

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

HB0003	Third Reading	133
HB0021	Recalled	134
HB0023	Third Reading	135
HB0027	Second Reading	5
HB0055	Third Reading	138
HB0056	Second Reading	6
HB0060	Third Reading	139
HB0112	Recalled	146
HB0112	Third Reading	147
HB0112	Vote Intention	149
HB0114	Recalled	147
HB0114	Third Reading	148
HB0130	Third Reading	150
HB0157	Recalled	150
HB0157	Third Reading	152
HB0165	Third Reading	154
HB0180	Third Reading	155
HB0180	Vote Intention	166
HB0188	Second Reading	6
HB0212	Recalled	160
HB0212	Third Reading	161
HB0212	Vote Intention	166
HB0215	Third Reading	167
HB0237	Third Reading	167
HB0310	Second Reading	12
HB0315	Recalled	168
HB0315	Third Reading	169
HB0315	Vote Intention	173
HB0325	Out Of Record	185
HB0325	Recalled	184
HB0325	Third Reading	185
HB0328	Third Reading	172
HB0360	Third Reading	173
HB0361	Second Reading	7
HB0380	Second Reading	7
HB0383	Recalled	174
HB0383	Third Reading	175
HB0384	Third Reading	178
HB0394	Out Of Record	188
HB0394	Third Reading	185
HB0395	Recalled	188
HB0395	Third Reading	189
HB0396	Third Reading	190
HB0398	Out Of Record	191
HB0398	Out Of Record	192
HB0398	Recalled	191
HB0398	Recalled	192
HB0399	Second Reading	7
HB0406	Third Reading	191
HB0480	Recalled	192
HB0480	Third Reading	193
HB0487	Second Reading	12
HB0509	Third Reading	194
HB0511	Recalled	195
HB0515	Third Reading	196
HB0523	Recalled	196
HB0523	Third Reading	197
HB0527	Third Reading	198
HB0594	Third Reading	199
HB0595	Recalled	199

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

HB0595	Third Reading	200
HB0596	Third Reading	200
HB0601	Recalled	201
HB0601	Third Reading	203
HB0612	Recalled	204
HB0612	Third Reading	205
HB0615	Recalled	205
HB0615	Third Reading	206
HB0655	Recalled	207
HB0655	Third Reading	208
HB0668	Recalled	208
HB0668	Third Reading	209
HB0669	Recalled	210
HB0669	Third Reading	211
HB0678	Recalled	211
HB0678	Third Reading	212
HB0678	Vote Intention	214
HB0690	Third Reading	213
HB0695	Third Reading	214
HB0712	Third Reading	217
HB0720	Recalled	217
HB0720	Third Reading	218
HB0720	Vote Intention	274
HB0733	Third Reading	218
HB0760	Recalled	220
HB0760	Third Reading	220
HB0783	Third Reading	221
HB0783	Vote Intention	222
HB0806	Out Of Record	222
HB0806	Third Reading	222
HB0832	Recalled	222
HB0832	Third Reading	223
HB0864	Third Reading	224
HB0870	Recalled	224
HB0870	Third Reading	225
HB0875	Third Reading	226
HB0876	Third Reading	226
HB0956	Third Reading	227
HB1041	Second Reading	8
HB1074	Second Reading	8
HB1100	Third Reading	228
HB1133	Third Reading	235
HB1149	Third Reading	236
HB1177	Third Reading	236
HB1181	Third Reading	237
HB1195	Third Reading	238
HB1316	Recalled	238
HB1316	Third Reading	239
HB1318	Third Reading	240
HB1338	Third Reading	241
HB1350	Third Reading	251
HB1350	Vote Intention	260
HB1358	Third Reading	258
HB1387	Recalled	258
HB1387	Third Reading	259
HB1403	Third Reading	260
HB1457	Third Reading	261
HB1480	Third Reading	262
HB1483	Third Reading	264
HB1511	Third Reading	265
HB1522	Third Reading	266

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

HB1559	Third Reading	273
HB1562	Third Reading	274
HB1565	Recalled	275
HB1565	Third Reading	275
HB1597	Third Reading	276
HB1679	Third Reading	277
HB1870	Third Reading	278
HB1968	First Reading	287
HB2004	Third Reading	278
HB2077	Third Reading	279
HB2190	Third Reading	279
HB2250	Third Reading	280
HB2343	Second Reading	9
HB2345	Third Reading	281
HB2347	Recalled	282
HB2351	Third Reading	284
HB2380	Third Reading	284
HB2389	Third Reading	38
HB2407	Third Reading	35
HB2408	Third Reading	36
HB2417	Recalled	39
HB2417	Third Reading	39
HB2421	Third Reading	43
HB2444	Recalled	48
HB2444	Third Reading	49
HB2449	Recalled	50
HB2449	Third Reading	50
HB2449	Vote Intention	54
HB2449	Vote Intention	240
HB2453	Third Reading	54
HB2455	Third Reading	55
HB2461	Third Reading	56
HB2462	Recalled	57
HB2462	Third Reading	58
HB2467	Third Reading	59
HB2470	Third Reading	60
HB2480	Third Reading	61
HB2500	Recalled	62
HB2509	Second Reading	10
HB2515	Third Reading	63
HB2527	Third Reading	70
HB2528	Third Reading	71
HB2533	Second Reading	11
HB2577	Third Reading	72
HB2593	Third Reading	73
HB2596	Recalled	75
HB2611	Recalled	80
HB2611	Third Reading	80
HB2613	Recalled	131
HB2613	Third Reading	132
HB2693	Third Reading	81
HB2853	Recalled	83
HB2853	Third Reading	83
HB3258	Third Reading	84
HB3415	Out Of Record	85
HB3415	Third Reading	85
HB3451	Third Reading	85
HB3451	Vote Intention	88
HB3480	Recalled	86
HB3480	Third Reading	87
HB3485	Third Reading	88

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

HB3504	Third Reading	98
HB3531	Third Reading	98
HB3532	Recalled	99
HB3532	Third Reading	100
HB3576	Third Reading	101
HB3576	Vote Intention	104
HB3678	Recalled	101
HB3678	Third Reading	103
HB3694	Third Reading	104
HB3724	Third Reading	105
HB3740	Third Reading	106
HB3749	Third Reading	107
HB3755	Second Reading	11
HB3763	Third Reading	108
HB3801	Recalled	109
HB3801	Third Reading	110
HB3802	Third Reading	111
HB3812	Third Reading	115
HB4014	Recalled	116
HB4014	Third Reading	117
HB4023	Recalled	118
HB4023	Third Reading	119
HB4058	Third Reading	130
SB0588	Recalled	33
SB0926	Recalled	14
SB0926	Third Reading	16
SB0973	Recalled	24
SB0973	Third Reading	24
SB0998	Recalled	27
SB0998	Third Reading	27
SB1124	Recalled	28
SB1124	Third Reading	29
SB1125	Recalled	30
SB1125	Third Reading	31
SB1333	Recalled	32
SR0212	Resolution Offered	1
SR0213	Resolution Offered	1
SR0214	Resolution Offered	1
SR0215	Resolution Offered	1
SR0216	Resolution Offered	1
SR0217	Resolution Offered	1
SR0218	Resolution Offered	1
SR0219	Resolution Offered	286
SR0220	Resolution Offered	286
SR0221	Resolution Offered	286
Senate to Order-Senator DeLeo		1
Prayer-The Reverend Brandon Boyd		1
Pledge of Allegiance		1
Journal-Approved		1
Committee Reports		1
Messages from the House		2
Remarks regarding House-Senate ball game		17
Messages from the House		285
Adjournment		287

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

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

THE REVEREND BRANDON BOYD:

(Prayer by the Reverend Brandon Boyd)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, May 18, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

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.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY HAWKER:

Senate Resolution 212, offered by Senator Lauzen and all Members.

Senate Resolution 213, 214, 215, 216 and 217, all offered by Senator Lauzen and all Members.

And they're all death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 218, offered by Senator Hunter. It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

Senator Martinez, Chairperson of the Committee on Pension and Investments, reports Senate Amendment No. 3 to House Bill 157 Be Adopted.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 1698, together with House Amendment 1. Passed the House, as amended, May 18, 2005.

I have like Messages with respect to Senate Bills 463, with House Amendment 1; Senate Bill 477, with House Amendment 1; Senate Bill 635, with House Amendment 1; Senate Bill 1931, with House Amendment 1; Senate Bill 2060, with the -- with House Amendment 1; Senate Bill 2091, with House Amendment 1. All passed the House, as amended, May 18, 2005.

I have a Message from the -- pardon me, Message from Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate 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 1716.

Passed the House, May 18, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

For the purposes of announcement. I have to ask, all Members please come to the Senate Floor. All Members please come - within the sounds of my voice - please come to the Senate Floor. We will be going to 2nd Readings for the final time. We will be going through 2nds for the final and last time. And the President has a presentation to make very shortly. So we'd ask all Members please -- report to the Floor immediately. Thank you. Senator Shadid, for what purposes do you rise?

SENATOR SHADID:

Thank you, Mr. President. Make an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Please state your announcement, sir.

SENATOR SHADID:

At 12 noon today, we're going to have a thorough discussion and go over the highlights of last night's softball game. At 12 noon, and, you know, there are several, several most valuable players and they really trounced them and really proud of our guys and gals, including Debbie. She -- she saved Rickey from being thrown out of the ball game, I think. So anyway, at 12 noon, guys, and be ready. We're going to be lying and talking and all that stuff.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, sir. Senator Althoff, for what purpose do you rise, ma'am?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR ALTHOFF:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I have with me today several Pages and their parents, John and Christine Ryan and their children, Cassidy, Kylie and Brodie. Might we welcome them to Springfield?

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Wendell Jones, for what purpose do you rise, sir?

SENATOR W. JONES:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR W. JONES:

Thank you. Today I have with me my Page for a Day, who -- whose father out-bid everybody else for the privilege of coming down here. Julie Conrath, from Inverness, Illinois, attends Marion Jordan School, and her father is in the gallery, Kurt Conrath.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest in the galleries please rise and be recognized and our guest on the Senate Floor, please rise?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Welcome to the Illinois Senate. Senator Jones, did you say he was the lowest bidder? Senator Rutherford, for what purposes do you rise, sir?

SENATOR RUTHERFORD:

Mr. President, thank you. I'd like to make an introduction of Mr. Tom Carrasco, who is a sophomore at Dwight High School and will be paging with us here in the Illinois Senate today.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? And welcome to the Illinois Senate today. Senator Forby. Senator Forby, for what purposes do you rise? Senator Garrett.

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- please state your point, sir.

SENATOR FORBY:

Today I have with me a Doctor Elaine Johnson from the way south junior college -- Shawnee College. I have four -- four junior colleges in my district and she's up here today to make sure that she gets her fair share out of this budget.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest please rise and be recognized? Welcome to the Illinois Senate. Thank you for visiting. Senator Shadid, for what purpose do you rise for the second time, sir?

SENATOR SHADID:

Another announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SHADID:

I -- I was just informed that we're going to be discussing the ball game at 10:45 this morning. 10:45.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Well, Ladies and Gentlemen of the Senate...

PRESIDING OFFICER: (SENATOR DeLEO)

Could you give the lady your attention, please?

SENATOR GEO-KARIS:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

We did an outstanding thing last night. The Senate, led by Rickey Hendon and Frank Watson, won the ball game.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis -- Senator Geo-Karis, we're going to have, at 10:45, a formal presentation. Could you hold -- please reserve your remarks for a few more minutes, please? Thank you so much. Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- please state your point, sir.

SENATOR BOMKE:

With us today, we have the eighth-grade class, teacher - Russ Benning, from Trinity Lutheran School up in the gallery.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests please rise and be recognized? Welcome to the Illinois State Senate. Ladies and Gentlemen, as we mentioned, we're going to be going through House Bills 2nd Reading for the final time. House Bills 2nd Reading. Please be ready to move your bills. On page 84 of the Calendar. Ladies and Gentlemen, on House Bills 2nd Reading. Senator Crotty, on House Bill 2. Senator Crotty, on House Bill 2. Out of the record. Senator Haine, on House Bill 27, sir. He indicates he'd like to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 27.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration, Madam Secretary?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to explain the amendment, sir. Senator Haine, to explain the amendment, sir.

SENATOR HAINE:

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senate. This amendment allows a county board to -- to lease out, for a dollar, for public safety purposes, county land.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Haine moves the adoption of Floor Amendment No. 3. All in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Has there been any other Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Crotty, on House Bill 44, ma'am. Senator Crotty, on 44. House Bill 56. Senator Sandoval. Senator Marty Sandoval, on House Bill 56. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 56.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 188. Senator Halvorson. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 188.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for our consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson, to explain the amendment, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. The amendment basically clarifies how the certified payroll would be turned in.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Okay. Senator Halvorson moves the adoption of Floor Amendment No. 1 on House Bill 188. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, is there any other Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Petka, on House Bill 220, sir. Out of the record. Senator Clayborne. Senator James Clayborne, on House Bill 310, sir. Senator James Clayborne, on 310. Out of the record. Senator Righter, on House Bill 361, sir. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 361.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Raoul, on House Bill 380, sir. Do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 380.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Continuing on House Bills 2nd Reading on the top of page 85 of your Calendar. Senator Halvorson, on House Bill 399. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 399.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson, to explain the amendment.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. It's just a little bit of cleanup language with regards to certain words and what they mean.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Halvorson moves the adoption of Amendment No. -- Floor Amendment No. 1 to House Bill 399. All those in favor will say Aye. All those opposed will say -- Nay. The Ayes have it, and the amendment is adopted. Has there been any other Floor amendments approved for our consideration, Madam Secretary?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Raoul, on House Bills 466, sir. Out of the record. Senator Wilhelmi. Senator Wilhelmi, on House Bill 487. Senator Wilhelmi, on House Bill 487, sir. Out of the record. Senator John Sullivan. Senator John Sullivan, on 708, sir. Out of the record. Senator Meeks, on 755. Senator James Meeks, on 755. Out of the record. Senator Althoff, on 1041, ma'am. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 1041.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on Revenue adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senate Bill 1074 -- House Bill 1074, excuse me. Senator Sieben. Senator Sieben, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 1074.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, has there been any Floor amendments approved for our consideration?

SECRETARY HAWKER:

Um, yes. Floor Amendment No. 1 -- No. 4, pardon me, offered by Senator John Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senate -- Senator Sieben, on Floor Amendment No. 4, sir.

SENATOR SIEBEN:

Thank -- thank you very much, Mr. President. This Floor Amendment No. 4 incorporates language requested by the Department of Natural Resources dealing with the out-of-state, non-resident archery permits. It also graduates the fee schedule at their request, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Sieben moves the adoption of Floor Amendment No. 4 to House Bill 1074. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Viverito, for what purposes do you rise, sir?

SENATOR VIVERITO:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR VIVERITO:

I would like to -- if everybody would give a warm greeting to my Page here today, Jill Mulligan, from the Liberty School of Burbank. Would you give her a warm welcome, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest be recognized by the Illinois State Senate? And welcome to Springfield. Senator Garrett, on House Bill 2343, ma'am. Madam Secretary, please read the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

House Bill 2343.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for our consideration, Madam Secretary?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, to explain the amendment, ma'am.

SENATOR GARRETT:

Yes. Thank you, Mr. President. Floor -- Amendment No. 2 is -- is basically very technical and it just adds some language to make sure that this bill refers to the HIPAA privacy regulations and that when the Department of Public Health is doing their job, that they provide advice and -- consultation. So, a very technical amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Garrett moves the adoption of Amendment -- Floor Amendment No. 2 to House Bill 2343. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any other Floor -- Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Trotter, on House Bill 2509, sir. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2509.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to explain -- oh! Excuse me. Madam Secretary, has there been any Floor amendments approved for our consideration?

SECRETARY HAWKER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, explain the amendment, sir.

SENATOR TROTTER:

Yes. Thank you very much, Mr. President and Members of the Senate. Floor Amendment No. 1 added some changes that were asked for in committee. One, putting together a -- an oversight committee addressing those concerns with the Health Facilities Planning Board and also creating a basic -- a Hospital Basic Services Prevention {sic} (Preservation) Fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter moves the adoption of Floor Amendment No. 1 to House Bill -- 2509. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Has there -- Madam Secretary, has there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Trotter, on House Bill 2533, sir. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2533.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Wilhelmi, on 3755. Senator Wilhelmi. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 3755.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for our consideration, Madam Secretary?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Wilhelmi, to explain your amendment, sir.

SENATOR WILHELMI:

Thank you, Mr. President. The amendment to the -- to House Bill 3755 explains further "forty-eight hours", meaning two business days. It also requires the "excavation" definition to only -- apply to roadway surface milling and not to farm tillage operations. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi moves the adoption of Floor Amendment No. 1 to House Bill 3755. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has -- has there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Ladies and Gentlemen, continuing on House Bills -- Ladies and Gentlemen, we have -- completed House Bills 2nd Reading at this time. We are planning to go to Senate Bills 3rd Reading. This is final action. We'll be going to those bills with -- before we go to House Bills 3rd Reading final action, we're going to have a couple quick recalls on 2nd. Going back to House Bills 2nd Reading on a recall. Leave of the Body, we'll go to page 84. We have House Bill 310. Senator James Clayborne. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 310.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Continuing on a -- a recall, leave of the Body, we will go to page 85 of your Calendar. On the top of page 85 is House Bills 2nd Reading is House Bill 487. Senator Wilhelmi. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 487.

(Secretary reads title of bill)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for our consideration, Madam Secretary?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi, to explain the amendment, sir.

SENATOR WILHELMI:

Thank you, Mr. President. I appreciate you bringing this back for my consideration. House Bill 487, essentially states that there -- the underlying bill provides that there would be no communication or information from a driver's license that would be able to be provided to a third party. This amendment would make an exception to when anyone in -- taking that information in from a driver's license would be able to give that information to a third party when complying with any State or federal law or when the transfer is pursuant to further detecting and prosecuting criminal offenses. That is the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Wilhelmi moves the adoption of Floor Amendment No. 1 to House Bill 487. 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 other Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. Ladies and Gentlemen, for the purpose of an announcement. We will -- going to Senate Bills 3rd Reading. Those that had extended deadline for the purposes to adopt amendments. We will only be going to those to adopt amendments that were on 3rd Reading, extended deadline. On the top of page 4 of your Calendar is Senate Bills 3rd Reading. It will be Senator Clayborne, Senator Collins, Senator Forby, Senator -- Harmon and Crotty on the first page. So please be prepared to present your amendments. Once again, this is Senate Bills 3rd Reading on extended deadline and we're going to adopt

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

amendments. Our first -- bill is Senate Bill 507. Senator James Clayborne. Out of the record. Senator Collins. Senator Jacqui Collins, on -- Senate Bill 851, ma'am. Out of the record. Senator Forby. Senator Forby, on Senate Bill 1266, sir. Out of the record. Senator Harmon. Senator Don Harmon. Out of the record. Senator "MVP" Don Harman. Senator Crotty. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading in the middle of page 12 of your Calendar. Page 12 of your Calendar is Senate Bill 1791. Senator Sandoval. Senator Marty Sandoval, on Senate Bills 3rd Reading, Senate Bill 1791. Out of the record, sir. Continuing on Senate Bills 3rd Reading, on the top of page 13 of your Calendar. Senator Lightford. Senator Lightford, on 1856, ma'am. 1856. Out of the record. Continuing on Senate Bills 3rd Reading, Non-Substance {sic} (Non-Substantive), is -- on page 13. On the bottom of page 13 of your Calendar, Ladies and Gentlemen, is Senate Bill 588. Senator Garrett. Senator Susan Garrett, on 588, ma'am. Out of the record. Going way down on Senate Bills 3rd Reading is page -- on page 36 of your Calendar. On page 36 of your Calendar. On the top of page 36 is Senate Bills 3rd Reading. Senate Bill 926. There's been a sponsor change to Senator Link. Senator Terry Link indicates he wishes to proceed. Senator Link seeks leave of the Body to return Senate Bill 926 to the Order of 2nd Reading for the purpose of -- of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 926. Madam Secretary, are there any amendments approved for our consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to explain your amendment, sir.

