out of here today -- we've had a lot of bills that have passed out of here today where sponsors have said, "This bill's going over to the House. I've got a commitment from the sponsor." Now, that's fine and dandy, but you know as well as I do, sometimes things don't go as well over there as what we think they're going to go. They have their own mind-set. They disagree with us. I'm reminded of that often by my former House seatmate here. So, just because we think that deal's going to be worked out, it might not be. I think it probably will be in this situation, Senator, but I'm just tired of that process. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President and Members of the Senate. We're all tired of the process, I think. But this bill has been a work in progress and the sponsor's done a magnificent job of getting it drained of all concerns. I think it's now drained of all concerns and the local government committee is happy with it. We're happy with the sponsor. We're happy it's Friday and we would like to have you vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1910 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 41 Yeas, -- 8 voting Nay, 1 voting Present. And Senate Bill 1910, having received the required constitutional majority, is declared passed. Senator Haine, on 1911. Madam Secretary, read the bill.

SECRETARY HAWKER:

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Senate Bill 1911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President. This is a -- a bill, which is an initiative of the Illinois Attorney General's Office, which amends the Domestic Violence Act in order to -- to close a loophole in the Act, which was passed ten years ago, to protect the high-risk adults who are disabled.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1911 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 1911, having received the required constitutional majority, is declared passed. Senator Haine, on 1914. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1914.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

This bill I -- I would ask the indulgence of the Senate to treat it as a shell bill. We are negotiating between the Bar Association and the Illinois State Police on the use of these portable breath tests. There seems to be a dispute over are they allowed to be introduced by the defense attorney. A portable breath test is when the officer shows up to take a breath reading at the scene. And sometimes the readings are lower, because it takes longer for the alcohol to move through the system and oxidize, and you have a higher rating over the -- the statutory limit, showing an impaired driver. Our position is that either the prosecution should be able to introduce them or neither party should. The parties came to an agreement recently. We could not

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finalize it. I'd like to move it to the House where both parties will be treated the same before a trier of fact. And if the -- the test is not considered to be a good test, it shouldn't be introduced by either side. And that's the nub of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1914 pass. Those in favor, 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 50 Yeas, 5 voting Nay, 1 voting Present. And Senate Bill 1914, having received the required constitutional majority, is declared passed. Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 1918. Senator Sandoval. Out of the record. Senate Bill 1919. Senator Sandoval. Out of the record. Senate Bill 1920. Senator Sandoval. Out of the record. Senate Bill 1921. Senator Sandoval. Out of the record. Senate Bill 1924. Senator Sandoval. Out of the record. Senate Bill 1925. Senator Sandoval. Out of the record. Senate Bill 1926. Senator Sandoval. Out of the record. Senate Bill 1927. Senator Sandoval. Out of the record. Senate Bill 1928. Senator Sandoval. Out of the record. Senate Bill 1929. Senator Sandoval. Out of the record. Senate Bill 1931. Senator Halvorson. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1931.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. Senate Bill 1931 amends the Education for Homeless Children Act, regarding the transportation to the district. We had some abuses happening in the district and we wanted to address the issue of doubling up or -- or living with another person, what school district they should go to. The agreement we came to with all the homeless coalitions, as well as the superintendents, were



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that after eighteen months, we would reassess the situation and if the person truly did need to continue the way things were, that -- that we would do it that way. So, we still have one more change to make for the Chicago Coalition and we're going to make that change over in the House.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you very much. To the bill: I just want to thank Senator Halvorson for the cooperation that she has given with -- to the Coalition for the Homeless and those who had a few concerns about the bill. She's an excellent legislator and I just want her to know we really appreciate her -- her working with me in that area.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1931 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, 1 voting Present. Senate Bill 1931, having received the required constitutional majority, is declared passed. Senate Bill 1935. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is a bill which emanates from a story in Crain's Chicago Business that pointed out how tardy both the division of Lottery and the Illinois Department of Revenue were in issuing annual reports. Most private businesses have deadlines when they have to issue annual reports, and in these tough fiscal times of Illinois government, it's important that we receive, on a timely basis, information from the revenue end of State government with respect to revenue and fee collections. And this would make the -- and force the Department

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of Revenue to report to the Governor and the General Assembly, and they can do it by the Internet or by online means, within three months of the end of the lapse period what our fees and collections were for the previous fiscal year. What's good for private industry here ought to be good for the State of Illinois. And, again, this came from Crain's Chicago Business and I'd urge a favorable passage. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill came out of the Senate Revenue Committee unanimously. I urge its adoption.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1935 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 1935, having received the constitutional majority, is declared passed. Senate Bill 1943. Senator Pankau. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1943.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. This bill came to me from the DuPage County Regional Superintendent of Schools, Darlene Ruscitti. There was a situation in one of the DuPage High Schools where an eighteen-year-old student - emphasis on eighteen-year-old - was having sexual relations with a much older teacher. And people came to the regional superintendent of schools. They came to the schools themselves and said, "Can't we do something about this?" But because this student was eighteen, it did not apply to any of our existing laws. So this bill would make it an official misconduct. It would be a felony, a Class 2 felony, and it would only apply to high school teachers. This

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went unanimously through the Judiciary Committee. I know of no opponents. I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I just wanted to rise in -- in support of the bill. The Senator amended the bill at our request. Both -- both sides of the aisle made a recommendation to improve the bill with the amendment and I agree with it, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1943 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1943, having received the required constitutional majority, is declared passed. Senate Bill 1944. Senator Lauzen. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1944.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Currently, the law only provides that a treasurer of each municipality must file an annual account of the town or - - finances. It does not specify that the annual accounts must be accurate and complete. I realize that on the surface you wouldn't think that this would be necessary, but we came across a circumstance in one of the towns in my district where even the Daily Herald brought -- quoted a lady who worked in the municipality as saying, "I -- I had to, or I was forced by my boss to give an account that I knew was inaccurate." This just specifies the obvious, that -- that it should be accurate and complete. I appreciate the Local Government Committee's unanimous support of this legislation.

PRESIDING OFFICER: (SENATOR LINK)

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Is there any discussion? Seeing none, the question is, shall Senate Bill 1944 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1944, having received the required constitutional majority, is declared passed. Senate Bill 1948. Senator Dillard. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1948.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. This a topic near and dear to your heart since you are the leader in the State Senate on combating West Nile Virus. This is a bill that makes a technical change in a Section - and it's a work in progress and it will continue in the House - a technical change dealing with mosquito abatement districts. In the suburbs where I live and out in the -- and even in Lake County, Mr. -- Mr. President, where you are, there's a lot of tear-down homes and growth, and sometimes mosquito abatement districts have little patchwork holes in them and our plan is to take and give mosquito abatement districts the same kind of annexation requirements that park districts have to make sure as we combat this new disease, West Nile Virus, which is rampant in Illinois more than any place in America, we don't have a Swiss cheese or a Wiffle ball type of patchwork plan with respect to abatement of mosquitoes. And our plan is to make this identical to what's already in law for park districts. So, it's -- it's to combat growth and to make sure we don't leave any stone unturned in combating West Nile Virus, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. We passed this out of Local Government and we recommend it continue.

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PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1948 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 29 Ayes, 27 Nays, none voting Present. Senate Bill 1948, having not received the required constitutional majority, is declared failed. Senator Dillard.

SENATOR DILLARD:

Can I request that that be put on Postponed Consideration, please?