SENATOR LINK:

Thank you, Mr. President. This is -- this amends the Illinois Pyrotechnic Operating License Act. This is a agreement with the State Fire Marshal's Office and I'll be more than happy to explain everything on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Link moves the adoption of Floor Amendment No. 1 to Senate Bill 926. All those in favor will say Aye. All those opposed will say Nay. I'm sorry. There

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

is some discussion. Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Two questions, Mr. President. One's a point of order. We're on the Order of non-substantive bills and we're -- obviously doing substantive work and just kind of an inquiry as to what does non-substantive mean? Seriously.

PRESIDING OFFICER: (SENATOR DeLEO)

There is 3rd Readings and then at the time that this was put on the Calendar it was non-substantive. Now that the amendment is adopted, it'll go to regular 3rd Reading. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Just an -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Link, a -- a procedural question. It's my understanding that this bill originally had to do with -- well, can you -- what's the relationship between the amendment and the underlying bill? I -- I think there's two different subjects going on. One has to do with fireworks and one has to do with health care workers. Could you just kind of walk through, so that we don't either have a single-subject problem or a problem with the germaneness of an amendment to a -- to an underlying bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

The underlying bill was a public safety bill and -- and this is dealing with pyrotechnic licensing, which is, as I would construe, a public safety, and that's why I think it's germane in its content.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Is the underlying bill, Senator -- what does the amendment do? I guess that -- that'll answer the -- that may answer the question. Is the amendment about pyrotechnic things, or is the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

amendment about health care workers and background checks, and so forth?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to explain the amendment again.

SENATOR LINK:

The amendment is about pyrotechnic licensing and operating of -- and distribution of -- it's -- the changes in Pyrotechnic Licensing Act and it's a public safety and that's what the shell is about.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Link moves the adoption of Floor Amendment No. 1 to Senate Bill 926. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has -- has there been any further Floor amendments approved for our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. Now on the Order 3rd Reading is Senate Bill 973 {sic}. Senator Link, do you wish to proceed? Senator Link, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 926.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically, what this bill does, it's the same bill that we had passed out a year ago that the Governor had vetoed. We corrected the problems and the discrepancy that the Governor had. It's a display -- it's the changes in the Pyrotechnic Operating Licensing Act to Pyrotechnic Distributors and Operating License {sic} (Operator Licensing). Be more than happy to answer any questions. I don't think there's any opposition on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

926 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 52 Ayes, 0 Nays, 0 voting Present. Senate Bill 926, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on 3rd -- Senate Bills 3rd Reading, on page 40 of your Calendar. Okay. Ladies and Gentlemen, Senator Emil Jones in the Chair.

PRESIDENT JONES:

Yesterday was a tremendous moment for the Senate after all those frustrating years of listening to the House chant because they cheated. But yesterday was a great occasion and the Chair recognizes Senator George Shadid.

SENATOR SHADID:

Thank you, Mr. President. Well, I think most of us know what happened last night in that great ball game between the Senate and the House, and how overconfident and nasty they were before the game. I couldn't believe it, even the ladies were using some bad language. I couldn't believe it and I don't like that stuff. You know, I don't like bad language. Oh! The ladies from the House. Did I say the Senate? No, I -- no, I said the -- the House, didn't I? Okay. 'Cause I know the Senate ladies never use that kind of language. So, anyway, we had a lot of MVPs and I could be hard -- I would be hard pressed if I had to select the person. But, the one person who I think really showed the most emotion was our humble coach. You know, he's a humble person. He doesn't like to get up and scream and yell and -- and I think the umpire was getting ready to throw his fanny out. And come to his rescue was Senator Halvorson, who used her female influence and the umpire sort of gave in and -- so I'd like to turn this over -- Mr. President, would you like to speak before we have our coach speak? You're not going to say anything? We can't believe that. That's great. Let's give him a big hand. You know, no, I don't think we need him to talk, do you? Hey, Rickey, show us how humble you are, will you? You know, I never believed it, but Rickey's even blushing. Mr. President, I'm going to turn the gavel over to you.

PRESIDENT JONES:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

The Chair recognize the great announcer who's been there every game making sure that the count was right. Senator Adeline Geo-Karis.

SENATOR GEO-KARIS:

Thank you. Thank you. Thank you, Mr. President. Yesterday was a wonderful day. The cocky House members, who are much younger than our boys and girls, found out that experience does help. And they clobbered the House sixteen to eight. The first inning, and mind you, we had the ins which means they always have the last chance, we made five runs. And I want to tell you they played beautifully. Our Senate was outstanding. They didn't drop that many balls, 'cause they know better -- how disastrous that would be if they dropped their balls. And I just want you to know that even Dillard was catching pretty well at first base and he hit well. And Raoul, Raoul was quite a savior. He -- not only did he hit well, he caught well. And so did Maloney and Harmon and so did -- Mike Jacobs and Meeks. Would you believe the Reverend Meeks was able to not only run, but he actually caught balls. And the women - Halvorson did a great job. Hunter did a great job, and let me tell you, Martinez was there, too, by golly. Our girls came through very royally. But I want to tell you, it was a pleasure for me to sit there and -- find that the - - the -- the Senate was actually winning. Can you imagine, sixteen to eight? All seven innings went through and they had the outs, but we caught 'em. Even at the last they tried to rally, it didn't help. So the House finally got its lesson that it pays to have experience and it pays to have a little age. And I'll tell you, Molaro got thrown out. And that goes to show you he left the -- the Senate to go to the House. That's what he gets. But anyway, just want to tell you how wonderful all the fellows were and all the girls. And I -- I commend you. And Rickey Hendon, let me tell you, Rickey pitched and he did darn well, and not only did he pitch, and he hit. That little fella can hit 'em a mile. Can you imagine? And he has the cutest legs, but, you know who else has the cutest legs? Even -- even what's his name, Silverstein. Actually, Silverstein hit well, too. Every one of the guys really worked. They worked as a team this time and believe me, it was a pleasure. I just want to congratulate you, Rickey, for doing an outstanding job and -- and

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

of course, Frank Watson was a manager and he had to run for someone. But I'll tell you, it was great. It was -- it was such an -- an innovating experience to see the Senate really trump the House and believe me, they trumped 'em. Congratulations. And I want all of you to sign my ball that you gave me, because this will sit in my office to remind everyone that -- there is a Senate, there is a good baseball team in the Senate and we can win again. Thank you so much.

PRESIDENT JONES:

We were good, because we had another great, great professional coach, Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, I -- I hope we learned yesterday as a group a -- a valuable lesson. I could feel the criticism of the coaching of -- of this team just throughout this -- this Chamber. I tried to keep a lot of the Republican side down. You know, they wanted to throw him out. I know that there was an awful lot of criticism on the Democratic side, too. You know, and I can understand that. You know, attendance had dropped off to almost nothing. You know, he'd never won a ball game. That's -- that's never good. But, hopefully we -- you know, we learned that he -- you know, he -- he took a team that's aging and a team that really can't catch or throw, but the one thing about them is that they're slow. That's good. And again, with -- you know, with some quiet leadership he took 'em to victory. And hopefully next year we won't have to go through the -- the criticism and the under -- you could just feel the -- throughout this Chamber, the feelings towards Senator Hendon and, hopefully, we won't have to go through that next year and we can give him another year. So, good -- good job. Thank you.

PRESIDENT JONES:

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. You know, I found out last night that leadership isn't the easiest thing in the world. To have to come between a coach and the umpire was probably one of the roughest decisions I had to make. Do I keep my teeth, or do I try to just help -- Senator Hendon? And I said, you know, I'm a leader and I need to be there. And so I got between the -- the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

coach, Senator Hendon, and the ump, because I knew that if we can keep Rickey a little calmer, we would be fine. The only other thing is I want to also commend the guys here to finally realize that by letting the women play softball, you can win.

PRESIDENT JONES:

Well, Senator Hendon, for doing such an outstanding job and leading the Senate -- the Senate Democrats and Republicans to victory, it showed Frank that working together, collectively, we can do anything. So, today is officially Senator Rickey Hendon's day in the Illinois Senate. Rickey, if you would kindly come forward, 'cause your name will change as of today for I think... I -- I -- Knight Rickey Hendon as of today. His -- in the future you'll be known as Sir Rickey Hendon.

SENATOR HENDON:

Thank you, Mr. President.

PRESIDENT JONES:

The Podium is yours.

SENATOR HENDON:

I promised myself I wasn't going to say nothing today. I told President Jones when he let me know that I was going to be knighted today, I'd accept it as long as it was Sir Midnight Rickey Hendon. I am dark enough to be Sir Midnight and I just wanted to say a few things about this day. Oh, my God. Nobody thought we could win. Rich Miller wrote in the paper that we were underdogs. They were giving up four and five runs. Said we didn't have a chance. But Dave Sullivan, who missed the game, by the way, stood with me and said we were going to practice. 'Cause if we practiced, we knew -- we knew, Mattie, that we could beat these guys. After all, we are the House of Lords. They are the House of Commons. Adeline Geo-Karis was named the Most Valuable Player and she didn't even get out of the chair. Give her a big hand - the MVP. Geo. Geo. Geo. Geo. Geo. Senator, Madam Geo-Karis.

SENATOR GEO-KARIS:

Thank you very, very much. And I thank you for the ball and I would like everyone who played last night, please sign my ball. You won't be losing your balls. I've got my own ball here. Thank you so much. I appreciate it and you did a great job. Rickey, those beautiful legs of yours really came through and you

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

deserve the plaudits, and I'll tell you, we did it. You did it. You inspired them all, because you ran and did everything. And God, you're a fast runner. Even Meeks tried running and he did very well. By God, when the Reverend can play, he actually caught some balls, that's unusual. It shows you that the power of the prayer was in our team. Let's...

SENATOR HENDON:

Let's give it up for the Grand Madam, Senator Geo-Karis. We also gave the game ball to Big Frank "Hitman" Watson. Give Big Frank a hand. He got the game ball. Make sure you sign his ball as well. Well, let the President know that we're in the middle of this most greatest moment. When I first got here the Senate had lost fifty years in a row. They say Jesse White would throw the ball, hit the ball and run and catch the ball, and score five times before he even got up to bat, but those days are over. Now, we have a team. And I want to just point out a couple of men and women all who had testicular virility, including the lady that got two hits, Debbie "the Hitwoman" Halvorson. Stand up, Debbie. I want my starting lineup to come up here. We're going to take a picture. Come on, Hitwoman. Come on up. She did a great job. Come on, Debbie. She got thrown out at second twice, but she had two hits. Donnie "the Comeback Player of the Year" Harmon, who had F4 hits and didn't make any errors. Come up here, Donnie baby. Come on up here. Kirk Dillard took Ed Petka's place at first base and let me tell you something, we call him Kirk "Catchall" Dillard. Come on up, Kirk. He made every play at first. The Reverend Meeks had a hard day, y'all. His wife was here. Maybe he was a little -- little weaker or something, you know what I'm saying? Rev need love, too. Rev need love, too. But he caught the last out on a big popup play and he made the best darn play at third base. Come up, Reverend James "Jesus is his love man" Meeks. Come on up, Brother Meeks. There's a young man in this Chamber. He looks like he's about fifteen years old, but he's a Senator and he played his butt off, A.J. "the Juice" Wilhelmi. Come on up, A.J. I'm so doggone glad Denny Jacobs retired, because he sent us a guy, Mike "the Goofy One". This guy was all over -- I was like, "Where are you at?" He was in left field. He was in right field. He was in the dugout. He didn't know where he wanted to play and he didn't

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

give a damn. He was crazy as heck. Mike "the Crazyman" Jacobs. Come on up here, baby. I'm getting on a roll up here. Two guys came off the bench and had big hits for this team. One of 'em was "I want to be Governor" Brady. Give him a hand. Big Gov. Come on up, Big Gov. Come on up here. The other one from the Republican side of the aisle who came up there and blasted that ball as if he was still a young man, this is the man, here come the judge, Judge Ed Petka. Come on up here. Come on up here. Come on up here. Now, I'm about to wind this down, 'cause I don't really want to get emotional up here. But we had two ladies who really played tough, I mean they were in there all the way. And this trophy, it's got a man on it, but it's got a lady on it, too. This is coed, baby. Come on up here, Mattie. Mattie Hunter was my catcher; she got me going. Iris Martinez, come on up here, the Puerto Rican wonder. Come on up here, girl. There're only two great soldiers left and I'm telling you -- three, I mean. One of 'em came up and played second base when Ira Silverstein, who played a great second base, we had to put him in the outfield 'cause Kwame Raoul pulled a muscle. He came in and played a great second base. Give it up. Miguel del Valle. We got the bald wonder, y'all. He's got no hair, but he's still got brains. He led this team. He coached this team. Give it up for George "the Bald Wonder" Shadid. Come on up, George. Come on up here. Come on up here. Last, but not least - and we'll take this picture and get out of here - Ira Silverstein played second place base and had two hits and he is the leader of this team. Give it up. Come on up, Ira. Ira Silverstein. And last, but not least, the two guys who knocked the runs in, who caught the balls in left field and center field, who led this team. Give it up for Ed "Big Money" Maloney. Go right ahead. Maloney.

SENATOR MALONEY:

Thank you, Mr. President.

SENATOR HENDON:

Bobby Molaro. Kick 'em out. Kick 'em out. Go home. Go home.

SENATOR MALONEY:

I -- I would just like to on -- on behalf of the team thank you. It was an honor to play for you. While many -- many of us

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

don't play softball very often at our age, it's like I tell my wife, I'm not as good as once was, but I'm as good once as I ever was. Thank you, sir.

SENATOR HENDON:

Come on up here. And last, but not least, thank God, the "no hitting, no catching" Barrack Obama got elected to the U.S. Senate, because in his place came the man who led this team in runs batted in, along with Maloney, my guy, Kwame Raoul. Come on up, Kwame. And we'll take this team picture. The crippled one. President Emil Jones had a big hit. Give President Jones a big hand. He had a big hit. We know they're listening in the House and we're going to let 'em know we're going to win ten years in a row. Thank you very much.

SENATOR SHADID:

Aren't you glad that Rickey didn't want to say anything?

PRESIDING OFFICER: (SENATOR DeLEO)

I hate to put a damper on things, but we're going back to Senate Bills 3rd Reading, final passage. Before we do that, Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LAUZEN:

I would like to introduce students and teachers, parents and at least one grandparent from Heartland Elementary School in Geneva. They're here for the TECH 2000 presentation today. They're in the gallery on the Republican side over here behind me. Their teacher is Jill Nippert. There's -- and then students Nicholas Szarmack, Mason Anderson and Lindsey Baughman. They gave me a test downstairs on Illinois heritage and I didn't get 'em all right, but I still got an "A". They did a good job. Please welcome 'em to the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the galleries please rise and be recognized? And welcome to the Illinois Senate. Okay. Ladies and Gentlemen, going back to the real work of the Senate. Senate Bills 3rd Reading. On the top of page 40 of your Calendar is Senate Bill 973. Senator Carol Ronen. Senator Carol Ronen. She

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

seeks leave of the Body to return Senate Bill 973 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the -- now on the Order of 2nd Reading is Senate Bill 973. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen, to explain your amendment, ma'am.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This amendment becomes the bill and assures that all seniors in the State will be -- will not -- who have prescription drug coverage, will not lose it when the Medicare benefit comes into effect. And it seeks to wrap around services and blend the programs that we currently have, Circuit Breaker and Senior Care, with the new Medicare benefit in a seamless way so that seniors are able to get their benefit and will still be eligible. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Senator Ronen moves the adoption of Floor Amendment No. 2 to Senate Bill 973. 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)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 973. Senator Ronen, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 973.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you, Mr. President. As I explained, the amendment became the bill. And this is a really -- proud to be a sponsor on this bill -- I think it's a really important bill for the seniors in the State of Illinois. We currently have some very generous programs for low-income seniors - the Circuit Breaker and the Senior Care Program. When the Medicare benefit comes into existence, this bill will ensure that all the programs are blended together in a way -- wrap around services and will ensure that literally no senior is left behind. Anyone who has coverage will continue to get coverage. It will allow us to receive federal reimbursement and match, which we don't now receive, I think to the tune of saving the State, down the road, twenty-six million dollars a year, but yet covering more seniors. Be happy to answer any questions and I would urge all my colleagues to support this very important bill to our seniors.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Will the sponsor yield briefly...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Ronen, first, thank you for your good work on this bill. I want to just -- I want to clarify, this bill is designed and, you believe, this bill will have the effect simply of providing a seamless transition for seniors that are already -- receiving some kind of pharmaceutical assistance from the State of Illinois. It's not going to result either in a decrease of that number or it's not an expansion. I mean, even though we'd like to be able to help more people, that's not what this bill does. This bill is simply making sure that those people are taken care of who are already being taken care of. Is that fair?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Basically, yes. I mean, we could have made the choice with the Medicare benefit coming through that we would only provide

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

that which Medicare provides and we made the decision, or we will be making the decision with this bill, rather, that we want to make sure that no senior loses their coverage at -- at all. So, that's basically correct what you said.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill:

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

I want to thank the sponsor for her work on this. I think it's fair to say, that if it weren't for this legislation, you would have some seniors in Illinois now who are receiving some measure of assistance would lose that assistance. So, thank you. I urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 973 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 Nays, 0 voting Present. Senate Bill 973, having received the required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LUECHTEFELD:

President of the Senate and Members of the Senate, I think I still have a group in the audience from Jacob, Illinois. Christ Lutheran Grade School, seventh and eighth graders are here today. Would appreciate it if you would welcome them.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Would our guests in the galleries please rise and be recognized? And welcome to the Illinois State Senate. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we'll go to page 42 of your Calendar. Page 42 of your

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Calendar. In the middle of page 42 is Senate Bills 3rd Reading. Senate Bill 998. Senator Garrett wishes to proceed. She -- no, excuse me. She seeks leave of the Body to return Senate Bill 998 to the Order of 2nd Reading for the purpose of the -- amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 998. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, to explain the amendment, ma'am.

SENATOR GARRETT:

Thank you, Mr. President. Floor Amendment No. 1 amends the Illinois Health Facilities Planning Act. It provides that capital expenditure minimum means six million dollars. In non-clinical service area, includes auditoriums and medical office buildings. It also provides that permits are not required for the establishment of swing-beds authorized under the Social Security Act or for the modification of a hospital's bed capacity. It also provides that the Illinois Health Facilities Planning Act is repealed on July 1, 2011.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Senator Garrett moves the adoption of amendment -- Floor Amendment No. 1 to Senate Bill 998. 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 998. Senator Garrett, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 998.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Garrett.

SENATOR GARRETT:

Thanks once again, Mr. President. Simply the amendment became the bill, so I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is -- Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. Simply rise in support of the legislation. It passed out of committee unanimously and I appreciate the sponsor's work.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 998 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 998, having received the required constitutional majority, is declared passed. Misner Communications seeks leave of the Body to videotape the proceedings. Seeing no objection, leave is granted. Okay. Ladies and Gentlemen, we'll go to -- on your Calendar, today's Calendar, page 52 of your Calendar is Senate Bills 3rd Reading. On the top of page 52 is Senate Bill 1124. Senator Munoz, on 1124, sir. You wish to proceed? He indicates, yes. Senator Munoz seeks leave of the Body to return Senate Bill 1124 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 1124. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz, to explain your amendment, sir.

SENATOR MUNOZ:

Thank you, Mr. President. This amendment deletes the underlying bill that was a shell bill and simply allows additional charges, such as airport concession fees and vehicle license fees to be separately stated. I would be happy to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

further explain this provision on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Munoz moves the adoption of Floor Amendment No. 1 to Senate Bill 1124. 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)

Thank you. Now on the Order of 3rd Reading is Senate Bill 1124. Senator Munoz, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1124.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1124, current law disallows additional charges such as an airport concession fees and vehicle license fees from being separately stated on customers' rental rates. Because public airport fees are calculated as a percentage of revenue from auto rentals, allowing the additional charges to be added onto the business rental amount increases the base for fee calculation purposes, thus increasing revenue for all the airports. The additional charges described in this bill are contemplated in the contracts negotiated between rental companies and their national business customers. Thus, these costs are anticipated by the contracting businesses, but cannot be enforced in Illinois. This provision came out of committee unanimously and I know of no opposition and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BOMKE:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you, Mr. President. As indicated, this came out of committee unanimously, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall Senate Bill 1124 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1124, having received the required constitutional majority, is declared passed. Senator Garrett, on 1125, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Senator Garrett seeks leave of the Body to return Senate Bill 1125 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 1125. Madam Secretary, has there been any -- amendments approved for our consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, to explain Amendment No. 1, ma'am.