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard requests that Senate Bill 1948 be postponed. The bill will be placed on the Order of Postponed Consideration. Senate Bill 1958. Senator Schoenberg. Out of the record. Senate Bill 1961. Senator Cullerton. Out of the record. Senate Bill 1963. Senator Schoenberg. Out of the record. Senate Bill 1964. Senator Schoenberg. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1964.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1964 is a comprehensive tollway reform bill that features a number of measures that we're already very quite familiar with, most notably: the formal appointment of an Inspector General with subpoena powers, as the current one does not have them; increased accountability over the finances of the tollway; expanded ethics guidelines for employees; creation of a toll amnesty program and the ability to enter into agreements to expand the use of I-PASS for airports in the Chicago area. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

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

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PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR ROSKAM:

Senator Schoenberg, this is a good bill. I know you've worked very hard on it. Can you just elaborate, for the benefit of the -- the Senate, why a new Inspector General is necessary and sort of the deficit in the current scheme as it relates to the -- the Governor's Executive Inspector General?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Roskam, the Toll Highway Authority does have an Inspector General; however, that Inspector General currently does not have any -- statutorily does not have any subpoena powers; therefore, that Inspector General cannot do his job as effectively as we might like.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Thank you. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady.

SENATOR BRADY:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR BRADY:

Senator, you and I've talked about this before and I filed an amendment to this bill, which I think is a critical issue, and I just, I guess, would ask you not for a response, but ask you to consider this as you get a House sponsor. We have a problem in this State with no-bid contracts. And the piece of legislation I filed to this would have required all bonds to be bid. Now, when the Governor passed his ten-billion-dollar bond program, someone made about sixty million dollars in fees. That someone negotiated with the budget office in the State of Illinois through the Governor's Office. And I think it's high time that we remove the scrutiny of pay as you -- pay-to-play. In other words, this administration has had -- been notorious for

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receiving contributions from people who've received no-bid contracts, and we've got to put a stop to that. The people's tax dollars are too -- they work too hard for those and I would ask you as this moves over, that you agree to consider with the House sponsors the elimination of negotiated bond sales, that all bond sales would be bid like other -- like all IDOT contracts and everything else. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

I -- the pay-to-play issue that was raised has been addressed in Senate Bill 1966, which passed this Chamber unanimously. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1964 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 1964, having received the required constitutional majority, is declared passed. Senate Bill 1965. Senator Hendon. Out of the record. Senate Bill 1972. Senator Lauzen. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1972.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Senate Bill 1972 would merely give local school boards the authority to grant a P.E. waiver to top ten State, regional or national class athletes, just as we do -- that's a P.E. waiver for those people, just as we do for band members and ROTC participants. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1972 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open.

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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 1972, having received the required constitutional majority, is declared passed. Senate Bill 1974. Senator Halvorson. Out of the record. Senate Bill 1983. Senator Righter. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1983.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Senate Bill 1983 has two basic parts. First, it would broaden the factors that a court can consider when considering a petition for involuntary commitment in a mental health situation. It would also provide for an agreed order process that we do not now have in Illinois law. It would allow the parties to sit down before a final decision's made on a petition for involuntary commitment and work out a treatment plan. I think would be very positive for a lot of people who find themselves in this unfortunate situation. I want to thank the members of the Health and Human Services Committee, who voted the original bill and then the subsequent amendment out unanimously. The bill has the support of the Mental Health Association of Illinois. And I owe special thanks also to Karen Gheradini, what's a young lady who had this situation in her family and has worked for the last several years in a very courageous manner to try to help address these issues. She comes from Senator Watson's district. I'd be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1983 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 -- on that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1983, having received the



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required constitutional majority, is declared passed. Senate Bill 1986. Senator Hunter. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1986.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1986 amends the Public Aid Code regarding data warehouse and it requires Department of Public Aid to expand its data warehouse to include other health care data sources for both DHS and DPH, and it also -- it also creates the Data Warehouse Inter-Agency Coordination and Client Task Force -- and Client Care Task Force. Thank you. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you -- thank you, Mr. President. First, as you can see, Senator Rauschenberger is actually the lead sponsor. He is in Washington representing us at the National Conference of State Legislatures, which is a two-fold benefit for us. First, he'll do an able job of representing us in that organization. Second, we now have a much more attractive and eloquent person presenting the bill on his behalf. I rise in support of this legislation. It'll provide for much more efficient access to information on the State's Medicaid system that we desperately need. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill: You know, Senator Rauschenberger has been exploring a bid for Governor, as we all know, and he's been telling me that he's putting together some unusual coalitions and I'm pleased to see that Senator Hunter is now chairing Democrats for Rauschenberger, and she's actually carrying his -- his legislation. So to show that all things are possible, let's vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

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I -- I don't think we need politics in here. On that question, there is -- shall Senate Bill 1986 pass. Those in favor will 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 57 Ayes, no Nays, none voting Present. Senate Bill 1986, having received the required constitutional majority, is declared passed. We're going to go to page 72 on the Order of Postponed Consideration, on Senate Bill 219. As the bill has already been presented, debate on the Floor -- debate on the bill will be limited to one proponent and one opponent. Senator Harmon, on Senate -- or, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 219.

(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. I return to you with Senate Bill 219, what I believe is the least controversial of the gun safety measures we've addressed over the last two days. It has been heavily negotiated with the NRA. We have accommodated two of their three points in total. We accommodated their third point, but we still have not reached agreement. I did talk to the representative of the NRA this morning and have agreed to sit down and continue to work with him. I've spoken to the Republican sponsor of similar bills about doing the same. And I ask for your Aye votes. If you voted Aye yesterday, I ask you to vote Aye again. If you told me since then you'd vote Aye, I ask you to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill: I know Senator Harmon has worked hard on this and this has been well debated. Think one of the -- one of the flaws that remains in the bill is the notion of someone who finds himself a victim of a crime and then makes a report to their local police department

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- the Chicago Police, the Wheaton Police, Naperville Police, even the Peoria Police - and then -- then they're done. Under this bill, that person -- that conduct wouldn't be sanctioned. In other words, if you don't actually get on the phone and contact the Illinois State Police and put them on notice of the theft, then the -- the crime victim is then victimized again. So, that's the primary concern and you-all know what to do. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 219 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 25 Ayes, 30 Nays, 2 voting Present. Senate Bill 219, having not received the required constitutional majority, is declared failed. Senate Bill 272. Senator Lightford. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 272.

(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. This legislation was brought to you earlier in the month of March. I had no idea that I needed to emphasize over and over again that it is by referendum only that the village brought this to me - the Village of Broadview, the Mayor. They are a unique community that's looking for some extra opportunities to help them in the area of economic development. They sit primarily between Midway and O'Hare Airport, and they're looking to increase the opportunity to provide their non-home rule municipal retailers tax, the non-home rule occupation and non-home rule municipal use tax. Currently it's at .05 percent. It cannot be increased to no higher than one percent and in quarter increments. And, again, it is by referendum only, and the community has to vote for this. I'd be happy to answer questions.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you, Mr. President. To refresh the memory of the people who gave consideration to this bill a -- a month or so ago, remember that what this is, is the application, even through referendum, of a sales tax, an increase in a tax to encourage more development and more jobs. That is antithetical. We had a -- a press conference yesterday where we pointed out that Illinois now ranks forty-ninth as far as job creation in the United States of America. Because the cost of doing business has increased over the last two years, we're now forty-ninth. To put in place tax to encourage more people to bring jobs to a -- a town or a State is just -- it's -- it contradicts -- it contradicts the common sense of -- of why employers create jobs in the first place. So, I -- I'd advise a No vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 272 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 35 Ayes, 20 Nays, none voting Present. Senate Bill 272, having received the required constitutional majority, is declared passed. Senate Bill 1941. Senator Cullerton. Out of the record. Senate Bill 2086. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2086.

(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. This is the bill requiring the installation of carbon monoxide detectors in any dwelling unit. The opponents raised some very good points. I have talked to the proponents about trying to amend it in the House to deal with a phase-in period with some -- some provisions regarding the giveaway, to make sure that low-income folks aren't disadvantaged, and I believe that we

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-- this is -- the -- the City of Chicago already has an existing ordinance and this works very well. I think that using that as a model we can continue to develop this and make sure that we get to a good result. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: I rise in -- in opposition of this legislation. I think, again, it's a mandate on affordable housing, which is already cost prohibitive in many areas. And I find it unusual or - let me provide clarification - the Class A action lawsuits, which we were referencing yesterday, are all about the accuracy, or -- excuse me -- wrong bill -- sorry. Again, I'm in opposition of it. I think it's -- it's cost prohibitive. I find the fact that we're going to make affordable housing more expensive, just doesn't make any sense. So, I'd urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

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 that question, there are 27 Ayes, 28 Nays, 1 voting Present. Senate Bill 2086, having not received the required constitutional majority, is declared failed. Ladies and Gentlemen, you should have received your -- Supplemental Calendar 1. On consideration for postpone, Senate Bill 1449. Little bit of a -- technical difficulty. Supplemental Calendar 1. Senate Bill 1449. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. Senate Bill 1449, we discussed this previously. To refresh your memory: This is an effort to enable the nonprofit human service providers that we outsource our human

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services to throughout the State in -- in so many areas, like mental health and for the developmentally disabled, this is our opportunity to enable them to make their reimbursements that we give them function better. As I've indicated, I do believe that there are ways, indeed, to -- to provide -- to provide for a -- an affordable means of doing this and would like to continue working on it. This is the Senate. This is precisely why the Illinois Association of Rehabilitation Facilities, the AFL-CIO, Illinois Action for Children are proponents, and the insurance industry has remained neutral on this.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady.

SENATOR BRADY:

To the bill: This is the same bill that failed just a short while ago. It has a five-hundred-and-eighty-million-dollar price tag, as written. The Department of CMS has told us that. It's a good idea, but it ought to probably be done through the local government insurance funds. Frankly, the Governor clearly can't afford another five-hundred-and-eighty-million-dollar hole. He's already got a two-billion-dollar hole. Until he resolves his budgetary problems - those associated with the forty-million-dollar supplemental we passed last January, the eighty or ninety that he's -- million-dollar supplemental that he's threatening to lay off State workers with - we need to hold this bill. Again, I compliment the sponsor. He's trying to do the right thing to help those who help the State of Illinois and our citizens, but until we can get the Governor to come to grips with his spending problems, this bill should be held.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1449 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 22 Nays, 1 voting Present. Senate Bill 1449, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we are going to be going through the Calendar one more quick time. If you've got your bills, get ready, be at your seat. We are starting -- starting at the top of page 21. We're going to go through. If you do not want your

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bill heard, wave it off. Let's go. Let's move quick and let's go. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Point of order.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR RIGHTER:

Thank you. I think before we go back through the Calendar again, we should complete the nice trend you've got in moving our way through the Calendar the first time. And I noticed we stopped just short of Motions to Discharge on the Calendar. We came up just a little bit short of that. You've been doing such a nice job, Mr. President, in moving our way down through the Calendar. I wonder if it wouldn't be appropriate to go to that Order and give us an opportunity to discuss medical malpractice a little bit.

PRESIDING OFFICER: (SENATOR LINK)

Decision of the Chair is that we're going to go to top of page 21. We're going to go through the order of the bills. Senate Bill 1998. Senator Clayborne. If you're intending -- out -- of -- out of the record. Does anyone on page 21 have anything that they want to discuss? Let's put it that way. We'll make it a little bit quicker. Press your button. Senator Munoz. Senate Bill 2012. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2012.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2012 is an administrative cleanup language, proposed by the Illinois Division of Professional Regulation, which makes the Genetic Counselor Licensing Act more consistent with other practice Acts and makes it easier for the State to implement. The Genetic Counselor License Act was passed on the last day of Session last year and has not been implemented. I know of no opposition, and I will attempt to answer any

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questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wojcik.

SENATOR WOJCIK:

Yes, Mr. President. This bill was agreed to in committee and I urge that it be -- favorable passage.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR BURZYNSKI:

Thank you. Senator, I'm just looking at -- at the synopsis. I have a -- the bill and I also -- is there anything on this bill -- or was this the roofing industry bill initially, or -- and now it's the genetic engineering bill -- or licensure bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator Munoz.

SENATOR MUNOZ:

That's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

I certainly hope there aren't any single-subject problems with this bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2012 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 2012, having received the required constitutional majority, is declared passed. Senate -- Senator Martinez wishes to have...

SENATOR MARTINEZ:

2043.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 2043. Madam Secretary, read the bill.



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SECRETARY HAWKER:

Senate Bill 2043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. Back in 1986, the Illinois House Government Administration and -- and Regulatory Review Committee held hearings on Hispanics in State government. Back in 1987, the Illinois General Assembly passed a -- a bill to make sure that we increase the number of Hispanics, associated development of recruitment and hiring plans for Hispanics and bilingual personnel. And in 1987, former Republican Governor Thompson signed that into Act, directing Central Management Services to develop and implement plans to increase the number of Hispanics employed by the State government and the number of bilingual persons employed in State government at a -- supervisory, technical, professional and managerial levels. What this -- what we're trying to do is, I've worked with CMS on this bill, together with the Governor's Office, and the -- the Department of Labor, to try to see if we can have a way of increasing our numbers in State government and including Hispanic employees and bilingual employees, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This bill came through State Government Committee. The sponsor worked with it to make changes and it is a plan bill and we urge its passage.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2043 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 2043, having received the required constitutional majority, is declared passed. Are there anybody else on 21? Going once, going twice, gone. Senator Lauzen, on 2105. Out of the record. Senator

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Harmon, on 2114. Going back to page 3. Senator del Valle, on Senate Bill 2. Madam Secretary -- out of the -- Senate Bill 10. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 10.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill creates a pilot project to increase parental participation in four of the State's lowest performing school districts.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I'd just like to point out to the Body that -- that what this bill does, as the Senator says, establishes a pilot project for parental involvement. It is -- I think the cost, I see, is two hundred and fifty thousand dollars. I'm not sure if that's per year, Senator, or if that's over the four years. But it is subject to appropriation. Again, although it may be a good idea, an unfunded expectation, perhaps.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senator, I -- this came through committee and -- and when it did, I didn't ask this question. And it -- just curious. What -- what would you do in a -- in a pilot program where you get parental participation? What do you do? How do you -- why would it take money to do that? Do you pay them to come in? That -- that -- that's -- explain that a little bit, would you please?

PRESIDING OFFICER: (SENATOR LINK)

Senator del Valle.