SENATOR GARRETT:

Yes. Thank you, Mr. President, again. Floor Amendment No. 1 becomes the bill and permits counties and municipalities to post signs that prohibit the driver of a commercial vehicle from operating and actuating any engine braking system that emits excessive noise. It prescribes the content of the sign. Requires the Department of Transportation to adopt rules providing for the erection and placement of these signs. Adds that the provision does not apply to the use of an engine braking system that has an inadequate sound -- that has an adequate sound muffling system in proper working order that prevents excessive noise. And it also provides that it is a defense that the driver use the engine braking system in an emergency to avoid a collision with a person or another vehicle. A violation is an equipment violation punishable by a fine of seventy-five dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Bomke.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR BOMKE:

Thank you, Mr. President. This is related to Jake Brakes. It -- it probably is not controversial to most. It might be to some, but it simply allows municipalities, as indicated, to post that they cannot use their Jake Brakes, the truckers, while in the community. There may be some opposed to it. I will be voting Aye. Would suggest those to vote their conscience.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Garrett moves the adoption of Floor Amendment No. 1. 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 1125. Senator Garrett, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Garrett.

SENATOR GARRETT:

I would just like to add to what Senator Bomke said, that this is an important bill for many municipalities across the State, and it's been in the works for several years and I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 1125 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 Ayes, 3 Nays, 0 voting Present. Senate Bill 1125, having received the required constitutional majority, is declared passed. Ladies and

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Gentlemen, continuing on Senate Bills 3rd Readings, we'll go to page 53 of your Calendar. On the top of page 53 is Senate Bill 1138. Senator Cullerton. Senator John Cullerton seeks leave of the Body to return Senate Bill -- no? Out of the record, sir? Out of the record. Okay. Continuing on Senate Bills 3rd Reading, on page 56 of your Calendar. In the middle of page 56 of your Calendar is Senate Bills 3rd Reading. Senate Bill 1180. Senator Link. Senator Terry Link, do you wish to proceed on Senate Bill 1180, sir? Out of the record. Ladies and Gentlemen, we go to page 66 of your Calendar. Page 66. On the top of page 66, Senate Bills 3rd Reading, is 1333. Senator Cullerton seeks leave of the Body to return Senate Bill 1333 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 1333. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Cullerton, to explain the amendment, sir.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I wish to adopt the amendment and hold the bill on 3rd Reading. The bill requires that the State Police dialup system be used to review the FOID Card status and criminal background of any would-be purchaser. I move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Cullerton moves the adoption of Floor Amendment No. 1 to Senate Bill 1333. 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. Ladies and Gentlemen, with leave of the Body, we'd like to return to page 13 of your Calendar. Page 13 of your Calendar is Senate Bills 3rd Reading. On the bottom of page 13

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

is Senate Bill 588. Senator Garrett seeks leave of the Body to return Senate Bill 588 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 588. Madam Secretary, were -- has there been any Floor amendments approved for our consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, to explain the amendment, ma'am.

SENATOR GARRETT:

Thank you, Mr. President. Floor Amendment No. 1 to Senate Bill 588 provides that settlement -- agreements entered into on or behalf of a public body is public record, provided that personal and identifying information, other than the identities of the parties, is not released. The U.S. Court of Appeals for the 7th Circuit in Chicago along with the U.S. Supreme Court has held that settlement agreement is a contract. Contracts are already defined in the FOIA as public records. However, since current law lacks specifying settlement agreements as contracts, litigation over this issue continues to arise. The Illinois Press Association would like to prevent this litigation and confusion by adding settlement agreement into the definition of "public record". Senate Bill 588 will end this needless litigation.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Garrett, you indicated yesterday in committee that you intended to adopt this amendment and then hold this and negotiate with the parties and -- and drive towards unanimity. So it's your intention to adopt this on a voice vote and then not call the bill until some point after these extensive negotiations. Is that right?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Senator Roskam, that is exactly correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Garrett moves the adoption of Floor Amendment No. 1 to Senate Bill 588. 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, ma'am?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on Floor Amendment No. 2 to Senate Bill 588, sir.

SENATOR HAINE:

Yes, Mr. President. I wish to proceed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to explain the amendment, sir.

SENATOR HAINE:

This -- Ladies and Gentlemen of the Senate, this amendment has a provision which exempts from this Freedom of Information Act a public hospital that in -- that in -- that settles a case and a judge rules that that's a confidential settlement. The reason for this is that in -- there are twenty public hospitals in Illinois. If you have a community with three hospitals, one of them public, then the only information available in the news media about a malpractice case will be the public hospital. It will put them at a tremendous disadvantage in the eyes of the public with the other two hospitals, which may have more settlements or cases, but none of them make the press. So, it's a -- it's an absolute need for these types of hospitals to have this amendment. Otherwise, they are -- the -- the threat of economic injury is real. So I would ask the amendment be adopted.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine moves the adoption of Floor Amendment No. 2 to Senate Bill 588. Those -- all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

is adopted. Any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd -- Okay. For the purposes of an announcement. For purposes of announcement. We're going to page... Ladies and Gentlemen, for the purposes of an announcement. Where we left off at the close of yesterday's business day, House Bills 3rd Reading, we will start once again. House Bills 3rd Reading. We'll go to page 78 of your Calendar. Page 78 of your Calendar. The top of page 78 of your Calendar and we'll proceed where we left off yesterday. So let's start with House Bills 3rd Reading and we have House Bill 2404. Senator John Cullerton. Senator John Cullerton. Out of the record. 2407. House Bill 2407. John Sullivan, on 2407. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2407.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President and Members of the Senate. House Bill 2407 updates the Ag Fair Act regarding county fair reimbursements and disbursements. The bill increases the limit for -- liability and casualty insurance for county fairs. The bill also changes the procedures for disbursements to 4-H groups and places Ag education fairs under the authority of the Department of Ag, which -- this is an initiative of the Department. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DAHL:

Mr. President, this bill passed out of Ag Committee unanimously. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The -- the question is, shall House Bill 2407 pass. Those in favor will vote Aye. Those in favor -- opposed will

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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. House Bill 2407, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate {sic} Bill 2408. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2408.

(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. House Bill 2408 would require the Department of Commerce and Economic Opportunity to administer the Computer Investment Program, a program designed to provide modest financial assistance to low-income families in five digital divide impacted communities to join the electronic community of computer owners. It is a -- I was asked, when I presented the bill briefly before taking it out of the record, whether the fund that we create would be protected against sweeps. It is not, but the -- the -- the program itself is subject to appropriation. The grand total we're expecting is a hundred and seventy-three thousand dollars. So, it's probably not likely to be on the top of the list of funds to be swept. And at least until we can get a trailer bill to protect it, I'd like to move the bill forward as is. Not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Roskam.

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 Harmon, is this only for public school children, or is it available for all school children in Illinois if they -- if they're eligible under the -- the financial eligibility, in other

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

words?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

It is limited -- the eligibility is limited to families that have a child enrolled in the public schools.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

And I -- I think earlier you mentioned that there's a dollar figure associated. Is it about two hundred dollars or something like that? You can nod if that's within the -- the range. Is that enough, Senator, to get to -- to really make a difference, or should the pilot project be reconsidered to be narrowed to fewer people perhaps, but a bigger grant to those people?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. That is an excellent question. I don't know if I know the answer. I hope we'll know after implementing the pilot program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Is this subject to appropriation and it has nothing to do with the school aid formula, so we're not taking money out of one categorical program, for example, and putting it into another? Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Yes. It is subject to appropriation and as I understand it, it is completely distinct and a direct relationship between the family and the DCEO.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Harmon, to close, sir. The question is, shall House Bill 2408 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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 2408, having received the required constitutional majority, is declared passed. With leave of the Body, we will go back on House Bill 3rd Reading, to the top of page 78 to 2389. Senator Rutherford. Senator Rutherford, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2389.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President and Ladies and Gentlemen of the Body, thank you very much. The -- or the -- the bill would amend the Crimes Victim {sic} Compensation Act to include post-traumatic stress disorder for the definition of "legal disability". It's supported by the Attorney General and ICASA and I know of no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Seeing no discussion. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Thank -- thank you, Mr. President. I just rise in total support of this bill. As you know, this is the final bill yesterday and Senator Rutherford was kind enough to skip it to allow us to get to the softball field on time. So he deserves -- I -- I want to see all greens up there for this great man.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 2389 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 2389, having received the -- required constitutional majority, is declared passed. Continuing on House

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Bills 3rd Reading, is House Bill 2417. Senator Meeks. Senator Meeks seeks leave of the Body to return House Bill 2417 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 House Bill 2417. Madam Secretary, has there been any -- amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks, to explain the amendment, sir.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. Floor Amendment No. 2 retains the underlying bill making a clarification for the case in which election authority jurisdiction must be established between two or more authorities and I'll be happy to discuss it further on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. And it's -- so, Senator Meeks moves the adoption to Floor Amendment No. 2 to House Bill 2417. 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 our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2417. Senator Meeks, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2417.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. President. This is a bill that passed out of the Senate 56 to one, and it simply abolishes -- abolishes canvassing boards. It's a bill that was brought to us by the Cook County Clerk's Office.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR W. JONES:

Yes. To speak to the bill, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Please stand up, sir. To the bill, sir.

SENATOR W. JONES:

By the way, to answer your previous question, he was the high bidder. Anyway, this bill, I think, to abolish canvass boards, we need to be very careful with this kind of legislation, because what we're doing is telling our park boards, our school boards, our village boards, our township boards that when they have an election, we don't want them to canvass the election that we just want to give that over - that power over to the county. I think it's important to canvass your own election and it's important for us to understand that we've had a long-standing rule in Illinois that the elected body canvasses its own election. They send that data to the county and then the county canvasses it and confirms it. This bill would abolish that lower level canvassing. Now -- now the final analysis is done by the county and it won't change the results of the election. But I think it's important for the people closest to the vote that's been taken to canvas the election that they were in, be it township, park district or -- or school board or whatever it is. This just takes the power and moves it to the county. Now, in a county like Cook County, this is really problematic, because we're so large and I really think we need this second look. It's really about checks and balances. I would recommend a No vote. Our committee voted 6 to 3. It did get out of committee. With all due respect to the -- to the fine sponsor, I understand what he's trying to do and he -- he's a gentleman of integrity. I just think it's the wrong way to go, and I would appreciate a No vote, and my reelection depends on it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR VIVERITO:

I rise to question the sponsor if I may, Senator Meeks.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR VIVERITO:

Senator, your purpose is to take the canvass boards that have been elected by the people in all the municipalities, counties, like mayors, as Senator Jones stated, the park boards, park -- library boards, cities, villages - take the canvass right away from the mayors and the trustees and turn it over to the county. Is that what your purpose is?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks.

SENATOR MEEKS:

That's the purpose and that's what the county asked for.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

If I may, when a municipality elects their mayor and they elect their village trustees, they have faith and confidence in those boards. And, obviously, if it's going to be turned over to the county where you have appointed people that are going to be doing the canvassing, that are not elected to public office at all, it doesn't make any sense to me as a -- as a public official in a local entity. I wish that you would reconsider this bill and take it out. Because, frankly, I think it's a detriment to all the municipalities in Cook County and it would not be to their advantage to turn it over to the county. And I hope that everybody would vote No. I'm sorry to have to say that to you, Reverend, I have -- who I have the most respect for, but when you start interfering with the elected officials in their communities, it's the wrong thing to do.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you. Senator -- any further discussion? Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Mr. President. Just briefly to the bill. Every municipal clerk in DuPage County signed a letter from all of the communities opposing this bill. And I think their primary argument was that this removes potentially an important check in the electoral process. There's nothing that prohibits, under

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

current law, from somebody who has a question or a dispute about the outcome of -- of an election, from going to the -- going to the county - in my case the DuPage County Board of Elections - or the Chicago Board of Elections, and so forth, or ultimately going to circuit court. But I think we should be very, very measured in the idea of taking safety steps out of the process. So, for that reason, with due respect to my sponsor and good friend, Senator Meeks, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Senator Wendell Jones, sir.

SENATOR W. JONES:

Thank you, Mr. President. My name was used in debate, so I -- I would like to make one other point if I could. I agree with Senator Viverito. We are striking language that says, "In no event shall such canvassing board open any package in which the ballots have been wrapped or any envelope containing 'defective' or 'objected-to' ballots". I don't think we want to go down this road. I would recommend a No vote. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Meeks, to close, sir.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. We passed this piece of legislation as Senate Bill 1445, 56 to 1 the last time we saw this particular piece of legislation. I don't understand what has been dramatically altered at this point from the last time that we passed this same legislation. The canvassing boards are simply a ceremonial board. They are not the final decision-makers, and so the only thing this piece of legislation does is it takes away a level of ceremony and causes the -- it causes the final decision to be with the county, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 2417 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 28 Ayes, 31 Nays, 0 voting Present. House Bill 2417, having not received the required

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

constitutional majority, is declared failed. Senator Meeks seeks...

SENATOR MEEKS:

Yes, I'd like to put this on postponed consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks requests that House Bill 2421 {sic} (2417) being postponed -- that the bill will be placed on -- Order of Postponed Consideration, sir. Senator Garrett, on Senate Bill -- House Bill 2421, ma'am? She wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2421.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. House Bill 2421 creates a new pilot program, subject to appropriation, requiring the Department of Human Services and ISAC - Illinois Student Assistance Commission - to enter into an interagency agreement and provide grants to TANF recipients enrolled in college. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Senator, I know we talked a little bit about this in committee, and I was a No vote in committee, so I just wanted to try and -- and remember all of this. But, again, a -- a question would be, what happens if -- participant fails a class or doesn't attend the class? Does that participant then have to pay the State back?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Garrett.

SENATOR GARRETT:

Senator, I think you're putting the cart before the horse. I think what will happen, if this bill passes and it's signed into law, is that DHS will put together the rules to accompany this particular Act, along with ISAC. They'd be working together to define the answers to that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well, it -- it seems to me that there are an awful lot of scholarship opportunities that are out there for individuals that might be in this particular type of situation already. And this is, again, creating a brand new program where I think there are a lot of programs in place that would accommodate. And in addition -- in addition to that, I'm not sure that we actually have the funds. And I think the bill is subject to appropriation, which again, I think creates an unfunded expectation that this program could be there in the future or might be there for a certain period of time. I also asked, I think, I'm -- it's starting to come back to me a little bit about this - in committee whether or not if a person is on TANF when they begin the program, what if they go off TANF? Can they follow in this particular program then, or do they have to be a TANF -- recipient during their entire college career or whatever?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

First, let me say, the way I understand it they would have to be a recipient of TANF to participate. And -- really what makes this program unique is the creative approach from the House Member to combine -- to set up an interagency agreement between ISAC and DHS. ISAC, as you know, primarily is responsible for financial grants. Sometimes students who are TANF students don't have the monitoring to make sure that they -- they're on track, and -- and that they do continue on with their college or vocational courses. And I think this is really a creative approach in which to make that happen.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. Just to the bill. I understand the sponsor's intent. I think maybe it would be more beneficial if we did a study of how many TANF recipients have applied for different types of assistance through the State, through the MAP award or through ISAC, and have a better handle on -- on exactly whether or not they're actually taking advantage of programs that are already existing before we implement a new program. I would encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Garrett, think everybody understands and appreciates what you're -- what you're doing. Is there -- how -- how does this interact, for example, with the MAP program that -- that currently exists for low-income students?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

It would be a totally separate program, and I -- I -- this is unique. It is a way in which, as I recently -- as I just said, to combine the ability of ISAC and DHS to work together and I think that's what makes it different than the MAP program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Hate to interrupt your lunch there. Is there expectations in the bill that the TANF requirements will meet certain standards? You know, one of the things that we all came to unanimity about, in this country over the past five or ten years, was that the welfare system as it existed was a complete failure and left people in, you know, in -- in -- in generational welfare. Where are the elements,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator, in the bill that would prohibit that? So, for example, under the welfare reform things that we've all agreed on, if -- if you don't do certain things, you don't get welfare and -- and so forth. Where are the expectations in the bill that have those protections?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

As you probably know, there are already rules in place through DHS that outline all of those points that you just made. But, let me just go back to the philosophy of this. And you mentioned how important it is to make sure that the Welfare-to-Work program is continuing. This actually helps with economic development and to make sure that those TANF recipients are able to have the opportunity to know -- to learn about, let's just say, vocational programs. We're not necessarily talking about a four-year degree at University of Illinois. But, that they have that information and that they are -- there is somebody sort of overseeing that to make sure that they are able to stay on track. And I think that goes to the whole point that you just made, that we have to continue in that direction and not -- let TANF students slide.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you. You know, briefly to the bill. I -- I have a sense of caution about this. I think there is a -- there is an underlying excellent idea here that can be improved probably. And so that's the nature of this whole process as we interact with one another. Just briefly, for several years prior to coming to the General Assembly, I was active in a scholarship program that was started by my family. And what we were doing was intervening in the lives of many students around the country and what we found was simply dangling a scholarship in front of them wasn't sufficient. So we entered into partnerships in the Chicago area at Cabrini Green and in North Lawndale, and worked with former -- or with Representative Art Turner to have kind of a -- a nurturing system that was called a college opportunity program that said, there's going to be a scholarship available at the end

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

of the rainbow, but you've got to do XY and Z in preparation for that and here's the tools that we need to do. I don't have confidence in us passing a bill to create a funding mechanism without taking the holistic approach that says these are the expectations that we have for these students. So, while I'm a supporter of the concept in general, I'm a reluctant opponent to House Bill 2421, because I don't think it's quite soup yet. So for that reason, I urge a No or a Present vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Senator Lightford, for what purpose do you rise, ma'am?

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question, ma'am.

SENATOR LIGHTFORD:

Senator Garrett, is there a provision in here that is simply a pilot program in that there is a board that will send findings back to the General Assembly in the next two years?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Yes. That is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Then to the bill: I commend the sponsor for coming up with a concept to assist TANF clients, to encourage them to go on to obtain higher education. I believe that with such an effort, that would assist us in moving more and more individuals off of public assistance and into a situation where they can afford to raise their families themselves. And no situation of such is perfect. But, I believe with the provision of this program being a pilot program and allowing findings to come back to the General Assembly within the next two years, will allow an opportunity to make changes, if necessary. And I would urge all my colleagues here to vote Aye to support men and women who are trying to better themselves.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you very much. Senator Garrett, before you close we have a request. Randy Squires, photographer working for the Herald News in Joliet requests permission to photograph the Senate. Hearing no objection, leave is granted. Senator Garrett, to close, ma'am.

SENATOR GARRETT:

Yes. I -- I know there's some reasons to vote No on a bill like this, because it is subject to appropriation. And -- and I would definitely understand those kinds of votes. But, I also think that it is our responsibility to take a look at measures like this and not deny them because they may be subject to a small -- appropriation. But to look at the value that they can bring to -- to our TANF recipients, to our economies to make sure that we have the cooperation and the partnership between two important agencies such as -- DHS and -- and ISAC. This is an important bill. We talk a lot about education here and -- and we go back and forth and -- and this is actually one bill that I think would make a difference to make sure that those who don't have the opportunities or the guidance would, in fact, be able to obtain that. So, I do ask for your Aye vote and I thank you for your indulgence.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 2421 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? Madam Secretary, please take the record. On that question, there are 35 Ayes, 43 -- 23 Nays, excuse me. 35 -- let me correct that record, Madam Secretary. There's 35 Ayes, 23 Nays, 0 voting Present. House Bill 2421, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 3rd Reading, 2444, ma'am, do you wish to proceed? She does. She seeks leave of the Body to return House Bill 2444 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 House Bill 2444. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you. Senator Martinez, to explain your amendment.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. This amendment deletes all and exempts active military personnel that are not only outside of Illinois, but inside as well, from being assessed delinquent registration renewal fees for vehicles. Adds an immediate effective date.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, then Senator Martinez moves the adoption of Floor Amendment No. 1 to House Bill 2444. 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 -- House Bill 2444. Senator Martinez, do you wish to proceed? She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. This simply permits active military personnel, without regard to whether they are stationed outside or inside of Illinois, to not be charged delinquent registration fees. This provision will be useful when someone from Chicago was sent to Springfield for training with the 183rd and did not receive notice of his or her registration renewal. This will negate the delinquent -- vehicle registration fee, in such cases that is currently twenty dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, the question is, shall House Bill 2444 pass. Those in favor will

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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. House Bill 2444, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 2449, sir. Do you wish to proceed? He does. Senator Haine seeks leave of the Body to return House Bill 2449 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 House Bill 2449. Madam Secretary, are there any amendments approved for our consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to explain your amendment, sir.