SENATOR DEL VALLE:

Senator, I -- I don't know of -- of any program that pays parents money to come in and participate in the lives of their

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children while they're at school, or at their school. That is not the purpose of this bill. The purpose of this bill is to give target school districts that need to increase parental participation resources to be able to use personnel to coordinate parent involvement activities, including after-school programs where parents are registered to take English classes or adult education classes, where parents are registered to participate as volunteers involved in extracurricular activities with their children. The idea is to increase parental involvement, because many studies have demonstrated that children do better in school when their parents are very much involved in their academic lives. And that's what this is.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well -- well, there's no question that kids do better if parents are involved. I -- so the money would -- would be used then by -- to hire personnel to go out and get the parents?

PRESIDING OFFICER: (SENATOR LINK)

Senator del Valle.

SENATOR DEL VALLE:

No. The -- the -- the flexibility -- and, by the way, I -- I think you appreciate this, because we don't want to dictate exactly to the schools how they should use every penny. What we'll do is, we'll set up a program through the State Board of Education with parameters. There'll be an RFP that school districts will respond to, establishing guidelines. And the resources that they will use from the program, two hundred and fifty thousand dollars, divided up by four school districts, will then be used to cover the cost of operating the program, including clerical costs, making phone calls, sending out letters, preparing promotional materials, coordinating after-school activities, coordinating early morning activities. That's how those resources will be used.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill: I rise to commend the sponsor for putting forth this legislation as a pilot

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project. It's definitely needed in my district and many others across the State where, unfortunately, parent involvement is at an ultimate low. I hope that -- although there's only four districts that will be selected, I will make sure that my school district is an applicant in this process, and I wish we could have done more than just four school district. And I urge a -- an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady.

SENATOR BRADY:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR BRADY:

Senator, is there any prohibition in here that would not allow the State of -- the State Board to use faith-based organizations to do this?

PRESIDING OFFICER: (SENATOR LINK)

Senator del Valle.

SENATOR DEL VALLE:

As a matter of fact, what I anticipate is that one of the things that will be allowed by this is for a school district to partner with a community-based organization. I have that type of program in my district, where community-based organizations that include churches are -- are involved in running after-school programs at the schools.

PRESIDING OFFICER: (SENATOR LINK)

Senator del Valle, to close.

SENATOR DEL VALLE:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 10 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 47 Ayes, 9 Nays, none voting Present. Senate Bill 10, having received the required constitutional majority, is declared passed. Any other bills on page 3? Senator Hendon, on...

SENATOR HENDON:

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Announcement.

PRESIDING OFFICER: (SENATOR LINK)

An announcement.

SENATOR HENDON:

Don't forget, I have in my hand a signup sheet for those who are going to play softball. It's also a pledge that you're going to attend two practices. If you don't sign, you can't play. If you don't practice, you can't play. Bring your gear next week. You know you're old and out of shape. Let's get in shape, so we can beat those villains in the House.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hendon, if we don't get moving, we -- we might be here for the game. Page 4. Page 4. Senator Clayborne, on what bill? Senate Bill 91. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 91.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. This bill has been debated before. We've passed this bill several times, and we've actually made some additional changes. Senate Bill 91 - safety standards - expands setback requirements for placement of mobile homes to accommodate the rest of the mobile home resident -- park residents, creates a definition for "new site" and "existing site", requires smoke detectors in each bedroom of a mobile home. Currently, mobile homes in Illinois are not required to have smoke detectors. Requires carbon monoxide detectors in mobile home. Currently, mobile homes in Illinois is not required to have them. Basically, this is an affordable housing issue, where if a mobile home is damaged, it can be replaced. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR LINK)

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There are one, two, three, four, five, six -- two, four, six, seven speakers. Senator Althoff.

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR ALTHOFF:

Senator Clayborne, can you tell me, does this legislation preempt home rule?

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

It preempts home rule for old sites not -- not new sites.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff, put your light on if you'd like to speak again, please.

SENATOR ALTHOFF:

It is -- it is on. Thank you. Might I also ask the question, with regard to the comments you made about safety issues, can you also tell me why it is that the Illinois Fire Chiefs Association are still against this legislation?

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

Maybe because they really don't understand the bill. There are some fire chiefs that support this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

I think, once again, we are attempting to establish State standards for an issue that should be of local control. What works in one particular area may not be convenient or appropriate for another area. I truly believe that this is a local control issue, where fire marshals, who do support it can take control, where local government has much more control and can establish those regulations. I would urge my colleagues to take a look at this legislation and vote No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dave Sullivan.

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SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There -- you're going to hear a lot of things about who supports this, who doesn't. I'm going to listen to a fire chief in my district. This is a guy who's been a fire chief for twenty-six years. He has four mobile home parks that he is responsible for. You know fire chiefs. They do not take their job lightly. I'm going to quote him. I'm not going to try to -- let you read into what he says. Here's this man's words. Chief Gary Jensen, from the Elk Grove Township Fire Department. Again, he's got over sixteen hundred mobile homes that he is responsible for, and he writes to me saying, "I support Senate Bill 91. I believe this legislation greatly enhances fire safety, increases early detection and protection for all residents in manufactured home communities, and does not negatively impact existing duties or responsibilities." I'm going to take the word from a fire chief in my district who has four mobile home parks in his district that he is responsible for. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. I, too, rise in support of this legislation and I think the sponsor has done a commendable job over the last two years in discussing and negotiating the language of the bill, and I would -- would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito.

SENATOR VIVERITO:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR VIVERITO:

Senator Clayborne, how long has JCAR been working on rules on mobile home and -- mobile homes?

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- I can't tell you, but I've been on JCAR for -- I guess it'll be a year in August, and -- and there -- there have been

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some issues that have come up. It says December, I think.

PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Senator. But from my analysis here, I believe we've been -- JCAR has been working on it for four years to make certain that we have rules and regulations protecting those people in the mobile home parks. But I would like very much to make a comment that I don't know where Senator Sullivan found that particular fire chief, but I have the Illinois Fire Association, the Illinois Public Health Administrators, the Illinois Fire Chiefs Association, the Illinois State Fire Marshal, Northern Illinois Public Health Consortium, the Illinois Municipal League, West Central Municipal League, Will County Government League, all opposed to this legislation. How in God's name he found a police -- or fire chief, when everybody else is against it, and -- exempt home rule. I have a -- I have the mayors for the first time in my -- I went out to the western suburbs - I didn't even represent all those western suburbs - from many of the Republican mayors on the other side, call me and tell me that this is the worst thing that could possibly happen to the mobile industry. The -- interesting part about this particular thing is the Mayor from Bridgeview called me. He has one thousand units in his particular village. Well, I'm telling you, he's opposed to it, and I'm sorry to -- I'm sorry to disagree with you, Senator, but this is one particular time that I am shocked that you are carrying this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I, too, rise in strong opposition to this bill. I think the sponsor may have made an error when he said we've passed this several times before. It's actually failed before in previous attempts. But, I, too, am struck by the number of people that are opposed to this and the weight of those organizations, including the, you know, as was already mentioned, the Department of Public Health, the Municipal League, Cook County, the Mobile Home Owners Association and all of the fire service organizations, except for one or two renegade



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members. I mean, the fact of the matter is, this bill compromises public safety. And you may be aware that the issue of the setbacks, which is the -- one of the -- the major issue in this bill. Some of these other things, I think, have been added for window dressing, to try to make it sound like a great bill. We can require smoke detectors in mobile homes, and I'll be happy to sponsor that. But the real issue here is the setback requirement which subjects these homes to a fire hazard. And that's exactly why the fire service is opposed. You may or may not be aware that Cook County is in the process of trying to update their regulations for mobile home parks and make them -- make them safer. This would not allow Cook County to proceed with that project. JCAR has been working on this issue for four years and has recently begun to put some rules in place. This bill would preempt them. This is a bad bill and some of the things that have been added to make it sound good are simply window dressing. It's a fire hazard. And finally, it doesn't address another issue that -- that will not allow to be addressed under this, and that is that adequate water is supplied to these parks to allow for fire suppression. So, for a number of reasons, I would urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Could -- could we please keep the noise down? Senator Roskam, the last speaker, because the question has been called already.

SENATOR ROSKAM:

Thank you, Mr. President. First of all, a point of order that maybe you could take under advisement. Was reading the Senate Rules late last night, and Senate Rule 2732 says that if a Senator has so many bills that they need a bill box to bring all those bills on the Senate Floor, then upon recognition by the Minority Party, they are prohibited from calling any other bill. So, I invoke that for future reference for you, for Senator Clayborne and for Senator Cullerton, who put his bill box under his desk. Now, briefly to the bill -- Harmon's on that list, by golly. They're all shredding over there I've noticed. Senator -- Mr. President, thank you and I'm sure you'll issue the appropriate ruling at the appropriate time. Briefly to the bill: To help this -- this wounded colleague here, who has gotten

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completely admonished by the entire General Assembly, so much so that he now needs Peter Roskam's help. God help him. But I think it's -- I think -- look, Senator Clayborne carries some real winners, but this is actually a winner, and I'm informed that the -- the State Fire Marshal's concerns are going to be addressed over in the House and that Senator Clayborne has worked out an amendment that -- that will bring the State Fire Marshal either on board or neutral. That's the person that has ultimate jurisdiction over the fire safety issues in this State, and I would defer to him. I urge its passage.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you. Just to address one of the concerns of my colleagues on the other side, and I appreciate all your comments. This bill did pass this Chamber and it did reach the Governor's desk. So, we did pass -- pass this bill. I would only say that this is really truly an affordable housing issue. We've tried to address the setbacks and we will continue to address concerns of the State Fire Marshal, but we're just trying to make sure that affordable housing stays in place. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 91 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, 30 Nays, 1 Present. Senate Bill 91, having not received the required constitutional majority, is declared failed. Are there any other bills on page 4 of interest? Senator Clayborne.

SENATOR CLAYBORNE:

Yes. I would request Postponed Consideration for that -- that bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne requests that Senate Bill 91 be put on Postponed Consideration. The bill is placed on the Order of Postponed Consideration. Are there any other bills on page 4 that anybody wants? Page 5. Senator Cullerton, what bill?

SENATOR CULLERTON:

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229.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 229.

(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. Yesterday I was asked by a Senator why I put all these highway safety bills in. And the timing couldn't be better. If you happen to see this morning's Sun-Times, the Department of Transportation yesterday announced that the number of teens killed in traffic accidents from -- from 2003 to 2004 dropped by fifty-four teens. We had fifty-four less teens killed because of the bills that we passed together last year. Specifically limiting the number of -- of passengers that a teen -- when the teen is driving a car and the primary seatbelt law. So, this is why we pass these bills. Now this particular bill is a -- kind of a small thing. It came to me from the Village of Streamwood, the -- the police officer there. He -- we -- we now have a law that says kids in the backseat have to wear a seat belt. He wanted it to cover everybody in high school by adding eighteen-year-olds. That's what the bill does. I -- hopefully it'll help save a life or two, but this is why we pass the bills. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 229 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 47 Ayes, 5 Nays, none voting Present. Senate Bill 229, having received the required constitutional majority, is declared passed. Senator Halvorson, on Senate Bill 245? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 245.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 245 amends the Good Samaritan Act by adding professional engineers, architects, surveyors, civil engineers and structural engineers to the list of people who would not be sued for civil - - liability if they do something in a disaster without being paid. I will answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 245 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, none Nay, and none voting Present. Senate Bill 245, having received the required constitutional majority, is declared passed. Page 6. Senate Bill 250. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 250.

(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, after an amendment, requires the -- and has the agreement of the Capital Development Board to initiate training workshops on green building techniques and identified three to five projects to serve as case studies and to establish a Green Building Advisory Committee to assist the Board in determining guidelines. I know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam, on Senator Cullerton's only bill.

SENATOR ROSKAM:

Thank you, Mr. President. As amended, this bill passed unanimously out of the Executive Committee and I urge its

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passage.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate -- Senate Bill 250 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 250, having received the required constitutional majority, is declared passed. Any other bills on page 6? Senate Bill 314. Senator Cullerton. Senator Cullerton seeks leave of the Body to return Senate Bill 314 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 314. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. The -- this is a bill that was drafted by the Racing Board. It's a request of the Illinois Racing Board. It has some procedural regulatory matters. It increases the fees that have not been increased for thirty years on -- for certain tracks and racing operations. It also increases the amount of money that goes to the Board's Charity Fund, which was first established in 1986. This doubles the amount of money that has to go into that, which is -- benefits the people in the backstretch. And the most important part of the bill deals with the system of advance deposit wagering. The overall effect of the bill is going to increase State revenues by approximately one and a half million dollars and increase the purse fund by eight million and the tracks would also benefit by eight million. It's on 2nd Reading. I'd be happy to answer any questions, will -- and then explain the bill on 3rd Reading in detail -- further detail.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, on the amendment.

SENATOR RIGHTER:

Thank you, Mr. President. Simply request a roll call on the adoption of the amendment itself.

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PRESIDING OFFICER: (SENATOR LINK)

That's in order. Senator Burzynski.

SENATOR BURZYNSKI:

Well, it's déjà vu all over again. This is exactly where we were yesterday when you took the bill out of the record. So, just to point out to the Members that this is, in my opinion and the opinion of many people here around the -- the State and here in the Capitol, an expansion of gaming when we talk about online wagering. So -- and advance deposit gambling. So, I just wanted to point that out to the Body.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Are racetracks in favor of this bill, Senator?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Yes, they are. They -- as I indicated, the -- the -- the purse fund will increase by eight million and the tracks will benefit to the tune of eight million, as well. Mr. President, since -- since they want a roll call on the amendment, I -- I'll take more time to explain the amendment if I could.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Okay. In response to Senator Burzynski's point, this is important. This is a -- this was drafted by the Racing Board. And it's in response to the fact that advance deposit wagering exists right now, but we are not getting any of the money. So, the numbers that I gave you that the State will get, that -- that's without any new betting. That's without any increase in betting. What's happening right now is people are going online to some company like "youbet.com". They're placing bets with a credit card. The races are held outside of Illinois. They can watch it on television and they have an account and they -- they -- they either win or lose. The State would normally, if they did it at a racetrack, get twenty percent of that. But we're losing it. So the Racing Board came to us and they got the agreement of all the racetracks and the thoroughbred harness --