SENATOR HAINE:

This amendment, Mr. President and Ladies and Gentlemen of the Senate, provides and it -- it was the initiative of the Illinois Railroads and represents an agreement between the railroads and the UTU, which says that any violation of this particular provision will be heard by the Illinois Commerce Commission. This is the provision which delays or denies the treatment -- medical treatment or first aid treatment to an employee of that railroad who has been injured during his or her employment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Senator Haine moves the adoption of Floor Amendment No. 1 to House Bill 2449. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, 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 House Bill 2449. Senator Haine, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

House Bill 2449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The need for this legislation is apparent in that we have been provided evidence which shows many railroads do not provide prompt medical treatment for injured railroad workers. Some first require the employee to give a statement of how the injury occurred and to fill out an accident/incident report first before offering to have the railroad {sic} (employee) transported to a medical facility. Also, there are instances where a railroad supervisor attempts to have the employee not receive treatment, so that the company's safety record is not blemished. It is important to distinguish, and this bill remedies that by mandating that there is no denial or -- delay in the seeking of first aid. As far as legislative intent, it is important to distinguish this legislation from the regulation of the Federal Railroad Administration, which covers reporting of accidents/incidents. The FRA regulation merely touches upon the treatment for injured employees. Its main focus is to assure accurate reporting of accidents/incidents. This legislation makes certain that employees are provided medical treatment. Also, FRA rule simply requires a railroad to have a plan which prevents harassment or intimidation that is calculated to discourage or prevent an injured person from receiving medical treatment or reporting an accident. This sounds fine on its face, but the only sanction in the FRA rule is that the railroad must have as part of its plan a provision which provides for disciplinary action against one who commits harassment or intimidation. It does not cover the subject matter where the employee is not provided medical treatment, even though harassment or intimidation may not be involved. Lastly, we are advised that the FRA has never imposed a fine for violation of this Section. Thus, the FRA rule offers no protection in correcting the problem which continues to exist. The purpose of

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

CFR Part 225 is to provide Federal Railroad Administration with accurate information concerning the hazards and risks that exist on the nation's railroads. While CFR Part 225 would preempt a state from prescribing accident reporting requirements, the intent of this bill, House Bill 2449, is to cover a totally different subject matter. The intent of House Bill 2449 is not about accident reporting. The intent of House Bill 2449 is to protect the integrity of medical treatment process for injured railroad workers. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Could you repeat that, please? Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HALVORSON:

Senator Haine, I have -- I have several questions that I would just like to ask you. First of all, are METRA and Amtrak included in this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator. Yes. All railroads in Illinois are subject to this Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Is the United Transportation Union the only rail labor organization supporting this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator. No. The -- every rail labor union is in support, including the Brotherhood of Locomotive Engineers, Brotherhood of Maintenance of Way Employees, Brotherhood of Railway Signalmen, Transportation Communication Union and the International Brotherhood of Electrical Workers.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Halvorson.

SENATOR HALVORSON:

Thank you. Lastly, Senator Haine, I have several constituents that I personally know who are -- railroad workers that have had major problems with this. How can I be certain that these civil penalties and -- and enforcements by the ICC are going to be sufficient to rectify the issue?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

That's a very good question, Majority Leader. The intent of the Act is to -- and the amendment, which was agreed to by the railroads, is to provide enforcement by the Illinois Commerce Commission. And of course, by passing this bill and upon signature by the Governor, we are mandating that -- and we expect enforcement by the Commission to be strict and the Legislature, hopefully the Executive Branch, will be tracking complaints filed and the resolution of those complaints. If the problem of interfering with the medical treatment of injured railroad workers continues, then obviously the Legislature will have to look at future legislative options with more punitive -- sanctions. If the administrative process requested by the railroad industry is found to be inadequate, then we'll look at criminal -- sanctions, in effect.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 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 Haine, it's my understanding that the railroads are neutral or supportive. Could you just speak to that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Roskam. They're neutral. They wanted the provision -- they strongly wanted the provision that the Commerce Commission is the authority which would hear the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

complaints. Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, the -- I'm sorry. Senator Risinger. I'm sorry. For what purpose do you rise, sir?

SENATOR RISINGER:

Thank you, Mr. President. To the bill: I -- I rise in support of the bill. I think the sponsor has done a lot of work bringing the parties together on this bill, and -- and I think it's a good bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 2449 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 2449, having received the required constitutional majority, is declared passed. Senator Schoenberg, on House Bill 2451, sir. Out of the record. Senator Trotter, for what purpose are you seeking recognition, sir?

SENATOR TROTTER:

Thank you very much, Mr. President. I -- I'm seeking -- personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR TROTTER:

Point being, is for some reason or another, my -- my light is not working. I would have voted Yes on the last bill if it worked, and with that, I'm also requesting someone to come and look at my light.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. We'll have the electrician over there very, very shortly and the record would so indicate your intentions on House Bill 2449, Senator. Senator Trotter. Senator Trotter, for the record, even though your light did not light up, the official record has you indicated as voting Yes, sir. So -- but we will send somebody over to check on your -- your -- your switches. Thank you. Schoenberg, on 2451. I believe he said out of the record. Senator Shadid, on 2453. He indicates he wishes to proceed. Madam Secretary, please read the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

House Bill 2453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. House Bill 2453 is an agreed bill. And what it does is clarifies the procedures that hospitals must use to discharge a patient to a skilled nursing home or health service -- or home health service. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, the question is, shall House Bill 2453 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay -- 1 voting Nay, 0 voting Present. House Bill 2453, having received the required constitutional majority, is declared passed. Senator Susan Garrett, on House Bill 2455. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

House Bill 2455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 2455 removes the requirement that a person examining a statement of economic interest complete a form identifying themselves, their occupation, address and telephone number and reason for examination. The county clerk shall -- and that the county clerk notify any person whose statement is examined and provide that person a duplicate identification form that was completed by the examiner. As far as I know, there's no opposition to this and this is specific to the county clerks.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Viverito, for what purposes do you rise?
Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. By accident I hit the red button instead of the green button for -- for Senate Bill 2451 {sic} (2449), or House Bill is that...

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate your intention, sir. Thank you. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill: House Bill 2455 passed unanimously out of the Executive Committee and I urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Garrett, to close, ma'am. Senator Geo-Karis, for what purpose are you seeking recognition?

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

You're not removing any of the safeguards, are you?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

No. We're not removing any safeguards.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion -- seeing no further discussion, the question is, shall House Bill 2455 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 2455, having received the constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading on the top of page 79 of your Calendar, is House Bill 2461. Senator Lightford, do you wish to proceed? She indicates she wish to proceed.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2461.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2461, the rationale for this legislation is, that over thirty thousand aging Illinois -- Illinoisans in their sixties, seventies and eighties are actually struggling to raise their adult children who are disabled and in their mid-fifties and -sixties. Currently, the State and federal Family Caregivers Act only covers caregivers of adults with developmental disabilities who are over sixty. What this legislation would do, it would stipulate that as a part of the Department of Aging's routine training of case managers and case manager -- supervisors, that the Department is allowed to include information on family futures planning for persons who are over the age of sixty with adult children who are developmentally disabled. And it also -- this bill is subject to appropriations, or to inclusions of elderly caregivers. It gives support to caregivers who are sixty and older and their children. And it is in connection with the Department of Human Services, and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator. Is there any discussion? Seeing no -- discussion, the question is, shall House Bill 2461 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 2461, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, we have House Bills 2462. Senator Hendon. Senator Hendon seeks leave of the Body to return House Bill 2462 for the purposes of amendment. To that -- for the -- hearing no objection, leave is granted. On the Order of 2nd Reading now is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

House Bill 2462. Madam Secretary, is there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, to explain the amendment, sir.

SENATOR HENDON:

Thank you, Mr. President. Amendment No. 1 is a technical amendment. We wanted to make sure that the homestead exemptions to be included in the declaration must be those reflected on the most recent annual tax bill, and I'd appreciate its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Sir Hendon moves the adoption of Floor Amendment No. 1 to House Bill 2462. All those in favor, say Aye. All those opposed will say Nay. The -- the Ayes have it, and the amendment is adopted. Madam Secretary, 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 House Bill 2462. Senator Hendon, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. It is ironic that this bill would come up right now, because Senator Shadid and I are about to go over to the House and rub it in their face a little bit. And this is a initiative of Senator {sic} Susana Mendoza, who we put out yesterday and tried to throw me down and I -- I had to kiss her and make sure she knew who was boss. So, this will just allow that in residential property bills, that the -- all the exemptions will be noted and given to the public. I'll be happy to answer any questions. I appreciate an Aye vote.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Seeing no discussion, the question is, shall House Bill 2462 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 2462, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, is House Bill 2467. Senator Crotty, do you wish to proceed? She indicates she -- she wish to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2467.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. House Bill 2467 provides for immediate issuance of a new or -- and different set of plates to a victim of domestic violence. It -- the applicant who requests the plates would have to show that he or she owned the vehicle and had valid driver's license and would give up the old license plates. Then the applicant would also have to submit a copy of a police report or court -- or a law enforcement documentation identifying the applicant as a victim of an incident of domestic violence or the subject of stalking, or anything else that would be defined by the Criminal Code. Also, a written acknowledgement from the domestic violence agency would be acceptable, dated within thirty days of submission, that the applicant is seeking assistance or an order of protection. And also, that the fees for these plates would be equal to the Secretary of State's fees for issuance of duplicate license plates.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, the question is, shall House Bill 2467 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?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 2467, having received the required constitutional majority, is declared passed. Senator Hunter, on 2470, ma'am. Do you wish to proceed? She indicates she does. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2470.

(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. House Bill 2470 creates a new income tax checkout -- check-off called Sarcoidosis Research Fund's check-off. The Department of Public Health must make grants for sarcoidosis research from appropriations to public health from the Sarcoidosis Research Fund. Sarcoidosis is a disease that causes inflammation of the body's tissues. Usually inflammation cause reddened skin, warm swelling and pain. Eleven out of one hundred thousand Caucasians and thirty-six out of one hundred thousand African-Americans have or have been diagnosed with sarcoidosis. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. I rise in support of the bill. It passed out of the Revenue Committee with unanimous support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, shall House Bill 2470 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 2470, having received the required constitutional majority, is declared passed. Senator Halvorson in the Chair.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford, on 2480. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2480.

(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. I'm assuming that this is a follow-up to the previous legislation that also deals with sarcoidosis funding from the Department of Public Health. We do recognize that this -- deadly disease is disproportionately affects -- Scandinavian men and African-American women and that the groups are typically young adults between the ages of twenty and forty, and we have not yet found out what causes this disease. I'm hoping that we can appropriate funds to do research within the Department of Public Health. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR RIGHTER:

Senator, is there any prospect -- I don't know if you've talked to the administration - I guess, two-part question. First, whether or not there's any money allocated for this in the Governor's proposed Fiscal Year 2006 budget. If not, have you had any conversations with 'em to see whether or not they're willing to allocate any money for that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President. Senator Righter, what I have done is spoken with the House sponsor, which is Leader Lou Jones and she's making provisions that this funds be appropriated in the budget from the House perspective.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator. Last question is, the bill -- you've referenced a bill that just passed about the tax check-off. Is there some hope that maybe the -- the Department will be able to coordinate both of those so if there is some money coming in from that end that it's going to wind up into the program that you're starting up here?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President. Yes. In fact, Senator Righter, during discussion in committee, Chairman of the committee suggested, Senator Ronen, that the Department gets together and -- and come up with what they think will be the best rationale to move this legislation forward.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2480 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 59 Yeas, none voting Nay, none voting Present. And House Bill 2480, having received the required constitutional majority, is declared passed. Senator Crotty, on 2487. Senator Silverstein, on 2492. Senator Winkel, on -- Senator Winkel seeks leave of the Body to return House Bill 2500 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2500. -- Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Winkel.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel, to explain your amendment.

SENATOR WINKEL:

Thank you, Madam President. Under House Bill 2500, the process is set forth for detaching drainage districts and it's -- it's -- there's no objection, no opponents. The Illinois

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Association of Drainage Districts is neutral. What the amendment would do, would carve out a small exception. The amendment would amend the Municipal Code under the Annexation Section allowing a municipality to annex an area that has fewer than five hundred people, fewer than seventy-five acres, wholly bounded by one municipality. The city would have to pass an ordinance allowing that annexation. Glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Winkel moves the adoption of Amendment No. 1 to House Bill 2500. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Garrett, on 2515. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2515.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Madam President. House Bill 2515 directs the Board of Higher Education to implement and administer a statewide program using the World Wide Web to assist students, advisors, faculty and administrators from public and private institutions of higher education in obtaining consistent and accurate information about transfer courses and their applicability toward degree completion. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR BURZYNSKI:

Thank you. Senator, seems sure like you have a lot of these good bills, good ideas, thoughts, but I just wanted to -- to talk a little bit about this. My understanding is there's a program that already exists called I-Transfer. Would you agree with that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Well, if it's the same -- are you talking about the program that started at University of Illinois, Northern Illinois University? It -- it -- it has gone through what they call phase-one and, apparently it has been successful, but there is such a -- a need for it that those two universities have really reached out to make sure that all of the universities and colleges in the State are covered, not just those two universities. It -- it actually has been a very successful program and this would actually allow for more representation throughout the State.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Is -- is there a cost to this program?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

I'm assuming there will be a cost for staff for -- for the higher Board of Education.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Just -- just to follow up with that. My understanding is that there is a fiscal note in the House and -- and it -- it estimated that this would cost about three hundred and fifty thousand dollars per year. So my final -- well, my question would be then, is this in the Governor's budget? Is -- in IBHE's budget or is this just something we would have to find resources for?

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Garrett.

SENATOR GARRETT:

I'm not sure since I haven't seen the budget yet if it's in the Governor's budget. And I think that three hundred and fifty thousand fiscal note that was filed in the -- House is very, very high. I guess that would be four or five staff people working on this and I think, obviously, it could be done with fewer people. But, again, this is a -- a real need that is supported by all of the universities and the Community College Board in the State of Illinois. It -- it really saves college applicants money. It helps with articulation when they transfer from one school to another and it helps them plan better for college and be able to graduate on time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. To the bill, then. I -- I guess, you know, this is like the other bill I spoke on just a few minutes ago. It's a good idea. It's a good thought. We need to know -- we need to be able to ascertain what kind of programs we have, the transfer -- transferability, all of those things. And I think that -- that it's good from that perspective. I guess I would just encourage us to take a look at existing programs and figure out how we can make those work better. How we can expand upon them, rather than have a brand new program in place that could cost funds that we don't know what it's going to cost. And that, as far as I'm aware, haven't been appropriated to date or having even shown up either in IBHE's budget or the Governor's proposal. So, those are the concerns that I have with the bill, not the intent of the bill. So, having said that, I would -- going to cast my No vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll {sic} yield.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR LUECHTEFELD:

Senator, if -- and I -- I -- I -- I know that your intention is good, but if -- if the universities want this and -- and, obviously, they're doing it a little bit on their own now, why don't they just do it? Why is it necessary that we require them to do it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Well, I'm not sure "require" is the right word. What we're looking for is the Board of Higher Ed to coordinate this and they would be the umbrella agency, instead of University of Illinois and Northern Illinois doing it on their own and not including the other community colleges and other State universities. We have a problem, so as Senator Burzynski already said, you know, this is actually taking something that's been a positive program for higher ed and expanding it so it does -- it's more inclusive.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Again, I come back to the question, if this is good, if the universities want it, obviously then the Board of Higher Education probably wants this, why don't we just let them do it? Why would we need legislation to -- to require them to do it? Why -- why is that necessary and who wants this legislation?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

The Board of Higher Ed, the State universities, the Community College Board. Again, it's not a mandate to require it, it is a way in which to coordinate necessary information for colleges and community colleges and, you know, applicants to those educational institutions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, I -- again, I guess I just don't understand why they would need a law from us to do what they think needs to be done.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Okay. Let me put it to you this way, right now each university is acting on their own. They're acting independent of the entire State having some sort of coordination on this. This, basically, would be that the General Assembly feels it's important to have articulation between universities and community colleges. And so in order to do that, we have to provide the Board of Higher Ed a directive. So, for each of them to do it on their own and not include community colleges would be a disservice. And because there is additional staff time needed to do this, I think the argument would be from the individual community colleges and universities is they don't have the ability to make it happen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

For the point of personal privilege, -- Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR MUNOZ:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I have John L. Marsh School, which is in Senator Trotter's district. I know the parents very well that are accompanying them. Mitzi Gvojic, Marge Mailand and their teacher, Ms. Vollman. If we can welcome the eighth grade class, who'll be graduating on the 14th.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR LINK:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point. State your point.

SENATOR LINK:

With us today with TECH 2000 group, is -- from my district is Daniel Webster Middle School, and who have done an outstanding job as they do every year. And I would like the Senate to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

welcome them.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR WINKEL:

Madam President, to the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

To the bill, sir.

SENATOR WINKEL:

I -- I rise in support of this program. The testimony we had during Higher Education was that this was not duplicative, that this is an expansion, that this is an overarching program that would help coordinate among community colleges and universities, that a problem has developed over the years in communicating properly to the students who would inquire and be told that courses would be transferable, but they would not, for instance, be able to determine that just because it transfers they can use it as a credit toward graduation. Problems like that have arisen. This is an attempt by the Illinois Board of Higher Education, if this were to become law, to facilitate the exchange of information to better inform and -- and help our students plan their academic future. I think it sounds like a good program. I rise in support of this program.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR RISINGER:

I -- I -- I apologize, but I did not hear the cost of this program. Can you tell me what the cost will be?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Well, the cost is actually unknown, but a fiscal note was filed in the House for three hundred and fifty thousand dollars. My feeling that it would be much less than that.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Risinger.

SENATOR RISINGER:

Will there be additional money appropriated or are we expecting just to take this out of the State Board of Education's budget?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

This is subject to appropriation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2515 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 47 Yeas, 10 voting Nay, 1 voting Present. And House Bill 2515, having received the required constitutional majority, is declared passed. Charles Osgood from the Chicago Tribune seeks leave to photograph the proceedings. Is leave granted? Leave is granted. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Madam President, I'd like very much if I may to introduce our very distinguished Lieutenant Governor Pat Quinn. Can we give him a nice round of applause?

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to the -- the Chambers, Lieutenant Governor. Senator Wilhelmi, for what purpose do you rise?

SENATOR WILHELMI:

Madam President, I have a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR WILHELMI:

Thank you, Madam President. Ladies and Gentlemen of the Senate, it is my -- a privilege to announce to you some friends of myself and my family who are in the gallery. Many of them are from the Walnut Trails Elementary School, which is in Senator Petka's -- district. I have known these people a very long time and my family has known them a very long time. We have teachers, Tara Vertin, Marsha Stoll, Michelle Kopay and students, Alex

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Wielbik, Melissa Wunderlich and Brittany Furjanic. With them are their parents, Jeff Wunderlich is in the -- in the crowd and Mr. and Mrs. Brian Wielbik, and their grandmother, who was my next-door neighbor my whole life growing up. That is none other than Mrs. Lorraine Racich. If you would please welcome them to the Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Forby, on 2527. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you, Madam President. This is a AARP bill. House Bill 2527 will -- will let seniors use a long care insurance to pay for adult day programs -- program under contract with the Department of Aging. This is important since most long-term care insurance policy requires a program to be certified or licensed in order to pay for the service. There are three key issues to this bill, is that private-pay clients will be able to tap in a long -- long-term care insurance policy to cover the cost of the care. Adult day program will be able to tap into a stable revenue stream. The State overall on a long-term care liability will be reduced over time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President and Ladies and Gentlemen of the Chamber. I just get up to say first, that it passed out of committee unanimously. I think Senator Forby's got a fabulous bill here, Madam President, and I think you and I and everyone else should vote for it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Righter. Is there any further discussion? Seeing none, the question is, shall House Bill 2527

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 2527, having received the required constitutional majority, is declared passed. Senator Forby, on 2528. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2528.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you, Madam President. House Bill 2528 require the State to hold one or more public meetings when a facility is targeted to be closed. The type of facilities are like prisons, youth centers, Department of Correction, SKIL, Mental Health and the Department of Human Service and the Department of Veteran Affairs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. The bill came out of the committee unanimously. I do have a -- a question for the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RISINGER:

Senator, how does this bill differ from the one that we just passed yesterday? It was Senator Schoenberg's bill where he attached three different bills or -- or three different items to one bill and we had a big discussion about that. How's this bill different from that, 'cause there was closure in that bill also?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

I'm not sure how the -- his bill is different than mine, but what brung the attention -- this bill, last year we had some

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

prisons they was talking about closing. So what this bill does, before they can close a prison, we would like to have a meeting and talk to the public before this would happen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2528 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 2528, having received the required constitutional majority, is declared passed. Senator Maloney. Senator Haine, on 2577. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2577.