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thoroughbred horsemen and said, "We need to start capturing that money." And right now they're not regulated, but if they're regulated -- as they would be under this bill, then we would be able to not only get the money, but also keep an eye on these companies, make sure that they don't sell to minors and -- and the like. So, it -- it really -- the reason why everybody was -- was for it is because it -- it's a win-win. The State gets money. Now, the harness horsemen disagree with the bill because we increased the amount of money that they have to pay into this backstretch charity. This was established in 1986, when I worked on the off-track betting bill. It -- it's a charitable foundation that spends money on the backstretch. It hasn't been increased since 1986, and they object to having to pay money to that. And the other thing that they object to is, when the track does this advance deposit wagering, they contract with these companies that place these bets and there's a limit here of 6.5 percent of how much they can charge and they think it's too high. But other than that, they are going to benefit from the increase in the purses. So this is -- this is something which definitely helps the downstate horsemen. And it definitely helps the tracks. And it helps the State to the tune of a -- about a million and a half dollars, as estimated. So, it's not an increase in gambling. This is -- if there's nobody spending any more money on -- on -- on -- on betting, we're still going to get the money, 'cause now the money is leaving the State.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton. The question is, shall Amendment 2 to Senate Bill 314 be adopted. 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 16 Ayes, 32 Nays, 2 voting Present. The amendment fails. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Out of the record, on Senate Bill 314. Are there any other bills on page 6? Senate Bill 320. Senator Halvorson. Madam Secretary, read the bill.

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SECRETARY HAWKER:

Senate Bill 320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. I could briefly just say that this is all the good things from Senator Clayborne's bill without the preemption of home rule and we're working with JCAR, but I will answer any questions if I need to.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: Far be it for me to stand up and oppose every piece of mobile home legislation. This passed out of committee unanimously and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. And I, too, want to urge an Aye vote on this. There has been a lot of work that has gone on with respect to mobile -- the mobile home industry and this is a good bill. Please vote Yes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any other further discussion? Seeing none, the question is, shall Senate Bill 320 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 320, having received the required constitutional majority, is declared passed. Page -- page 8. Senate Bill 431. Senator Halvorson. Madam Secretary, read the bill. Senator Halvorson seeks leave of the Body to return Senate Bill 431 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 431. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:



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Floor Amendment No. 1, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to explain your amendment.

SENATOR HALVORSON:

Thank you, Mr. President. The amendment is the entire bill. I'd rather discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson moves the adoption of Amendment 1 to Senate Bill 431. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY HAWKER:

Senate Bill 431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 431 came to my attention when I found out that there was so many open dumps, or illegal dumps. And there's one right in my backyard, as well as Senator Meeks' backyard, that is six football fields long, six football fields wide and seventy-five feet high - all illegal. And we needed to do something about it, and so I've been working with the Governor on Senate Bill 431, which does a number of things. It will enhance the EPA's authority to seal pollution control facilities, such as these dumps, that serve to endanger the public health or welfare or environment. It will establish a permitting program for mines and quarries that receive and dispose clean construction or demolition debris as fill material. And it will prevent abuses that can arise from the abuse of power by prohibiting special conflicts of interest. It will enable the IEPA to clean up these open dumps subject to appropriation. It will also strengthen

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land use limitation provisions and allow law enforcement officials to issue citations to those who litter on our highways. I believe this is good public policy, good government and it's something that EPA has been working on for many years. I encourage its passage.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

I make a motion that we talk about this bill.

PRESIDING OFFICER: (SENATOR LINK)

Thank you, Senator Jacobs. Senator Rutherford.

SENATOR RUTHERFORD:

Thank you. Sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates she will.

SENATOR RUTHERFORD:

Senator Halvorson, you're creating a new fund for cleanup, am I correct? And -- and it's, I'm assuming, subject to appropriation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

That is correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rutherford.

SENATOR RUTHERFORD:

Had quite an extensive conversation in the Energy and Environment Committee with the Director of EPA with this regards. I don't suggest that it is a bad idea to do this. What I do suggest, and I think I do this at the discussions with Senator Sandoval and Senator Hendon during that committee hearing, is there does not exist a protocol or a procedure unto which it will be decided which sites will be the first to be addressed, which will be the last to be addressed, which ones would be addressed, if at all. There was -- there is a procedure in place, for example, in the school construction bond program where you have a priority listing because of certain imminent disasters all the way through to a lower priority. That is codified and that is how those funds are required to be spent. Do you -- or do you

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have anything like that in this bill today?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Senator Rutherford, we are working on that, and as you know from the discussion in E&E and the committee, we discussed just that protocol, because it needs to be objective. We need to put something together and we would like to see it modeled after the School Construction Code.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rutherford.

SENATOR RUTHERFORD:

And I realize we're moving this bill out without amending it. May I assume that you're then looking at another opportunity to -- to another bill? Because I think the important thing is that we remove any type of subjectivity from the IEPA so they can, within their own internal process, decide who they would try help clean up, where they would try to help clean up a dump or site and put it into an absolutely objective procedure from a public safety standpoint all the way down to, hey, we got a whole bunch of money left and there's some garbage out there, we'll clean that up. So am I hearing you say that it is your intent to have legislative action this legislative Session to put together a proper protocol that will allow the distribution of this new account and its funds to follow an objective procedure as opposed to a subjective procedure?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Senator Rutherford, I'd even like to go one further than that by saying that I think we should put it in this bill and work with the sponsor in the House. If that's not possible, then we will do another piece. But I'd like to see it put right here. I know how difficult it is to commit to trailer bills.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rutherford, your time is up, but I'll allow you to do one closing question.

SENATOR RUTHERFORD:

Mr. President, if I may. And actually it's not a closing

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question. It's -- it's standing in support of the legislation on the understanding that we are going to put together this procedure, because I think, as has been noted in a couple of other Members' districts around the -- the State, that we have had these open sites that have not been addressed. We've had questions as to how or why they've been addressed in another part of the State and if we can assure that there is going to be a proper procedure in place, I think it's a good piece of legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will.

SENATOR ROSKAM:

Senator, this bill came from the Governor's Office. Is it -- and there's been a number of bills over the -- over the past several months, some of whom have been -- or some of which have been initiated by your side of the aisle and some by ours that have protected the fund that's created from the fund sweep. Now, this came from the Governor's Office. Is it safe to assume that this is not protected from the fund sweep?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Well, you and I both know what it means to assume, so I won't do that, but I would imagine by the time it gets to the House, we'll have some sort of commitment.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Okay. But for purposes -- the bill that we're voting on today makes the fund subject to the Governor's power to sweep funds. Is that fair to say? Just so people are clear on what they're voting on.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

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Well, first of all, it says subject to appropriation. Senate -- second of all, it says program. So -- but this bill doesn't specifically say it's protected from anything.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

In the underlying language that's gotten a lot of attention as it relates to the Governor's father-in-law and so forth, and the focus on the -- the focus on family members and so forth, one of the omissions that was brought out in the committee was the fact that the -- the so-called shadow government or unpaid advisors are not prohibited from a financial interest in this bill. Is it your interest to work in the House to make sure unpaid advisors, that this Senate has -- has -- has defined in other pieces of ethics legislation - these people are now required to file statements of economic interest and so forth - to make sure that those people who are, obviously, much closer to decision-makers than are certain family members in this case, to make sure that those people are included and would be prohibited from a financial gain under this bill if it goes over to the House?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

I'm not sure that it will necessarily be put in this bill, but, as you know, every few months it seems like another ethics bill is coming out and I would like to see that sort of legislation put somewhere, as to also other industries that aren't mentioned in this bill. So, at this point, it's not in here. We'll see what happens in the House. I'm sure it'll be back.