(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. This amends the Department of Financial and Professional Regulation Law of the Civil Administrative Code to authorize the Department to suspend a -- or to deny a license -- a professional license in this State for failure to file a tax return. The Department will work closely together with DOR, the Department of Revenue. This isn't merely suspending a license for a -- a failure -- a late payment or some such thing. There are eight steps - exhausting steps - over two hundred and ninety days before DOR refers the matter to the -- the DFPR. And..

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2577 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 House Bill 2577, having received the required constitutional majority, is declared passed. Senator Lightford, on 2578. Senator Cullerton, on 2582. Senator Crotty, on 2593. Mr. Secretary, read the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

ACTING SECRETARY KAISER:

House Bill 2593.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. House Bill 2593 is a bill, as was just stated, that would be cited as the Dorian Riley Law. This is a young man that resides in our district, a very good friend. The whole family is a very good friend of Senator Halvorson's and myself. The young man, while coming home, was at an intersection about ready to make a left hand turn when an ambulance, driving at great speeds to get to the hospital close by, ran the red light and hit this -- this young man. So this bill in Cook County, subject to appropriation, would state that any ambulance owned or operated by any municipality, except Chicago, must be equipped with a traffic control signal preemption device if any route used by that ambulance includes any roadway that is equipped with a traffic control signal preemption technology. In all counties except Cook, subject to appropriation, any ambulance owned or operated by a municipality with a population of more than fifty thousand must also be equipped with that device if any route, again, is used by that ambulance includes a roadway that is equipped with the traffic control signal preemption technology. It also creates the Traffic Control Signal Preemption Devices for Ambulances Fund as a special fund in the State treasury. It adds that -- adds that the fund may receive private gifts and contributions - and grants to municipalities for purposes of equipping their ambulances with traffic control signal preemption devices. It was asked, those donations - how would they be entered into the fund? And it said -- it -- it -- the checks would be made out to the Traffic Control Signal Preemption Fund and also in the bill there will be no fund sweeps. I asked what the cost of these would be and one of the devices would cost around a thousand dollars. This particular town that the ambulance came from was a very, very poor town. Most of our towns have these devices in our ambulances. This town is one of the poorest towns in the State, which did not have

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

that device. This would certainly allow a lot of us to contribute to make sure that that town has it. It's very, very important that none of our constituents go through what the -- what the Riley family went through and Dorian should have lost his life on something like this. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. Just -- just a quick question. This is not applicable to Cook County. This was not in Cook County where this young man was killed?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

Yes. But it's -- it's -- I asked that and -- and for the most part Chicago has this. But this does not say that Cook County cannot avail itself to the -- to the donations. But most of us have that in our -- in our fire departments. I didn't get a -- go ahead.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

But as I understood, or as I understand and perhaps I'm wrong, Cook County is excluded. Is that not correct? And this young man was killed in Cook County. So we're not...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

It does apply to Cook County. I wanted to make sure that was clear.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2593 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 52 Yeas, 2 -- voting Nay, 1 voting Present. And House Bill 2593, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you rise?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ALTHOFF:

Thank you, Madam President, Members of the Senate. I have in the gallery behind the Democrats some people visiting from Prairie Ridge High School, Crystal Lake, Illinois. They're here participating in 2005 TECH. Mike Halvey, Mark Bulicek, Jeff Mills and their teacher, Kevin Koeppen. May we welcome them, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Lightford, on -- no. Senator -- okay. Senator Harmon, on 2595. Senator John Sullivan, on 2596. Senator Sullivan seeks leave of the Body to return House Bill 2596 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2596. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to explain your amendment.

SENATOR J. SULLIVAN:

Thank you, Madam President. This makes a technical change to the bill. It clarifies that benefit trust funds -- how they're calculated in computing wages.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Sullivan moves the adoption of Amendment No. 1 to House Bill 2596. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator John Sullivan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to explain Floor Amendment No. 2.

SENATOR J. SULLIVAN:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you, again, Madam President. The amendment retains the underlying bill. Adds a provision that permits IDOT to lease all or any part of a transportation facility of which the Department has jurisdiction to one or more telecommunication service providers. In conjunction with a lease, IDOT may grant easements, licenses and permits and shall -- shall collect compensation for no less than the fair market value. The leases and permits may not exceed fifteen years in length. This is an initiative of the Department of Transportation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. I just want to point out, there was two negative votes in the committee on this amendment. It was not because we don't think the amendment is a good subject and -- and is well thought out and -- and something that should be passed. But there was a real question of whether this amendment that has to do with leases for IDOT is germane to the subject of State Salary and Annuity Withholding Act. So, I just wanted to point that out to our Members.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion on the amendment? Seeing none, Senator -- Senator Rauschenberger. I apologize.

SENATOR RAUSCHENBERGER:

I've been so well-behaved today, I guess, that you're not looking over in this corner. A -- a question or two of the sponsor if he'd -- willing to yield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RAUSCHENBERGER:

I -- I just -- you know, I -- I suppose the Department of Transportation wrote this with the -- the -- assistance of CMS. I guess I'm surprised. This calls for first come, first serve -- contracting. Historically, if we were going to permit contracting out of -- of an easement or a right-of-way, it would be -- we'd require competitive bidding to require the Department to notify many possible users and find out who would pay the most for it. This does not call for that. It calls for first come, first serve. Are -- are we entering into an area that might

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

cause future newspaper articles or problems? I mean, is -- is there a good reason that we don't require competitive offer?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

Senator, IDOT, of course, through the rulemaking process, could designate that and take care of that very concern that you've addressed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger, your light's not on, but you look like you still want to talk. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Can -- can you repeat that answer real quickly? I'm sorry.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

The IDOT, of course, can take care of that concern with their rules-making.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, with -- with all due respect, you know, we're not -- we got all next week and some people even surmise we may have another month together. I -- I just am not comfortable voting for additional authority to a well-intentioned department that doesn't require competitive bidding or competitive offers. I mean, it -- it runs counter to the direction we've been trying to go in procurement. It really leads to these questions. It means our -- we're going to put our -- our Secretary of Transportation kind of in the crosshairs when he makes a decision. If someone comes along later and says I would have paid more or anything else. So, I -- I would urge you not to move this bill, but take it back one more time. You're in the majority. If you ask 'em, they'll do it quickly. Absent that, I -- I would be -- I would urge my colleagues to think twice about authorizing the Department of Transportation to offer first come, first serve, when not full notice may be given of an opportunity.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

With all this talk going on, Senator, would you please in one sentence or two, tell me what exactly does your bill do?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis, we're currently on an amendment. So, would you like to know what the amendment does? Senator Geo-Karis.

SENATOR GEO-KARIS:

I would like to know what -- what's he -- what he means by the amendment and how does it affect this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Senator. The -- the -- the purpose of the amendment is to try to use the existing IDOT properties and facilities to encourage telecommunication companies to use their properties for the purpose of installing, for example, cell phone towers in districts, especially in the more rural areas of the State that -- that need further telecommunications services.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

But with this amendment what does your bill do?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis, we can debate that on 3rd Reading.

SENATOR GEO-KARIS:

All right. Okay.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger, for the second time.

SENATOR RISINGER:

Thank you, Madam President. I appreciate that. I -- I'd ask for a roll call on this amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion on the amendment? Senator John Sullivan.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR J. SULLIVAN:

Thank you, Madam President. With regard to Senator Rauschenberger's questions, what I would like to do is adopt the amendment today. I'll hold it on 3rd. We'll try to get a clarification for you on that question before I go to 3rd with it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator, following up on Senator Rauschenberger's question, is -- is it accurate to say that the -- the Department can enter into an agreement with a telecommunications provider and not have to open it up for a bid? I mean, what's wrong with putting a bidding process in the amendment, I guess?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

And that's exactly what I'm going to clarify with the Department and if we need to do -- if I need to put an additional amendment on it to take care of that concern. If -- if I can answer your questions after discussing with this with the Department, I will do so.

PRESIDING OFFICER: (SENATOR HALVORSON)

A roll call had been asked. And the question is, shall Amendment No. 2 to House Bill 2596 pass. All 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 31 Yeas, 25 Nays, none voting Present. And the Amendment No. 2 to House Bill 2596, is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Link, on 2611. Senator Link seeks

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

leave of the Body to return House Bill 2611 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2611. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senators Link and Wendell Jones.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. The amendment is just a compromise amendment to accommodate Will County Governmental League and the Illinois Municipal League. Be more than happy to explain the whole thing on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Link moves the adoption of Amendment No. 1 to House Bill 2611. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2611. Senator Link, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. House Bill 2611, as amended, is agreed legislation concerning intergovernmental agreements that address municipal borders -- boundaries. The bill is supported by the Illinois Municipal League, Will County Governmental League, Homebuilders Association of Illinois and the Illinois

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Association of Realtors, among others. There -- I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you. To the bill: This came out of Local Government unanimously and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2611 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 55 Yeas, none voting Nay, none voting Present. And House Bill 2611, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2613. Senator Wilhelmi, on 2693. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2693.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President. House Bill 2693 creates the School Safety Drill Act and it applies to both public and private school facilities and provides for drills involving a number of emergency situations, and I'd like to give a few of those if I could; severe weather, fire, bomb threats and biological weapon release issues are included. It specifies the types of drills, the numbers of times each -- type of drill should be conducted in the school year and that one evacuation drill per year shall be conducted with the participation of the local fire district. And I think it's important to note that the entire fire caucus is in full support of this bill. The Act sets out guidelines for coordination between the fire district and the school. I think it's also important to -- to note that by September 15th the two parties have to coordinate their schedules to see that these -- this participation and the -- the presence of a local fire

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

district is accomplished in October. Four dates are provided by the school district and then the fire district has the opportunity to accept one of those dates. If there is no coordination of the dates, the school can go ahead and do its own tests and drills without the participation of the fire district. I'd be happy to answer any questions, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President. I rise reluctantly, because I have great respect for our newest Member here, Senator Wilhelmi, and I rise in opposition to this. This is one of those bills that the Governor's Office and other political minds hope you vote for, because you're afraid of the implications, you're afraid of the messages that you voted No on a School Safety Drill Act. The bottom line is, the school management groups are still opposed to this. The bottom line is that the current system, where you -- work exclusively with the local fire chief, works well. This is an effort, with all due respect to the Governor, to talk about doing something when it's really nothing. This is going -- you're going to hear about this again, I'm sure, in his efforts to get reelected. This -- will have absolutely no impact on -- on child safety. It will be about centralizing power in the Fire Marshal's Office. It will be about press conferences and news releases, and it will lead to disruption in the classroom for our schoolchildren. I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR WILHELMI:

Thank you, Madam President. In our new day and age, I think that we have to take these measures and I think it's good to have collaboration and cooperation between our school districts and our fire districts, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2693 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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

record. On that question, there are 33 Yeas, 21 Nays, 3 voting Present. And House Bill 2693, having received the required constitutional majority, is declared passed. Senator Althoff, on 2853. Senator Althoff seeks leave of the Body to return House Bill 2853 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2853. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff, to explain your amendment.

SENATOR ALTHOFF:

Thank you, Madam President and Members of the Senate. Amendment 1 retains the underlying bill. It just better defines what a "third-party billing" is. It was -- the definition was crafted with and to the satisfaction of all the wireless providers. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff moves the adoption of Amendment No. 1 to House Bill 2853. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

ACTING SECRETARY KAISER:

House Bill 2853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you again, Madam President, Members of the Senate. House Bill 2853 amends the Consumer Fraud Act. Wireless telephone services providers and third-party billings. It requires a wireless telephone service provider to provide a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

contact telephone number and -- an address for all third-party billings on the consumer's bill to the extent allowed by federal law. The legislation is in response to a new practice of ringtone companies having consumers sign up for reoccurring charges for a ringtone subscription service, and then not giving consumers a contact number -- number to cancel the service. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. This bill did come out of committee on a unanimous vote and I want to commend Senator Althoff for her hard work on this matter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2853 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 59 Yeas, none voting Nay, none voting Present. And House Bill 2853, having received the required constitutional majority, is declared passed. Top of page 81. Senator Schoenberg, on 2892. Senator Jacobs, on 3258. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Madam President, this is a initiative of the Illinois Education Association. It simply allows a active teacher to serve on the TRS board and when they retire, they would also like to serve on the TRS board having been elected while they were serving. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Madam President. I rise in support of the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 3258 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 3258, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2415. 3415. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3415.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Cullerton. Oh! Sponsorship has been transferred to Senator Trotter. Senator Trotter.

SENATOR TROTTER:

Yes. But the amendment is still in Rules. So I -- I'm taking it out of the record.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Out of the record. Senator DeLeo, on 3417. Senator Dillard, on 3451. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This bill deals with background checks performed for school employees and it requires and - it only takes about five seconds to do this search and it's free - but it requires that schools when they're doing background checks, in addition to fingerprinting and everything else, actually check the sex offender database of -- of the State of Illinois. There are people who are sex offenders who, through the process we have set up today, namely fingerprinting, might

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

not be flagged as a sex offender, working in our schools. And there's really no cost to this. You can get on your computer screens right now and look at the sex offender database in about fifteen seconds at no cost and this just adds one more check to make sure that we don't have any sexual predators working in our schools. And I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3451 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 3451, having received the required constitutional majority, is declared passed. Leave of the Body, we'll turn to 3472. Senator Radogno. 3480. Senator - - Radogno seeks leave of the Body to return House Bill 3480 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3480. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin, to explain your amendment.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment 2 simply makes a technical change from Senate Floor Amendment No. 1 returning the title of the bill to "An Act Concerning Education". I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin moves the adoption of Amendment No. 2 to House Bill 3480. 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?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin, to explain your amendment.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. This amendment comes at the request of the school management groups in an effort to make sure that we disclose information about all different activities involving raising money at schools. This amendment was added so that it would help with the budgeting process at the request, again, of the schools. All districts and joint agreements shall include a separate statement that lists each contract or agreement that pertains to goods and services or licenses that are intended to generate at least a thousand dollars. This provision does not prohibit any group, however, from conducting a fundraising activity off school property to raise funds for school trips or other items not provided for in the annual budget of the school district. These off-campus fundraisers, selling things like wrapping paper and holiday candy packages, do not require school board approval. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin moves the adoption of Amendment No. 3 to House Bill 3480. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading, Senator Radogno, do you wish to proceed? Senator indicates she will. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Well, the -- the sponsor of the amendment's basically explained the bill. So I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

shall House Bill 3480 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 59 Yeas, none voting Nay, none voting Present. And House Bill 3480, having received the required constitutional majority, is declared passed. Senator Silverstein, on 3485. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3485.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. This amends the One Day Rest in Seven -- Seven Act -- regarding hotel -- room attendants. It's established that every hotel room attendant is required to two fifteen-minute paid breaks and one thirty-minute meal break in each -- everyday -- in each day -- when they work seven hours or more. It requires employers to make available rooms for breaks with clean -- clean -- with clean drinking water and requires employers to keep records of the -- the breaks. It establishes penalties for anyone -- for the -- violation of the Act and it only applies to hotels located in counties of three million or more.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Unrelated to this issue, I -- I had my light on earlier, but back on House Bill 3451 I was away from my desk and have the record reflect that I would have voted Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record shall so reflect, Senator Syverson. Any further discussion? Senator Pankau.

SENATOR PANKAU:

Thank you, Madam President. This bill was highly debated in the Labor Committee and I urge a strong No vote on this bill. This is -- this is an issue that should be negotiated. It's --

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

it's really a contract negotiation issue. The labor union in only twenty-six downtown hotel/motels -- or hotels are the ones that are driving this particular issue. They say that they need these fifteen-minute breaks. That means that a person has to be there the entire time. I got much, much, much correspondence on this. But what I'd like to basically talk about is one particular piece of correspondence that I believe accurately -- accurately reflects why we should be voting No on this bill. It's from the Midwest Lodging Associates and it goes as -- as this: If House Bill 3485 passes, it would set a dangerous precedent for mandating work rules for other hotel job classifications and for expanding work rules to all one thousand two hundred hotels throughout the State. Employee well-being in the hotel industry is a top priority. My hotels and other hotels take care of our employees, which is why no complaints or grievances have ever been filed by a hotel room attendant or by any other class of employees related to rest breaks. Currently, most hotels, including mine, allow room attendants who wish to work through break periods and meal periods the opportunity to leave work early to be home with the kids coming from -- from -- to be home when the kids come home from school. The industry itself is addressing its particular needs. There is no reason why we should be codifying this in law. Most of the people that work in this industries are female, head-of-households. They not -- they appreciate the pay, but they also appreciate the flexibility in -- in the hours, and being able to be there for their kids when they get home from school. I urge a strong No vote. Let these people go and negotiate this issue through their labor contracts, which they have done over a period of years. They have brought it up every time and then they, themselves, have backed away from it. I urge a strong, strong No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

I move the previous question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Crotty. That's always in order. We have one, two, three, four speakers. Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR DILLARD:

Thank you. Senator Silverstein, the tourism industry is a highly competitive industry and we compete for conventions at McCormick Place against a number of other states and this is clearly one of the cost components of what people look for. My question is, the State of California recently passed a -- a bill like this. Do you know what Governor Arnold Schwarzenegger, of California, the Governor of one-eighth of the United States did with that particular bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I take this as a leading question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

It is a leading question. Can he answer it, if he knows?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I -- I don't know.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard, I'm sure you'll tell us.

SENATOR DILLARD:

Well, Governor Schwarzenegger did, in fact, veto a -- a very similar bill to this just recently. So, if I may, Madam President, can I just speak to the bill? Yesterday there was a story in the Chicago Tribune about -- and Mayor Daley has worked hard to try to keep the cost of the tourism industry down in Illinois so that conventions come to Chicago. And I believe in collective bargaining and certainly have great sympathy for those who work in our hotel industry. And just the fact that this applies only to Cook I'm not sure helps the bill, because Cook is where the real competitiveness comes when it comes to trying to attract conventions to McCormick Place. But I believe in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

collective bargaining, I believe in this union's right to bargain and that's where it ought to be. It ought to be bargained between an employer and the labor union and shouldn't be dictated by Illinois law. So, I'm not sure this is a -- a good solution. Certainly, I have great sympathy for the SEIU and people who work in these hotels, but this is something that ought to be bargained between the -- the two parties and it shouldn't be forced down our throat. And I think we should probably take the lead of the Governor of California and leave this at the bargaining table and not put this in the statute books. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator Silverstein, on -- in Section (b) of your bill, Section 3.1, it says, "This Section applies only to hotels and other establishments licensed for transient occupancy". What are those other establishments licensed for transient occupancy?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I -- I think -- 3 -- I -- I didn't get the -- the Section, Peter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you. It's right at the very beginning. Under hotel room attendants, you got Section (a) and then Section (b). It says, "This Section applies only to hotels and other establishments licensed for transient occupancy". What are those?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

...would assume they're just for regular hotels. I -- I -- I agree with that. I don't know, there might be an ambiguity

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

regarding transient occupancy, but I would just assume for legislative intent it's just for hotels.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Well, the drafters, Senator, of this bill that -- that gave you the bill, put that language in there. They were not -- they were not ambiguous as to what -- what the bill means. So, they intentionally put in an additional phrase and that additional phrase is, "and other establishments licensed for transient occupancy". Do you want take the bill out of the record so that we can fix this?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I think the word here is "licensed" for -- for transient occupancy. So, I -- I'm not familiar with the hotel industry, but I'm sure if they're licensed they are probably referring it to hotels.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Well, I mean, not being argumentative, but that's not an answer. I mean, hotels is a term of art that's defined in the statute, we all know what that means, but other establishments licensed for transient occupancy. I mean, what -- what -- what is that? I mean, is that bed and breakfasts? Are we talking about dormitories that have certain licensure requirements? Are we talking about hospitals that have licensure requirements? There's a whole host of things. So, I mean, is -- as the sponsor of the bill, are you saying here on the Senate Floor that the meaning of the bill is only hotels for purposes of legislative intent? Hotels, as is defined elsewhere in the statute? Hotels, as is commonly known in other terms of art? A common understanding of a hotel.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I would say for -- legislative intent, it would -- means

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

hotels, bed and breakfasts and single-room occupancies. Those types of establishments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Really? You want to apply this standard to -- to B&Bs?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

That -- that's what I just said. Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Well, that's not the way the bill's been lobbied and represented. So, the B&B -- the mom and pop regulation and regulatory Act. On page 2, Senator, of your bill, you create a rebuttable presumption and let me quote from it - and I just wanted to ask you a couple of questions - it says, "a rebuttable presumption shall arise that the defendant's actions was taken in retaliation for the exercise of rights established by this Section." So, in other words, if somebody is fired and they prove that they worked, then there's a rebuttable presumption that the reason that they were fired is, because they took a -- they -- they -- they sought refuge under this Act. Where else in the statute do we create a rebuttable presumption and then shift the burden to the defendant to prove up something in an employment case like this?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I -- I don't know where else, Senator -- Roskam. I don't know where else.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

So, this is cutting ground? I mean, this is cutting edge? We've not seen this in other areas?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR SILVERSTEIN:

As far as I know, yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

To the bill: This is one of those bills where the -- the more you unpack it the worse it gets. We have a -- a definition of hotels, which is ambiguous at best. We have a definition of hotels that arguably, credibly can include hospitals, can include college dorms. Obviously includes bed and breakfasts, which is owned by a mom and pop. So now, suddenly, the State of Illinois is going to reach into a B&B, a little happy bed and breakfast some place in Cook County, and all of a sudden they've got to fall victim to this thing. This is the cutting edge in terms of new standards in creating rebuttable presumptions. We don't do this elsewhere in the law. This is a bill that we should reject. These folks, if they want to win fair and square, by golly go negotiate. Put it on the table and negotiate. Look one another in the eye and bargain. Say we're not going to do this job unless you give us these fifteen minutes or twenty minutes or have our smoke breaks or take a diet Coke break or whatever you want to do, but we ought not do this. You know what to do when you hear that bell ring. You know -- you need to vote red.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very -- very much, Madam President, Ladies and Gentlemen of the Assembly. I think we've lost total focus of -- of -- of what this legislation is even doing. You know, we're looking at people that provide their home -- hotel room attendants. They're not the bartenders and the waitresses making tips. These people are -- their scale -- pay scale is very low. What about safety? What about safety in the workplace? Somebody taking a fifteen-minute break. What about flex-time, which this allows, especially these women that are cleaning hotel rooms that have children? They have -- so instead of taking their fifteen-minute break at 9:15 or 12:15, they take it at 2:45 and they go get their children. You know, -- and -- and if I read this right, on page 1 of the legislation, on page -- on line fourteen,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

fifteen, it's not mandatory they take a break, but it must be available 'em. And in one -- in one of the other provisions it says it -- it provides that they have a clean and comfortable environment and have some drinking water. I mean, I -- I -- I took some people here last night that were here with me. I walked 'em over to the Abraham Lincoln -- Museum last night and this -- this -- this looks like a -- we're -- we're trying to get out of slavery - allowing people to have breaks in the workplace, allowing people to have a fresh clean room that they could go take a break in, allowing people to have fresh drinking water. Wow! We're really asking for something really -- because some hotel owner that lives in Canada or in L.A. that owns a hotel on Michigan Avenue doesn't want to spend some of his profits and provide a work -- clean and safe workplace for these poor men and women cleaning rooms. I don't think this is unreasonable. Once in a while we have to think about the people, the little people of this State, the working men and women, the people that are cleaning rooms and washing towels and cleaning hotel rooms after -- their luxurious guests stayed in the suites on Michigan Avenue and picked up the dirty towels and the dirty sheets and they're asking -- oh, this is terrible. We're telling the hotel owner: You must have a clean little room and have -- provide drinking water. Well, tonight when we're out enjoying a nice steak dinner here in Springfield, -- Illinois and a bottle of wine, think about these poor men and women that clean the hotels rooms all day and ask for some flextime. Let's think about that. Let's not think about the hotel owners, the big shot hotel owners that half of 'em don't even live in the State of Illinois. I ask for a Yes vote on this legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Yes. Thank you, Madam President, Members of the Senate. To the bill: I voted against this bill in committee, not because of the concerns that Senator DeLeo just passionately talked about, but because this is not something that the Illinois State Senate should be involved in. We do not get involved in negotiating labor contracts. Ladies and Gentlemen, if we start down this road, we will be talking about every labor contract in the State

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

of Illinois. It is not our job to negotiate individual acts in labor contracts. And in my neighborhood, all of the hotels and motels testified against it. One of the ladies from the Arlington Heights Marriott testified at the hearing in the Labor Committee against this bill. Many of the hotels and motels in suburban Cook County - and by the way, it only covers suburban Cook County - there's a contract for the ones in Chicago. It only covers suburban Cook County and we're going to get into labor law and negotiations of agreements that should be handled in collective bargaining. We all say we're for collective bargaining, now, we're -- we're doing the contracts. This makes no sense. We should vote this bill down. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. I, too, rise in opposition to this. I think this is one of the worst examples of -- of us trying to micromanage businesses, but not only micromanage businesses, but micromanage the lives of the people that work in those businesses. The fact is that some of these folks that work in these positions have flexibility now and we are taking it away. And flexibility for any of us that have had kids and had to run around and get to different places at different times, is worth almost as much as any money you get paid. And I understand that you say it's optional that the break may have to be taken or may not. But what will happen in practice is, the hotels will probably force the breaks to be taken just to cover themselves. And so these women that now have a good working relationship with their employers, are able to manage their own lives and -- and go on with things, we're now going to impose our judgment on all of that. We're regulating too much in many, many areas and this is an example of one that we just don't need to go into and has -- as has been pointed out, it ought to be left to the collective bargaining process.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Thank you, Madam President. Just a couple of brief remarks.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

The other side assumes that there's flexibility. None of us in this Chamber can say there's flexibility to any of these hotel owners or to these employees. This gives them the flexibility. Regarding to Governor Schwarzenegger, I -- I -- I'm told his approval rating is only forty percent. This is maybe one of the reasons it is forty percent by vetoing this bill. But I -- I -- I -- it's more than ours. I set myself up, but in all seriousness, I want to thank Senator DeLeo for that -- that remark. I don't think this is about collective -- bargaining. I think this is about protecting the workers of the State of Illinois, like Senator DeLeo said, and I'd appreciate your favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 3485 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 25 Yeas, 25 Nays, 5 voting Present. And House Bill 3485, having not received the required constitutional majority, is declared failed. Senator Silverstein.

SENATOR SILVERSTEIN:

Madam President, I'd like to put this on the Order of Postponed Consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein requests that House Bill 3498 {sic} be postponed. The bill will be placed on the Order of Postponed Consideration. Senator Crotty, on 3498. Oh! I apologize. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR SANDOVAL:

I'd like to welcome a -- a couple students and a couple teachers that came from the 12th Legislative District. They come from a very special place that is important to me and my family and the people of the 12th Legislative District. They come from the -- a school that gave -- was the genesis of why I'm in public life today. That school today is called the Socorro Sandoval

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

School, which is named after my late sister, who was a school teacher in the 12th Legislative District and there is today stands a school named after, not only my sister, but a teacher and a young lady who lived in the community. Here from the -- from the Sandoval School is Miss Ileana Leon, Miss Maria Garza, Erica Hernandez and Andrea Medina. Like you all to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. Senator Crotty, on 3498. Senator Righter, on 3504. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. House Bill 3504 is a simple piece of legislation that simply mandates that one-hundred-dollar fine on those convicted of crimes involving the manufacture of methamphetamine to assist with the cleanup costs. As many of us know, methamphetamine laboratories are hazardous waste sites. They are inordinately expensive to clean up and this is just an attempt to give the local agencies some help with regards to that. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3504 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 House Bill 3504, having received the required constitutional majority, is declared passed. Senator Righter, on 3531. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3531.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, again, Madam President and Ladies and Gentlemen of the Senate. House Bill 3531 requires the Department of Children and Family Services, along with the State Police and the State Board of Education, to come up with a protocol for schools to follow with regards to dealing with young people involved with methamphetamine, particularly those arrested in the schools. There is, I think, a fiscal impact to State Police -- to them of around -- or, DCFS of about five thousand dollars, which they said they could happily and -- absorb into their budget. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3531 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 59 Yeas, none voting Nay, none voting Present. And House Bill 3531, having received the required constitutional majority, is declared passed. Senator Risinger, on 3532. Senator Risinger seeks leave of the Body to return House Bill 3532 to the Order of 2nd Reading for a -- an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3532. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Risinger.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger, to explain your amendment.

SENATOR RISINGER:

Thank you, Madam President. What this bill -- what this amendment does is, has the Department of State Police develop a protocol to be followed in performing gross remediation of clandestine laboratory sites that develop -- that manufacture meth not to exceed the standards that -- established by the United States Drug Enforcement Administration. It also asks the State Police to post the protocol on its official website. Be glad to answer any questions.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger moves the adoption of Amendment No. 1 to House Bill 3532. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

ACTING SECRETARY KAISER:

House Bill 3532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. The a -- amendment is the bill. I just explained it. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3532 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 House Bill 3532, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to 3564. Senator Demuzio, on 3576. I'm sorry. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Madam President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HARMON:

It is my privilege to welcome to the Senate here today in the gallery in the Senate side behind the Democratic Caucus a group from CTCNet, Chicago, and friends from far across the State

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

from Carbondale and Cairo, who have been working with Representative Connie Howard and me on House Bill 3650 to -- to improve the bridge over the digital divide. Please join me in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Demuzio, on 3576. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3576.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Madam President and Members of the General Assembly. House Bill 3576 amends the State Finance Act regarding the transfer into the Audit Expense Fund. What this does, it requires the State Comptroller under -- to order amounts transferred from various special funds in the State treasury into the Audit Expense Fund.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3576 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, 1 voting Nay, none voting Present. And House Bill 3576, having received the required constitutional majority, is declared passed. Senator Cullerton, on 3628. Senator Harmon, on 3650. It's a hold. Senator Lightford, on 3678. Senator Lightford seeks leave of the Body to return House Bill 3678 to the Order of 2nd Reading for an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3678. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford, to explain your amendment.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR LIGHTFORD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is an amendment to address our concerns that the State of Illinois has regarding No Child Left Behind {sic} (Act). We established a subcommittee two years ago that consisted of several members on the Senate Education Committee. We held subject-matter hearings across the State. We heard from countless numbers of superintendents and principals and parents that the No Child Left Behind Act was, in fact, failing us here in Illinois. And many of our school districts as a result is placed on a academic status for a warning. And what we found and what we believe, as legislators, is that we have to legislate what we believe Illinois' State Board of Ed should be taking a look at. From that, we came up with four specific categories that we feel needs to be addressed. We need to take a look at the AYP, which is the adequate yearly progress regarding No Child Left Behind, as it is a direct result of -- affecting choice and supplemental services. And in case you don't know what choice is, that means if one of your schools in your district was declared on this academic failing watch list, then the parents have a choice of sending their child to another school within that same district. This caused a huge problem in many school districts where if all the schools are placed on this academic watch list, then where would the kids go. In fact, when school started back this year in Chicago, many kids were shut out of school and had no place to go. So, we're attempting to address that category. Also in the area of subgroups, subgroups is basing a determination of progress on -- comparing each group. But instead of them taking a look in one particular area, say English, two years in a row, they may look at English this year, Math the next year. So, we're finding that that's a unfair system and we'd like for them to focus in one particular subgroup area. And we're also looking to help out in the area of special education. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Madam President. I rise in support of this amendment. I commend the sponsor, Senator Lightford. This is a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

result of a considerable amount of work. I don't think a week goes by that at least I, and I know I share this sentiment with everybody here, that you don't hear from a teacher or an educator who has some concern about No Child Left Behind. While we all agree that the No Child Left Behind has wonderful goals, there are certain challenges with the practical application and the implementation of it. This is an effort to -- to -- to make those applications a little bit more -- practical and -- and doable, and yet maintain the same goals that no child be left behind. I rise in support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford moves the adoption of Amendment No. 1 to House Bill 3678. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

ACTING SECRETARY KAISER:

House Bill 3678.

(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. The amendment became the bill, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3678 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 59 Yeas, none voting Nay, none voting Present. And House Bill 3678, having received the required constitutional majority, is declared passed. Senator -- Senator Forby, for what purpose do you rise?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR FORBY:

Personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR FORBY:

I have a young boy here named Josh Spivey today. He's from Ewing School. It's a country school in my district. It's -- it's probably one of the best schools I have in my district. All the -- even the big towns like to get their kids in this school, and this is one of the boys there and he's -- we should give him a nice welcome.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MALONEY:

For point of order, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR MALONEY:

On House Bill 3576 my vote was recorded as a No. I intended to press Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect.

SENATOR MALONEY:

Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

House Bill 3680. Senator Collins. Out of the record. House Bill 3694. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3694.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President. This -- House Bill 3694, we passed the same bill out of here a few days ago, 46 to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

10, and I understand that they're not doing identical bills in the House and Senate, so we have to do this one unfortunately, again. So what it does, it provides that a nonhome rule municipality that has extended sewer, waters -- or, water mains to another unit of local government, specifically a park, they cannot make -- force them to annex to their municipality. It also specifies that the property being -- services must be owned by the -- unit of local government. Again, I ask for its favorable roll call for the second time we're passing this bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. To the bill: Some -- there was some dissention in the Local Government Committee on this bill. I would ask that you all read your analysis and vote your conscience. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Any further discussion? Seeing none, the question is, shall House Bill 3694 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, 6 Nays, none voting Present. House Bill 3694, having received the required constitutional majority, is declared passed. House Bill 3724. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3724.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Under House Bill 3724, if an enrolled student is unable to complete a course of higher education because of being called to active military service, the student must be allowed to complete the course later at no additional charge, unless a refund or course credit was given. The student must also be given priority over other students in reenrolling in the course or courses. Be happy to answer any

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3724 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3724, having received the required constitutional majority, is declared passed. House Bill 3740. Senator Martinez. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3740.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President -- Members of the Senate. 34 -- House Bill -- 3740 allows the Chicago Teachers Pension Fund to retain out of annuity or benefit payable to any person any amount that the Board of Trustee determines -- is owed to the Fund. The amount will be recovered through benefit deductions as a result of unpaid employee contributions, -- employee payments made through misrepresentation or error, or employee refusal to return funds.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Garrett.

SENATOR GARRETT:

Actually, Mr. President, I'm -- I -- rising on a point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR GARRETT:

I'd like to welcome to the Senate two extremely respected and well-known superintendents in my district. Dave Peterson, who is superintendent of the North Suburban Special Education District, and Dr. Harry Rossi, who is superintendent of School District No. 30, both of which will be retiring. I hope that we can give them a warm welcome here in Springfield.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise? And will the Senate welcome them?
Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: I simply rise in support of the bill. It passed out of the Pensions and Investments Committee unanimously, and we urge its support.

PRESIDING OFFICER: (SENATOR LINK)

Seeing no further discussion, shall House Bill 3740 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 59 Ayes, no Nays, none voting Present. House Bill 3740, having received the required constitutional majority, is declared passed. House Bill 3749. Senator Halvorson. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3749.

(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. House Bill 3749 amends the Cemetery Protection Act regarding a living heir. What this bill would do, it will require only a two-thirds majority of the living heirs, rather than all of the living heirs to consent to selling a specific plot for a spouse or deceased heir. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President and Members of the august Body. I say this is a very good bill and I would ask my side of the aisle to vote for it.

PRESIDING OFFICER: (SENATOR LINK)

Any further discussion? Seeing none, shall House Bill 3749 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

wish? Have all voted who wish? Take the record, please. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3749, having received the required constitutional majority, is declared passed. House Bill 3763. Senator Hunter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3763.

(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. House Bill 3763 is identical to Senate Bill 676 that passed this Body 56 to 0. It amends the Property Tax Code and it increases the abatement from forty percent to fifty percent for three specific developments described in resolutions adopted by the Board of Commissioners of the Chicago Housing Authority on September 19, 2000, December 17, 2002, or December 16, 2003, which are for the Hilliard Homes, Rockwell Gardens and Robert Taylor Homes. This bill helps the CHA's plan for transformation, which is currently in its sixth year, and the abatement -- the abatement will draw interest from -- from private developers which may want to invest at or near public housing communities. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. Chairman Lauzen is off the Floor, but this did come through Revenue unscathed, and we recommend its passage.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, shall House Bill 3763 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3763, having received the required constitutional majority, is declared passed. House Bill 3770. Senator Jacobs.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Out of the record. House Bill 3800. Senator Crotty. Out of the record. House Bill 3801. Senator Collins. Senator Collins seeks leave of the Body to return House Bill 3801 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, on the Order of 2nd Reading, House Bill 3801. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This language -- Floor Amendment No. 2 was worked out in conjunction with the Illinois Medical Society, University of Illinois Medical School and SIU Medical School. What it does, basically, it allows Illinois medical schools to require admitted students to submit to a criminal background check for forcible felony convictions and adjudication as a registered sex offender. The information collected through the criminal background check may be considered by the requesting medical school in determining whether to admit the application. The medical schools may charge a fee to recoup the cost of the background check. It grants civil immunity for the medical schools that follow the procedures. And the amendment was drafted to address some of the questions that initially came up when the original bill was presented in the Judiciary Committee. And I ask for an adoption of the Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Collins moves for the adoption of Amendment -- 2 to House Bill 3801. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

ACTING SECRETARY KAISER:

House Bill 3801.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. And because Floor Amendment No. 2 became the bill, I think I explained it, but I do want to give a little background to this -- the origin of this legislation. As you know, it came -- it was sponsored by Representative Robin Kelly in the House and the reason this is so important to her, her cousin Robin Mitchell was a chief neurosurgeon resident at the University of Arkansas for Medical Sciences and she had married a third-year medical student, a Mr. Robert Howard, who later went on to stab her cousin three dozen times at their home before jumping out of ten-story window on campus. When he had applied to the medical school, he had notated that he had no -- criminal background and yet he did have a record of conviction of a -- a first-degree assault in -- previously to matriculating through the University of Arkansas. So that's basically the -- genesis of the bill, and I just wanted to give Robin Kelly -- give her credit for coming forth with this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will.

SENATOR ROSKAM:

Senator Collins, just for the point of clarification. One of the improvements that you made in -- in committee was that you made this permissive so that medical -- medical schools, if they choose to, can implement this background check and then if the medical school elects to do that, then the prospective student is required to comply with the background check. Isn't that right?

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Yes. That's correct.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, shall House Bill 3801 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 59 Ayes, no Nays, none voting Present. House Bill 3801, having received the required constitutional majority, is declared passed. House Bill 3802. Senator Raoul. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3802.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3802 amends the Higher Education Student Assistance Act. It essentially codifies what is the current practice of the Illinois Student Assistance Commission with regards to granting financial assistance to people with -- convicted of drug offenses. I urge -- it passed out of the Higher Education Committee unanimously, and I urge a Aye vote on this bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR BURZYNSKI:

Thank you. First of all, I am on the Higher Education Committee and obviously, was also serving on another committee at the same time that day, due to the scheduling conflicts. So, I was not recorded as a -- as a No vote or as a Yes vote, but I can tell you, had I been there, in my understanding of the bill, I would have been a No vote. Senator, can you tell me why this bill is necessary?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

This bill it -- it's -- it would be basically to make sure that the -- that ISAC continues its -- practice of not denying assistance based on a prior drug offense.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So then really, right now there is no need for the legislation. ISAC does not deny, based on the fact that someone has been convicted of a drug offense either one time, two times or three times from what I can understand, but State -- or federal law does not allow students to access federal scholarships. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

That's correct. That's -- I'm -- that's correct with regards to what the federal government does. I -- I would not agree that with the -- the first part of your statement that this -- that this bill is not necessary.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Then -- who -- where did you get the bill? I mean, where did the bill come from? Is this an initiative of ISAC, or was it just someone that thought they might need this?