PRESIDING OFFICER: (SENATOR LINK)

Your time is up, Senator Roskam. One quick question, please.

SENATOR ROSKAM:

Last question. Senator, why would you resist or not have an interest? It -- it seemed like in the committee, it was perceived as an oversight. Why not just put the language in, in the House, because it's the unpaid advisors -- I mean, the reason

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that the Senate has -- has categorized unpaid advisors as coming under the various ethics bills is, obviously, because of conduct that is raised to the attention of these folks, who seem to be benefiting from a system. Why not include those unpaid advisors when it goes over to the Senate -- or when it goes over to the House? It just seems to make common sense and it sort of seemed like an admitted omission during the -- the committee process.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

We will continue to work on this in the House, and if that is something that everybody chooses to put in there, I -- I don't see a problem with it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I don't want to labor this, and certainly I want to commend the sponsor for the good things she's trying to do, but I'm a little bit concerned, because I know from the southeast side, Ford Heights, where a landfill, and I've been reading about it in the paper, and I understand that the owners said that the only thing that they were putting in there was actually clean construction fill, and -- and -- and that -- eventually they were going to turn this particular site into like a winter park for the children, for snowmobiling, and -- and I understand that Ford Heights was getting quite a bit of tip fees and things from this project. I just wanted you to kind of -- is that something wrong with the landfill that I didn't know about or didn't read about?

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

First of all, they're not getting any tipping fees, and second of all, it is illegal. And so the -- I know that the Director has tried to get onto the site to test it and they won't let them. And that's another reason we need this bill, because we need to give the IEPA a little more flexibility. The onus should not be on the Department to prove anything. Currently, it is on the Department of the Illinois EPA to prove that they're

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doing something wrong. The onus should be on the operator, the owner to prove that they're doing something right.

PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito.

SENATOR VIVERITO:

Thank you. So, the owners were not cooperating? Well, I commend you for what you are trying to do here, and obviously we all need a better environment and I certainly hope that everybody will vote Yes for your bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. I rise in support of my colleague's Senate Bill 431. I also want to commend Governor Blagojevich, our Governor of the State of Illinois, for having this great vision in going after these -- these ungodly sites that sit in our backyards. It is about time that the State of Illinois and the Illinois Environmental Protection Agency takes issue and makes a priority these landfills that are sitting, especially in minority and impoverished communities in the State of Illinois. I -- I support -- everyone vote green on this great environmental protection bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to close.

SENATOR HALVORSON:

I ask -- just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 431 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 431, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you, Mr. President. I seem to be having a malfunction on my box. May the record show that I would have voted Aye on that legislation.

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PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. Page 9. Senate Bill 716.  
Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 716.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Has the amendment been adopted, Mr. President? Thank you.  
Senate Bill 716 is a pro-downstate bill. I'm trying a different  
tact here. This is an initiative of the Department of  
Agriculture and would reenact an -- a expired tax exemption..

PRESIDING OFFICER: (SENATOR LINK)

Excuse me. Excuse me, Senator Hendon {sic} (Harmon). We  
seem to have a -- a difficulty up here a second. Hold on one  
second, please. We're just double-checking something here to  
make sure it's correct. Senator Harmon seeks the leave of the  
Body to return Senate Bill 716 to the Order of 2nd Reading for  
the purpose of an amendment. Having -- hearing no objection,  
leave is granted. On the Order of 2nd Reading is Senate Bill  
716. Madam Secretary, are there any amendments approved for  
consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senate -- 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 LINK)

Senator Harmon moves for the adoption of Amendment 1 to  
Senate Bill 716. 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)



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

SECRETARY HAWKER:

Senate Bill 716.

(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. Again, this is an initiative of the Department of Agriculture. We are seeking to promote agriculture areas with reenacting an expired tax exemption program and enacting a new one. I know that there were some concerns raised in committee as to whether some of the definitions that were used contradicted the underlying intent of the bill. We do have word from the Department of Agriculture that spoke to the Pollution Control Board that, in fact, when you parse through all the definitions, the -- the -- the language does work as it's drafted, and I ask for your support.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Ladies and Gentlemen, and -- and to the sponsor, certainly I appreciate -- it's a good idea to have sales tax exemptions to the manufacturing of these facilities. They're downstate -- maybe they're chicken-raising farms. They're defined in this bill that it's about "'pollution control facilities', as that term is defined in Section 11-10 of the Property Tax Code". When we go over to the -- that Section, 11-10, it says that, pollution control facilities shall not include, item (3), any facility operated by any person other than a unit of government for sewage disposal or treatment. I'm assuming that what you're referring to in talking with the Department of -- or the Pollution Control Board, that you've gone through those definitions and that you're going to solve those before it goes through the House. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President. Yes. Yes and no, sir. And let me correct something, I misspoke. It was not the Pollution Control Board; it's the -- the Bureau Chief of Environmental Programs of the Illinois Department of Agriculture. If you parse it through and you -- you follow it up to the -- to the Administrative Code, the definition of "sewage" means water-carried human and related wastes from any source. So animal waste does not fall into the definition and we are not undermining the intent of the Act.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

And just a follow-up, you know, folks in our area and I -- I know that it's true downstate as much as it's true in Oak Park and in Aurora, they don't care if it's human waste or animal waste. They don't want it. They want to be protected from it. So, I'm assuming that you're going to go through and make sure that everything fits together. You're very thorough.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I just rise in support of the legislation. The livestock industry in this State has struggled for the last several years for a variety of reasons. I commend the sponsor. I commend the Department of Agriculture and all the Ag groups that are supporting this legislation as an appropriate incentive to help rebuild and revitalize the livestock industry in this State, and I -- I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Leader Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I notice that this has something to do with -- and I appreciate Senator Sieben's comments and also Senator Lauzen, concerning the livestock waste handling, and that is a -- that is a huge issue in my area and I said yesterday -- I commented about the Illinois Environmental Protection Agency and what I really have concerns

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about is the regulation and the fact that it -- what it does to the -- really the small livestock individual who may have a dairy herd or hog farm or maybe even chickens, whatever it might be, and a lot of these people are impacted. Renee Cipriano, who's our Director, of course, does an outstanding job. She's an outstanding director and she's not going to be there forever. What -- what more authority will this give the Illinois Environmental Protection Agency, if any?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator DeLeo in the Chair. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Leader Watson, I'm -- I'm not sure that it -- it gives them anymore authority. And I'll be the first to admit, I have no expertise in the agricultural area. I defer to my colleagues who do. I'm carrying this as the Chairman of Revenue on behalf of the Department of Agriculture and the Department of Revenue.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson.

SENATOR WATSON:

Well, as I mentioned, Renee Cipriano is just an outstanding Director of the Illinois Environmental Protection Agency and she won't be there forever. And we're liable to have -- no telling who we might have in the future. But I'm just glad to hear that they won't be involved in any of the decision making in regard to your Act. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Harmon, to close.

SENATOR HARMON:

I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 716 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 Nay, 0 voting Present. Senate Bill 716, having received the constitutional majority, is declared passed. Turning your -- Calendars to page 10 of the Calendar. Senate Bills 3rd Reading. We have Senate Bill 847.