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

It came from -- it came to me from the House sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well, just to the bill: I would point out that the Illinois Student Assistance Commission is neutral on the bill. They took no position on the bill relative to opposition or support, and I just would encourage everyone to take a very

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

close look prior to voting. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, fortunately, Senator Burzynski covered much of what I was going to ask you about why we would be moving a bill to -- that doesn't seem to have any effect. I -- I know the House gets excited when they pass things, but it doesn't mean we always have to pass 'em out of the Senate. I guess, Senator, are we -- is -- is the intent of this bill to repudiate the federal government's position that if you're convicted as a drug dealer that you have to wait two years before you can qualify for federal assistance for higher education? I mean, are we -- or are we trying to send a message that -- that being convicted of possession shouldn't require a one-year waiting period before you should get federal assistance or that being -- having been convicted twice that you should have to wait two years? I mean, the federal limits on -- these federal limits that the -- the ISAC is not necessarily invoking are pretty reasoned and reasonable. I sure hate to send a message with a statutory Act that we reject or deny or don't agree with sending the message that young people shouldn't use drugs or that young people who use drugs ought to get in line ahead of students who graduated and not used drugs. I mean, not only does the bill not seem to do anything, what it does seem to do, I think, is -- is counter to where we ought to be on encouraging the right behavior by young people. I mean, do you -- are you -- do you -- you agree with those concerns?

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

I -- I disagree with the characterization. I think the message we are sending is that young people should go to school, should -- should -- should in -- in -- in lieu of participating in drugs, that young people should have a second chance. And second chance would involve accessing higher education and thereby being able to make -- be contributing members of society. And I think that's the message that our great State is sending, notwithstanding what the federal government is doing.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, are you aware that the federal prohibition is -- allows three strikes? I mean, if you're convicted, not -- not charged -- if you're convicted you have a one-year waiting period. If you're convicted a second time, you have a two-year waiting period. You have to get third -- three convictions for -- for possession of drugs before you're barred. And in the case of dealing, there's -- there's two strikes. So, the -- the -- we're -- nothing in the federal Act, nothing in the message that the federal Act sends says you can't have a second chance. It says you have a second and you can have a third and if you violate -- if you're three times convicted, the federal Act requires you to undergo drug rehabilitation. So, I mean, I -- I just think you shouldn't move this bill, because we're sending the wrong message. ISAC ought to have that right to use those federal rules, if they want to, and that we ought not to be doing statutes that say that we don't care what you did or we don't care what you're going to do. I don't want drug dealers or drug users going to college until they've cleaned up. I don't want 'em in our dormitories or in our schools and I certainly don't want to be using taxpayer funds to subsidize their education or sending the message to the drug dealers or the drug users that it's okay. So, I -- I would hope you'd take it out of the record or if not, I would urge people to think hard about voting to send a message that the federal rules which are reasoned -- reasonable, which -- which Ted Kennedy voted for, are somehow punitive and that we ought to send the message that drug use or drug sales or drug dealing is okay and go ahead and get your scholarship, collect your taxpayer check and go to college.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, to close.

SENATOR RAOUL:

With all due -- due respect to Senator, I'm sure he probably disagrees with a lot of the things that Ted Kennedy voted for. But the message that we're sending and -- and -- and again, I -- I personally disagree with a lot that our federal government does, but the message that we're sending is that we want to steer people the right way. And education is the right way. And --

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

and -- and no matter it's one, two, three - sometimes it takes that third strike -- that -- third strike before somebody is steered the right way. And so, I think that ISAC has been taking the right position with regards to this. Just like we do in many other occasions, we codify what the practice is by -- our administrative agencies. That's what this bill seeks to do. I -- I haven't heard this -- this opposition with -- regards to other codification of what we do, and I don't think it -- it's appropriate right now. So I urge a Aye vote on this matter.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 3802 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 23 Ayes, 33 Nays, 1 voting Present. House Bill 3802, having not received the required constitutional majority, is declared failed. Senator Martinez.

SENATOR MARTINEZ:

For the point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR MARTINEZ:

Today I have with me the elementary school in my district - the 20th District. I have Barry School, and I -- Barry Elementary School. I have Laura Sorce, Anthony Crespo, Chris -- Maniatis and Wafa Yusef, who are an -- very impressionable young -- young people who are -- actually they -- on their computers they travel the world. They have -- they've traveled to Sweden. They've traveled to Finland, and they have traveled to Norway. So I want to welcome them here in Springfield and I want them to just rise, and give 'em a good -- a good welcome.

PRESIDING OFFICER: (SENATOR LINK)

Senator Ronen, on House Bill 3812. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Ronen.

SENATOR RONEN:

Thank you -- thank you, Mr. President, Members of the Illinois Senate. This bill amends the Mental Health and (Developmental) Disabilities Code and just says if a person requiring mental health treatment, it gives them the option of accepting a court order for a community-based, out-patient treatment instead of hospital admission. I know of no opposition to this bill. It's supported by the Illinois Psychologists Association, the Illinois Hospital Association, the Mental Health Association of Illinois and the Illinois Association of Rehabilitation Facilities. I would be glad to answer questions and would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I simply rise in support of the legislation. This puts in place in the law a much needed vehicle to allow the parties to sit down in a petition for involuntary commitment setting and work out something that's in the best interest of the families and the patient. I appreciate Senator Ronen's work and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall House Bill 3812 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 59 Ayes, no Nays, none voting Present. House Bill 3812, having received the required constitutional majority, is declared passed. House Bill 3874. Senator Silverstein. Out of the record. House Bill 4014. -- Senator Pankau seeks leave of the Body to return House Bill 4014 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 4014. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Pankau.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau, to explain your amendment.

SENATOR PANKAU:

Thank you, Mr. President. Amendment 1 becomes the bill and it removes the opposition of the IDPH and the American Red Cross. And it -- basically, the -- it changes the definition from "non-emergency medical care" to "non-emergency medical services".

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Pankau moves the adoption of Amendment 1 to House Bill 4014. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any -- further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. On the Order of 3rd Reading. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4014.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

This bill accomplishes the goal of protecting emergency medical service providers from liability for negligent acts or omissions during the normal course of their duties, and not just those duties performed during emergency or medical transport, while also serving as compromise language to the American Red Cross and IDPH. I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 4014 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 59 Ayes, no Nays, none voting Present. House Bill 4014, having received the required constitutional majority, is declared passed. House Bill 4023.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Demuzio seeks leave of the Body to return House Bill 4023 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 4023. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Demuzio

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. Floor Amendment No. 2 to House Bill 4023 replaces the underlying bill, but reinserts all but the penalties of the original bill. Floor Amendment 2 to 4023 changes the violation of the -- Violent and Sexually Explicit Video Games Act from a business offense, as set forth in No. 1, to a petty offense and decreases the fine for such a violation to a thousand dollars.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Demuzio moves the adoption of Amendment 2 to House Bill 4023. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Demuzio

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes. Floor Amendment No. 3, which retains the bill, as amended, to House Bill 4023 adds the following provisions to the affirmative defense clauses of Floor Amendment No. 2 to House Bill 4023, which became the bill. Floor Amendment No. 3 to House Bill 4023 provides that if the video game sold or rented was prepackaged and rated EC, -- E10+, E or T by the Entertainment Software Ratings Board and is knowingly sold to a minor by the sales clerk, then the retailer is not guilty of violating those - statutes created by this bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Demuzio moves

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

the adoption of Amendment 3 to House Bill 4023. All those in favor will vote Aye -- say Aye. Opposed will say Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

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

ACTING SECRETARY KAISER:

House Bill 4023.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 4023 amends the Criminal Code and creates the new Act -- creates the Violent Video Game Law. Currently, children are spending endless hours day-in and day-out being trained in the ways of sex and violence through explicit and graphic video games. If parents want to train their children in these ways that is their prerogative, but it should not be a choice for minors. There are those that would say that House Bill 4023 is unconstitutional impediment to free speech. This is a gross mischaracterization. But what has been fundamentally misunderstood is that video games are not art or media, they are simulations. Not that dissimilar from those -- simulations used by U.S. military in preparation for war. While this might seem like an overstatement, the American Medical Association, Harvard Medical School and numerous advocacy groups have dedicated time and resources that have proven the contrary about a -- violent videos. House Bill 4023, in the interest of protecting the children of Illinois from a physically and psychologically harmful material, much like drugs and pornography, places a much needed safeguard between our children and the -- dangerous simulation of the inappropriate acts of sex and violence. I ask for a favorable roll.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Crotty.

SENATOR CROTTY:

Thank you. I move the previous question.

PRESIDING OFFICER: (SENATOR LINK)

There are one, two, three, four, five, six, seven, eight speakers. Okay. Here we go. Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. When -- when the Governor first suggested this bill, I was opposed to it. I thought it was not our responsibility to be mother and father for the kids of Illinois. However, since it's been amended and worked on by Senator Demuzio and having talked to a fifth or sixth grade -- fifth and sixth grade class last Friday who told me that their parents could buy these for them, I changed my view. And I think it's time for us to send a message to the parents of Illinois and to ourselves that we need to stop this activity from expanding any further in Illinois. There are some very violent and sexually explicit video games out there and I think we need to take a position on it. I think we need to be opposed to it. And we need to tell Mom and Dad to watch what they're doing and we also need to tell the store owners to watch what they're doing. So, I've changed my view. I'm going to vote for this bill.

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 Demuzio, when this was introduced by Governor Blagojevich there were -- there were a number of folks that -- that really, you know -- and God bless the guy, but he's -- he's had better days -- and they really didn't think that he was sincere in -- insofar as the constitutional argument, you know. You moved by that pretty quickly in -- in your comments. Could you give us your analysis on what is it that you believe separates this out from the many other bills like this that have been struck down as unconstitutional? On the merit, Senator,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

just so you know, I'm with you on the merits, but you know, you sort of skipped -- skipped right along that thin ice pretty quick as we were moving along on the constitutionality. That's where that definition of simulation was kind of a high pirouette, and I'd like to hear your analysis.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you. Legislation has been crafted, I believe, on the ruling of Judge Posner regarding this. It separates obscenities and -- and -- and harmful effects from this.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Okay. Well, you know, I -- I -- I think that this is a great idea. But, there's a -- reason that we have a Judiciary Committee. One of the reasons that we have a Judiciary Committee is to hear bills like this and to have -- have folks on a wide range of opinions, a wide range of philosophies that historically this Senate had demonstrated can come together and craft some good legislation in some pretty controversial, complicated matters, not the least of which is death penalty reforms and some of these other things. I think, procedurally, we don't -- we don't serve ourselves well and we don't serve the Senate well and we don't serve the people of Illinois well when we run bills that clearly fall under the jurisdiction and the purview of one committee and one chairman, and when it looks like that's going to be a little too tough of a mountain to climb, we say well let's scoot it through another committee. And that's not a criticism of the sponsor, who's an advocate for her bill. But I think it is -- it ends up then with a product that, you know, a lot of folks have basically said, have you noticed you haven't been really lobbied hard by the opponents of this bill? That's because they don't think it's constitutional. They don't think we've crafted this particularly well. So, more as a -- more as a comment -- a reflection about how we end up with a product like this. This will blow out of here and it -- and it's a -- it's a bill that's very difficult to vote against. And I plan to vote in favor of it, but I just think that we can do better. We have a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Judiciary Committee for a reason. We have two cochairmen, who are two of the most respected Members of the Senate, who are there for a reason. And I think had that Committee been -- given the opportunity to wrestle with this, we might have been in a much stronger position. But my fear is that what's going to happen is House Bill 4023, like a lot of these of things that we've seen come out of the 2nd Floor, is going to ultimately end up being a -- a publicity stunt, frankly, that gets signed into law and subsequently struck down by a court. And we're not doing the families, we're not doing the children, we're not doing the people of the State of Illinois the good that we are representing is happening today. So, I think we can do better next time around.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I know this is the Governor's initiative and I want to just say, that I truly believe that the Governor is very sincere about this legislation. He is a -- a -- a friend of mine, he lives down the street from me, he's got young children and I -- I really believe that this initiative that he has put out there is something that he feels very strongly about. I have no question about that. Unfortunately, I think that it's not a good idea. It would be a good idea if we could pass it and if it became law. But this bill, unfortunately, will never become law. I do congratulate the sponsor from -- for getting the bill out of the Housing Committee. I would have liked to have had some questions posed at that time, but I'm not on that committee. Here's the problem -- I just found this out after this bill passed the -- the House -- this is a limitation on the freedom of speech. As a result, the people who are going to challenge this are going to go to federal court, not State court. If they went to State court, we'd have an Attorney General's time taken up in defending it and the courts would find it unconstitutional and we'd be done. But when it goes to federal court it's different, because in federal court the prevailing party is awarded attorneys' fees -- reasonable attorneys' fees. So, in the three or four cases where this has been struck down already, the State of Washington had to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

pay out five hundred thousand dollars in attorneys' fees. The City of Indianapolis had to pay out three hundred and twenty-five thousand dollars in attorneys' fees and the same thing happened in St. Louis. In Chicago, I would guess probably Jenner and Block would be the one that would be getting the money on this one. And it's never going to become the law and we're going to be spending the money. You remember the -- remember the debate we had about the judges' COLAs? And I think the Minority Leader asked me, how much is this bill going to cost? And I said, well it's going to cost five hundred and -- I guessed, five hundred thousand dollars in attorneys' fees. Well, we paid out to trial lawyers five hundred and seventy-two thousand dollars in attorneys' fees and we had to pay the judges their money, because it was clearly unconstitutional. This one is the -- is the same thing. So I really don't -- don't question the Governor's sincerity. Have at it if you want to vote for it, and then when the bill comes due next year, I'll get up and I'll be able to say I told you so. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Almost the direct opposite of Wendell Jones, and that really makes me feel good. I started out liking the idea of this bill, but the more I came to know and understand it, the more concerned I became. I -- I was -- in a previous life, back when I was a productive citizen, I was a retailer. And this bill affects dramatically the retail trade. The idea that we can have retailers understand everything that's in a game product and make a judgment about violence and about sexual contact -- content and somehow at the cash register enforce the vision of the General Assembly, is kind of the direction of this bill. And in -- in some ways, I applaud the Governor for highlighting in -- in big script - the issue of what kids are doing in violent video games and I think we ought to be applauding that. If we were talking about a commission to work on that, if we were talking about statewide hearings to inform parents and -- and to make manufacturers of these games come and testify and explain 'em, I'd be all for this. But in enacting a prohibition and somehow expecting retailers to be able to pluck, whole cloth, the meaning

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

of a standard and enforce it at the cash register, I -- I just think we're -- we're traipsing into areas that are -- that are terribly unfair. I -- couple questions of the sponsor, if she will take just a couple brief questions. Senator Demuzio, in your mind -- or, I mean, does this bill do a single thing about preventing access by any child from -- or anybody from accessing a game? If -- if we could -- if we knew which one it was, if we knew which one was violent or sexual, does this prevent them from acquiring that by downloading this off the Internet?

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

No. There is still -- they still have access. You can go up on the Internet if you want to, but what I think this does is for -- for those individuals -- a lot of the -- a lot of parents do not have Internet or they -- they -- their -- their children are not -- have access to that. However, if you go to a -- if you go to the store, what this does is if the mother or father or parents lets -- drops 'em off and they just go in, they're not able to pick up that violent video and just randomly walk out with it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

So, the answer is, no, the bill doesn't do anything to -- to close the most frequent path which young people use to download content today, and that's the Internet. So, what it really does then, is it focuses on the taxpaying employers, the retailers, who are, in the course of their business, they're trying to provide products and understand it. We're -- we're leveling an additional obligation on top of them, when we know it doesn't -- I mean, it -- it's kind of like -- a little bit like putting scotch tape on the crack in the window when your door is wide open. But -- okay, let me -- the other question, in -- in your mind does this bill apply to arcade games? Games, that if you were to go to a -- a -- an establishment and play a game, that might have scantily clad, you know, gladiators on it and -- and then violent things take place on the screen there. Is -- is that purchase or rental of a violent video?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

No, Senator, that does not apply.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, just -- just to the bill: You know, again, I think this is a good idea to raise the level. I think it's a bad idea to pass a bill simply to -- I don't -- I'm not sure why we're passing the bill when we know it does not affect the most common way of method -- method of distribution of these. To put our employers, again, and our employees in the firing line, to punish the property taxpayer who puts up a store and is trying to do trade, who's doing the best they can, who is voluntarily complying with the rating system and trying to be good employers, to -- to put them, again, at risk and encourage them, again, to go locate their stores in Indiana or Wisconsin or Iowa, simply to kind of bring to conclusion a -- a -- a -- a claim made in a press conference is a mistake. Let's gut this bill or vote it down, and let's come back with a commission or a set of statewide hearings. Let's get to the -- to the real issue here, which is educating parents so they can control and -- and work with their children and prevent the access.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. First, I rise in sympathy to my friend and colleague, Senator Cullerton, because this is the second time this Session John has had an important issue which, I think, his magnifying glass would help with, stripped away from him and the Judiciary Committee. They first took medical malpractice away from the Judiciary Committee and Senator Cullerton, and now video games. And while the sponsor is a -- is a great woman and it's a great committee, I clearly think the Judiciary Committee probably could have made this a -- a much better bill and one that would hopefully withstand constitutional muster. So, I feel sorry for Senator Cullerton and we could have used his expertise on this. Nonetheless, I was with the Governor

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

in Naperville when he announced this initiative on video games. And there are things and times that we differ with Governor Blagojevich. But, I don't think this is one time that anybody should disagree with the Governor. I'm the father of two young daughters, just like Governor Blagojevich is and, you know, I was proud to be there with him when he did this in Naperville. So, this is just an issue that I think is -- he's on the right track of. As a father, I thank him for looking out for this and, you know, and raising our awareness. Maybe this isn't the greatest way to do it. Maybe there's other ways to do it but, you know, when the Governor is right on a particular issue, I -- I believe that we should help him. I promised back last December in Naperville I'd try to help him with this and I want to keep my commitment. So, I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

Can we have a little quiet, please? And it's basically on the Democratic side, so I won't blame our -- the other side. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. You know, I -- I'm one of the few legislators in here that probably has children. I have an eight-year-old son, who's been playing video games since he's one year's old. And the fact is, he's really good at 'em. And the problem I have with this is two-fold. One, this issue's already been adjudicated in the courts and found unconstitutional. Period. End of story. Second, it's not the retailer's position to tell a child or a parent what game their kid can buy. That is solely the responsibility of a parent. Now, I agree with you, Senator, that we have a responsibility to look out after our children and there are some children whose parents, frankly, just don't. I'm going to vote for this bill. But I'm voting for this bill for one reason, because this is a political bill. Because I know that if I vote against this bill, that it's going to end up on a mail piece that I'm somehow for violent and crazy video games, and seniors don't get that. So I'd caution all my friends and all my enemies as well, that the fact is, at the end of the day, this is a political issue. We know it's going to get killed by the courts and it may cost us a half million dollars to fight it, but I'm going to do it, just so that I don't have it show up

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

in a mail piece.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wojcik.

SENATOR WOJCIK:

Well, I've listened to the debate, Mr. President, and I'm almost tapped out of my comments. But I -- I rise, actually, in support of this bill. Beginning when this bill was first -- first presented in committee, I was not for this at all until I had the opportunity, and I don't know if I want to call it opportunity, to see some of these videos, which I was rather horrified to realize that young people were watching these. There's nothing left to be thought of or desired. I think our sponsor worked very hard and I commend her for that. Do I like the whole package? No, I don't. But I'll tell ya, the Retail Merchants are off of it now, they've come in with their amendment, so there's somewhat of a compromise. Will it be challenged in the court? That was the topic of conversation in the committee. It probably will. But if we can stop, in some way, shape or form, the purchase of these sexually explicit videotapes, I'm all for it. And I ask -- I challenge you all to look at that and look at those tapes and think about the teenagers - which I have grandchildren in now - think about the younger ones and we can pull 'em up on the Internet. It's disgusting - absolutely disgusting. And maybe the parents aren't doing their jobs. And I'm not for government interference with things. But I'll tell you something, in this respect, we should do something and I'm all in favor it. So I'm going to vote Yes.