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Senator Link seeks leave of the Body to return Senate Bill 847 -- I'm sorry. He wants to -- we'll jump back. Leave of the Body, we'll get back to Senate Bill 833 on page 10 of the Calendar. Senator Link. It's -- Senator Link seeks leave of the Body to return Senate Bill 833 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading now is Senate Bill 833. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to explain the amendment.

SENATOR LINK:

I'll be more than happy to explain the amendment on 3rd bill -- on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link moves the adoption of Floor Amendment No. 1 to Senate Bill 833. All those in favor, say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 833. Senator Link wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 833.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is a TIF bill extension from twenty-three to thirty-three years for the Village of Wheeling. All the necessary letters have been filed.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any

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discussion? Senator Burzynski, for what purpose you rise, sir?

SENATOR BURZYNSKI:

Thank you. An inquiry of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR BURZYNSKI:

Thank you. Senator Link, I -- I -- I certainly -- I -- I just want to ask, are you confident that this doesn't conflict with the single-subject matter either? I see that the original bill dealt with the Fire Department Promotion Act and now we've got TIF legislation. I just want to make sure you feel comfortable with that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

I always feel comfortable here.

PRESIDING OFFICER: (SENATOR DeLEO)

No -- any further discussion? Seeing no further discussion, the question is, shall Senate Bill 833 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? Madam Secretary, please take the record. On that question, there are 50 Ayes, 2 voting Nay, 0 voting Present. Senate Bill 833, having received the required constitutional majority, is declared passed. Senator Link, on Senate Bill 847, sir. Senator Link seeks leave of the Body to return House -- Senate Bill 847 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 847. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to explain the amendment, sir.

SENATOR LINK:

I'll be more than happy to explain the amendment on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link moves the adoption of Floor Amendment No. 1 to

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Senate Bill 847. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading comes Senate Bill 847. Senator Link, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill now provides that -- municipalities or townships that have public or tax-supported libraries may be disconnected from a public library district by one or more of the following methods: by a tax-supported library in a municipality or township wholly and -- partially in a library district, Board of Trustees of a library district may enact the ordinance providing to disconnection of library district if the territory to be disconnected composes less than ten percent of the district or the taxes collected in the district or territory amount to less than ten percent of the total amount of the library taxes collected; or two, that the electors of the library district residing in both the municipality or township and the library district may call for a disconnection by filing the -- with the Board of Trustees a petition signed by at least a hundred of the electors. This bill will be worked on, as I indicated to Senator Wendell Jones -- will be worked on in a narrowing of the scope of this bill in the House. Will be amended. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Any discussion? Seeing no discussion, the question is, shall Senate -- Bill 847 pass.

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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? Madam Secretary, please take the record. On that question, there are 53 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 847, having received the required constitutional majority, is declared passed. 1296. Senator Harmon. Senator Harmon. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the...

SECRETARY HAWKER:

Senate Bill...

PRESIDING OFFICER: (SENATOR DeLEO)

...please -- please read the bill. And, Senator Link back in the Chair.

SECRETARY HAWKER:

Senate Bill 1296.

(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. I'm pleased to announce this is my last bill. I know you'll miss me. This bill attempts to reconcile an inherent conflict between the Municipal Code and the Open Meetings Act. Right now, the Municipal Code, with respect to commission forms of government, provides that each of the elected trustees is also a commissioner or the head of a department and it mandates that the mayor supervise those commissioners. The Open Meetings Act says that they essentially can't communicate, 'cause it would constitute a majority of a quorum. This amends the Open Meetings Act to permit that limited conversation subject to the commission form of government. This would benefit many -- many of our districts, many of the municipal commission forms of governments we represent, Republican and Democrat, upstate and downstate. I ask for your Aye votes. We're working with the Press Association to refine the bill. I don't believe that they filed in opposition, but I'm happy to keep working with them.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. A point of order, and then to the bill. The update on our secret blog website and the feedback that we've gotten is that the viewers at home prefer Senator DeLeo wearing a blue shirt. And then briefly to the bill: The - - this makes eminent sense. It -- it is well-thought-out. It's well-crafted. It's ridiculous that two people who are elected officials cannot talk together, and I think Senator Harmon has come up with a tremendous idea. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill: I rise in support of this legislation. The Village of Forest Park is one of my communities that does a fine job in municipal government and I appreciate the sponsor for bringing this to our attention.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1296 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 50 Ayes, 1 Nay, none voting Present. Senate Bill 1296, having received the required constitutional majority, is declared passed. Are there any more bills on the Calendar? Forever hold your peace if there's not. Going once. Where's our auctioneer here? Going once, going twice. Sold. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President. Just for a point of parliamentary inquiry. I put a bill on Postponed Consideration earlier today that dealt with West Nile Virus. Something you -- and Senator Garrett, I know, was off the Floor. Something that affects Lake County and the metropolitan Chicago area a lot, and it wasn't on the Supplemental Calendar. I'm wondering whether we can go to Postponed Consideration for that one bill.

PRESIDING OFFICER: (SENATOR LINK)

It will remain on the Order of Postponed Consideration on the Calendar, Senator. Madam Secretary, Messages.



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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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 2260.

Passed the House, April 14, 2005.

I have a like Message with respect to bills -- which passed the House April 15th, 2005.

They are House Bills 315, 542, 712, 1074, 1314, 1320, 1535, 1679, 2244, 2521, 2, 44, 822, 1133, 1370, 1450, 1870, 2004, 2137, 2390, 2712 and 3770.

Again, passed the House, April 15, 2005.

A Message from the President, dated April 15, 2005.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish December 31, 2005, as the 3rd Reading deadline for the following categories of Legislative Measures:

Category: All Senate Bills on the Order of 2nd -- Senate Bills 3rd Reading, Non-substantive.

Also, pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2005, as the 3rd Reading deadline for the following Senate Bills: 2, 4, (5), 8, 9, 11, 14, 19, 51, 201, 239, 257, 278, 321, 332, 388, 389, 390, 391, 392, 393, 399, 403, 404, 405, 413 {sic} (417), 436, 457, 467, 507, 572, 750, 851, 1266, 1302, 1324, 1447, 1448, 1484, 1619, 1621, 1628, 1671, 1703, 1791, 1793, 1815, -- 1817, 1822, 1823, 1828, 1834, 1839, 1856, 1866, 1865 -- pardon me, that's 1965 and 1974.

Sincerely, Emil Jones, Senate President.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 156 {sic}, offered by Senator Collins. It is a death resolution.

PRESIDING OFFICER: (SENATOR LINK)

Resolution -- Consent Calendar.

SECRETARY HAWKER:

And that was Senate Resolution 158.

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PRESIDING OFFICER: (SENATOR LINK)

We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today, we'll add to the Consent Calendar. Madam Secretary, have there been any objections filing -- filed to any resolutions on the Order of Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it, the motion carries. The resolutions are adopted. Madam Secretary, on the Order of Resolutions.

SECRETARY HAWKER:

Senate Resolution -- Senate Joint Resolution 39, offered by Senator Shadid.

(Secretary reads SJR 39)

PRESIDING OFFICER: (SENATOR LINK)

Senator Shadid moves to suspend the rules for the purpose of immediate consideration and the adoption of Senate Resolution {sic} 39. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Shadid now moves that -- the adoption of Senate -- Joint Resolution 39. All in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Pursuant to Joint Resolution 39, the Senate stands adjourned until the hour of 12 noon, on Tuesday, April 19th, 2005. The Senate stands adjourned.