PRESIDING OFFICER: (SENATOR LINK)

Could we please have a little quiet in the Chamber on this issue, please? Senator Althoff.

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will.

SENATOR ALTHOFF:

Senator Demuzio, we've had this conversation in committee. I respect the concept of this bill. I'm supportive of the idea of what it -- intends to do, but let's be very clear. Sexually explicit and extremely violent games are labeled. We just

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

indicated that. They come out of the manufacturer labeled. There's not going to be a mistake with those types of videos. These are those videos that are the gray area that we're leaving to the discretion of the individual at the cash register who is going to rent or sell this material to someone under age. If a retailer reviews a game and makes the determination that the game doesn't fit the definition of violence in -- in this bill, and sells the game to a seventeen-year-old or someone who is younger than that, tell me, can a prosecutor bring charges against that retailer if they decide that that determination was inappropriate in their definition?

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, they can.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. So this bill does not protect the retailer, which was of extreme concern at our committee.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

It protects them as long as they do not intentionally or knowingly try to break the law. Okay? There is a clause in here that "knowingly" -- so, if you -- if that particular sales clerk knowingly lets his friend go through the line and lets - there's a scanning process - yes, then they would be subject.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

And again, we're addressing that wonderful gray area that nobody knows exactly what that gray area is, so it's the discretion of that sixteen-, seventeen-, eighteen-year-old retailer who's selling that game - that's a Lord of the Rings game, PG-13 movie, that now is a violent game at the cash register.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR DEMUZIO:

Senator, but that's also -- applies to anything else. If you're selling alcohol or cigarettes to -- to minors, that also applies. It's up to that sales clerk. Sometimes you'll see that that happens it -- right now. So, this is a -- another part of that gray area.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

I -- I respectfully disagree. I think alcohol, cigarettes, those things have specific age criteria. That's not a gray area. This is truly a gray area. I still think that children who are responsible at that cash register are in a Catch-22. I think it's a bad situation. It really -- I know you attempted to address that. I don't believe it was addressed in this legislation, and for that reason, I've asked people to look at this bill again very seriously. And I'd urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, to close.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. Again, House Bill 4023, we have tried to address many of the concerns that were brought up here today. Particularly, the -- the -- affirmative defense issue. This particular bill does allow harmful material to be sold to our minors as they -- as they go into a video store or to purchase a -- to purchase or for a rental. We do have the support of the Retail Merchants and we tried to work with that to address the -- some of the concerns that were raised here. I ask for a Yes vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 4023 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, please. On that question, there are 52 Ayes, 5 Nays, 1 voting Present. House Bill 4023, having received the required constitutional majority, is declared passed. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR COLLINS:

Thank you. Ladies and Gentlemen of the Senate, I would like to welcome students and a teacher from Eberhart Elementary School in the 16th District. They are here part of the TECH 2005 exhibition. We have here Claudia Orozco, Christina Gutierrez and Katie Kopec, the teacher. The school is in my district, but I believe a lot of the -- the pupils reside in Senator Sandoval's district. So please give them a warm welcome to the -- Springfield today.

PRESIDING OFFICER: (SENATOR LINK)

Will the Senate welcome our guests? Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you, Mr. President. And I, too, would like to ask the Members of the Senate to welcome two students from Walker School in Frankfort, and that's Jessica Moore, a fifth-grader; and Sammy Lulo, who is also a fifth-grader. And the technology teacher, Mrs. Maureen Fischer. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Will the Senate welcome our guests, please? Senator Maloney, on House Bill -- oop! I'm sorry. Senator Winkel, for what purpose do you rise?

SENATOR WINKEL:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR WINKEL:

Thank you, Mr. President. Today we have visiting a fourth grade class from St. Joseph. They're up in the Republican side in the gallery.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests stand and will the Senate welcome them? Senator Maloney, on House Bill 4030. Out of the record. House Bill 4058. Senator Halvorson. Senator Halvorson. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4058.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

(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. House Bill 4058 - I know it's here somewhere, here it is - expands the eligibility requirement for peacetime veterans to be admitted into the veterans home. We -- during committee, it was discussed that we needed to put the Spanish-American War and the World War I back in, because it wasn't fair that we took 'em out. Well, through our research, we found out that there are no -- I guess living benefits -- there aren't people affected by World War I or the Spanish-American War anymore. So what they're saying is, it has no effect on the Department. Because I had agreed to put 'em back in, but they said if -- it doesn't matter if you put 'em back in or not. There's nobody affected by it.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 4058 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 4058, having received the required constitutional majority, is declared passed. With leave of the Body, we inadvertently skipped on page 80, House Bill 2613. Senator Cullerton. Mr. -- oop! Senator Cullerton seeks leave of the Body to return House Bill 2613 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2613. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senators Cullerton and Wendell Jones.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This amendment amends the Township Code to make consistent the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

township referendum provisions pertaining to open space and park bonds. I'll further explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Cullerton moves for the adoption of Amendment 1 to House Bill 2613. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. On the Order of 3rd Reading. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2613.

(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. The amendment is -- or the bill, as amended, fills some gaps that currently exist in the park bond referendum process. It's supported by the Township Officials of Illinois, the -- Illinois Association of Park Districts, the Homebuilders and the Illinois Association of Realtors. It provides for a uniform signature requirement on the referendum petitions - that is five percent of the registered voters or fifty, whichever is greater. Provides for uniform filing with the township clerk. Right now, the referendum petitions are filed with the circuit court clerk in which a township is located, and there's no formal notice that were being given to the township. Provides for specific referendum questions when a specific park project is contemplated to ensure better voter awareness. And it helps avoid overlapping park systems by affording townships the ability to make grants to existing park districts within the townships and clarifies that a township may not condemn property for park purposes if the property is located within the territory of either a park district or a municipality that's served by the municipal

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

recreation department. I respectfully request your Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This bill came through the cooperative Local Government Committee, unanimously. It just shows that we don't always argue about things, and I recommend its passage.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, the question is, shall House Bill 2613 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 59 Ayes, no Nays, none voting Present. Question -- House Bill 2613, having received the required constitutional majority, is declared passed. Going back to page 67, House Bill 3. Top of the order. Senator Crotty, on House Bill 3. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty.

SENATOR CROTTY:

Thank you very much, Mr. President and Members of the Senate. House Bill 3 would allow options that fire -- that -- allow options to fire departments the same way that those fire protection districts and police departments have in hiring the most qualified applicants. This bill would allow those fire departments to hire EMTs that would be taking the test. The question -- the question was asked, would they be given any different preferential differences being veterans? It does not change that bill at all. Currently, police departments and fire districts have these types of laws. All it's asking is that the fire departments have the same.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3 pass. Those in favor will vote Aye. Those

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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 59 Ayes, no Nays, none voting Present. House Bill 3, having received the required constitutional majority, is declared passed. House Bill 21. Senator Cullerton. Madam Secretary, read the bill. No...

SECRETARY HAWKER:

House Bill...

PRESIDING OFFICER: (SENATOR LINK)

Excuse me, Madam Secretary. There's an amendment. Senator Cullerton seeks the leave of the Body to -- return -- Senator Cullerton seeks the leave of the Body to return House Bill 21 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 21. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 6, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. My intention with this amendment is to hopefully adopt the amendment and then hold the bill, because in committee yesterday - in the Transportation Committee - it did come out, but there are a number of questions about the bill and I promised Senator Risinger and others answers to those questions and I'm doing the research on it. And I'd like to perhaps hopefully call the bill tomorrow, but I'd like to adopt the amendment now. The bill -- the amendment expands the ability to establish automated traffic law enforcement systems for red light cameras in certain counties. There was a number of -- of questions raised about the position of the National Institute of Traffic Engineers and do a little research on a group called the National Motorists Association. So, again, I would like to adopt the amendment and then hold the bill, and then I'll have some answers on 3rd Reading for those people who made those inquiries.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Cullerton

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

moves for the adoption of Amendment 6 to House Bill 21. 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)

Now on the Order of 3rd -- 3rd Reading. House Bill 23. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 23.

(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. House Bill 23 is identical to legislation that this -- this Senate passed earlier in the Session. This legislation closes a loophole currently in law. Right now, registered sex offenders, if they're going to be on school grounds, are required to register their presence with the principal or school official. There's an exemption now, in law, if they're the parent of a child that goes to school there. We've had problems in our district - I'm sure there've been problems in other districts - where the parents who are also registered offenders are abusing this loophole, if you will. This bill seeks to close that by simply requiring them to comply as any other registered sex offender would. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Meeks.

SENATOR MEEKS:

Thank you so much. I just have a question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR MEEKS:

Is this -- Senator, is this in case of an -- of employment, or if a parent is just there picking up a child?

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Righter.

SENATOR RIGHTER:

Picking up a child or a school activity.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks.

SENATOR MEEKS:

Are we saying that if a parent, who is a sex offender, and they go to the school to watch a school play and -- but that person is a sex offender, that they have to go to the principal's office and they have to say to the principal, I'm here watching my daughter's third-grade play of Pinocchio and I'm a sex offender?

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Yes. If they are a registered sex offender, then they're required to notify the school officials that they'll be amongst, not just their own child, but all the other children. Absolutely.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks.

SENATOR MEEKS:

So presently, if a person goes to the school to watch a school play now, under law, they don't have to say anything to the principal?

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

If they are a sex -- registered sex offender, and they are the parent or guardian of a child who goes to school there, then they are not currently required to do so. That's -- that's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks.

SENATOR MEEKS:

Just -- just one last question, Senator. Even in the case of a parent going to pick a child up from school, they have to notify the authorities that they are there to pick their child up from school, and they are a registered sex offender?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

I -- I believe the language in there is if they're going to be present on school grounds, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. I have a companion bill to this which addresses the right to vote, but all the other provisions of it are exactly the same. It involves a situation that occurred in my high school district, and certainly is something that needs to be addressed, and I rise in strong support of this bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR RIGHTER:

Simply, I'd appreciate an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 23 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, 1 voting Present. House Bill 23, having received the required constitutional majority, is declared passed. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you very much. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR CROTTY:

Today, because we we're on 3rd Readings, many of us couldn't get down to see our students and I have my last class that was here today. I have Henson Brown, who is a sixth grader at Nob -- Hill School, and Anthony Gorillo, who is also a sixth grader from Nob Hill School and their teacher, Mr. Goosay. Nob Hill School means a lot to me, because prior to me coming here, I was also in the classroom working with children at Nob Hill School. So I'd

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

like all of you to welcome them here today.

PRESIDING OFFICER: (SENATOR LINK)

Will -- will the Senate welcome our guests? Senator John Sullivan, what purpose do you rise?

SENATOR J. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR J. SULLIVAN:

I, too, have some students here from my district, from Yorkwood. They are here with the TECH -- TECH program down in the Rotunda. I have Craig Morris, Tyler Gillen and Ryan McLaughlin. They're up here in -- on our side. If you gentlemen would stand up, and everybody welcome them to Springfield, I'd appreciate it.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise in the gallery? And will the Senate welcome them? House Bill 55. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 55.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. House Bill 55 is an attempt to regulate all new multiunit residences in Illinois and to make sure that State law intertwines and fits well with federal law concerning environmental barriers in the -- in the housing area. This bill is approved by the Homebuilders Association of Illinois and the American Institute of Architects and it comes from a constituent who builds homes for the -- for -- for -- for those who have barrier access or who are handicapped. I don't know of any opposition to this, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 55 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 55, having received the required constitutional majority, is declared passed. House Bill 60. Senator Maloney. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 60.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 60 creates the Teach Illinois Scholarship Program, which will be administered by the Illinois Student Assistance Commission, or ISAC, which would award scholarships to persons preparing to teach in identified staff shortages. And these identified staff shortages would be identified by the Illinois State Board of Education to -- for a period of five years. This bill is subject to appropriation and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will.

SENATOR ROSKAM:

Senator Maloney, it seems like some of the -- some of the bills that we've been talking about this afternoon, while great ideas, are sort of retreads. You know what I mean? And as I'm sitting here, I -- I find it difficult to believe that over all the years and all the months and so forth, some of these programs haven't been addressed. Are there current programs in place that seek to address this problem, or is this a new -- a new area that has been undiscovered and -- and unresolved?

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

You're correct, Senator. There are similar programs. This -- this is a -- a little bit different in that it identifies the -- the -- those in the -- staff shortages and this would, I think, encourage students continually to enter the profession. And I think it establishes a framework that if the money is available, it would encourage young people to get involved in this profession in those areas and commit to that length of time.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Thank you for your answer, Senator. Just briefly to the bill. You know, I think we're -- we're fasting -- approaching the -- the time when we have bills that are actually seeking problems, and this may be one of them. We have -- according to my analysis, we've got a program underway called the Illinois Future Teacher Core Scholarships. We have the Minority Teachers of Illinois Scholarships and the Special Ed Teacher Tuition Waiver Program. This is in addition to all the things that the federal government is doing. I -- I think we're approaching the point where we've -- we've got folks asking us to sponsor bills and what we need to do is not give them eye contact and not come to the door when the secretary says somebody's here asking you to sponsor a bill, because there's lot of these bills that I think are really in need of a problem. So, I would urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- or, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah, we all look alike over here.

PRESIDING OFFICER: (SENATOR LINK)

It's all the R's. That's what confuses me.

SENATOR RAUSCHENBERGER:

Senator Maloney, you probably heard the -- the enlightened discussion Senator Raoul and I had about his change in -- his proposed change for the way ISAC would administer its scholarships. Can you tell the Body whether you would intend this new scholarship program to operate under the rubrics and the rules that the federal government has established where if you are a drug -- if -- if you're convicted of possession of drugs, that -- that there would be a one-year cooling-off period before

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

you could obtain one of these scholarships; and -- and there would -- if you were twice convicted, there'd be a two-year cooling-off period; if you are convicted three times of -- of possession, that you could not get one of these scholarships without going through rehab? Is it your intention that this scholarship be administered under those very seemingly forgiving, but -- but protective -- I mean, we -- we just went through a -- a very, very difficult discussion on how to protect children from violent video games. We certainly want to make sure our classrooms that are in particularly troubled areas are not staffed by people who haven't made those decisions. So, do you -- do you expect and do you want ISAC to administer this scholarship program under the rubrics of the federal government's concern about -- drug use?

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Senator, this -- this particular piece of legislation doesn't address that. So I would -- I would assume that the administration of this particular program would be under the current State laws that ISAC abides by.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well then, Senator Maloney, for purposes of legislative intent, now that you're informed better than the House sponsor probably was, can you assure us that you believe this should be administered under the same kind of rules that the federal government administers their scholarships, or -- or are you -- is this another way to establish a program not subject to those kind of efforts to make sure that we keep people who haven't addressed their drug problem? 'Cause there's nothing in the federal law which prevents someone who makes a mistake from either overcoming that mistake through rehab or through a cooling-off period.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Again, Senator, I appreciate your concern, but I cannot address the federal laws that pertains to this particular

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

scholarship. My understanding is that it would operate under the ISAC provisions. I don't think the federal law would come into play, unless we had change this.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, to the bill then. I -- you know, I realize this is another effort to find a way to get kid -- teachers to the classroom, but until we have that kind of certainty from you and from ISAC about what you're intentions are, I would urge -- Members to -- to vote No to a duplicative program without the assurances that -- that we do believe that -- that kids ought to clean up their act before they go teach in schools.

PRESIDING OFFICER: (SENATOR LINK)

Now, for the third R. Senator...

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please? Senator, I don't mean to continue to trumpet on this issue, but I think this is a legitimate issue. Can -- can you explain to me the substantive difference between the Illinois Future Teacher Corps scholarship, which it's my understanding is designed to address shortages in discipline areas or hard-to-staff schools, and what you are -- what's the substantive difference between those two?

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

I'm not totally -- I am not totally familiar with the other one, but I -- I -- and based on the information I have, they're perhaps not -- there isn't a great deal of substantive differences. Again, this -- this, I think, would, again, encourage students. The more publicity there is, the more scholarships that are out there, subject to appropriation, the more it may encourage people to enter a profession in a needy area, and -- and that's the intent of this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: Very briefly, and I

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

appreciate the sponsor's intent and I know it's true. Having said that, we have a program that is almost identical in its design and its intent and what it intends to remedy, as what House Bill 60 does. House Bill 60, according to the Illinois Student Assistance Commission, would cost, to fully fund the scholarships, between thirty-five and forty million. Last year, the Illinois Future Teacher Corps scholarship, which does the same thing, got a total of about six million dollars in funding. So what we are doing here is we are lining up another scholarship program, another mouth to feed, if you will, in the General Revenue Fund. So those thousand or so students who were served last year by the current program are now going to be competing, not only with other people who want the scholarship, but another program that wants money for its scholarship program, as well. I'd urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. To the bill: I -- I appreciate the sponsor's efforts. I also recognize this as a perennial favorite of Representative Lang - brings it back again and again and again. And the problem with it is, it's already been said. And that's why we voted No on the underlying bill, is because it duplicates existing programs. It's got a large price tag attached to it, and we simply cannot afford, no matter how worthy the goal, to put in another thirty-five to forty million dollars, adding programs that already exist. They're already -- already being done. So, that's why I -- I compliment you on the underlying effort. We also did, of course, pass your -- your amendment, which did improve the bill. But, I still rise in opposition to the bill, even as amended, and urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR BURZYNSKI:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you. I -- I want to draw out a scenario for you, Senator. And I'd like for you to tie -- try and address how it might be handled. Right now we have shortages in several -- areas of teaching. A lot of those are shortages in areas which are elective teaching - whether it's the fine arts, band music, art, chorus, whatever it might be, vocational education, et cetera. So we do have shortages. So ISAC might say this is a shortage area. They might give these students scholarships. They get out, they begin teaching, but because of the other mandates that we pass here, such as we've already passed from this Chamber this year, calling for students to take more -- or have higher standards for graduation, what happens if those -- those positions no longer become what we call shortage areas, simply because schools don't offer them, because the students can't get to the classes that they need for graduation requirements? Then are those students going to have to pay back their scholarships and -- and loans?

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

No. I don't believe they'd have to repay back their scholarship or loans. The -- the intent, as I understand it, of the new -- the new requirements is to get people more college ready in some of the basics. This -- the -- the shortage areas would not be apparent at least until the -- the new requirements -- high school requirements went into effect, and now you have four years of college, as well. So -- and then I think ISAC would be able to develop the shortage areas from year to year.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Just to the bill. Again, I think it's a well-meaning bill trying to fill some positions that perhaps we don't have. I think it is overlapping. We already have programs that are out there. And I also believe that it can create a -- a problem for students who go to school in a shortage area, because of whatever types of actions this General Assembly might take in the future, find that those course -- that coursework is no longer being offered by their local school

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

districts due to various constraints, and I would just urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Since my name was used in the debate, I rise very briefly to -- in support of the bill. This is a good bill with a -- with a good intent that -- everybody's acknowledged as a good intent to this bill to encourage people to enter the field of teaching, and I do think Senator Ted Kennedy would support this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney, to close.

SENATOR MALONEY:

Thank you -- thank you, Mr. President. I was approached by Representative Lang on this, and I think it's because of my background in education. Each year I have an opportunity to observe and evaluate teachers. And I -- I am impressed by their enthusiasm and their -- their enthusiasm and their knowledge. But I think that it is important that we continue to encourage people to get involved in a most important profession. The major investment we make in this State is in education and anything we can do to attract talented people to that profession - teaching, of which is a -- a -- a most valuable profession - I think is well worthwhile, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 60 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 38 Ayes, 19 Nays, none voting Present. House Bill 60, having received the required constitutional majority, is declared passed. Now in the Chair, Senator Sir Rickey Henderson -- Hendon.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Link. Just by way of announcement, it is the intention of the Chair to go to the end of page 77. So we are going to pick the pace up here just a little bit so we can get you out of here early today and early tomorrow. Top of page 68. House Bill 112. So be prepared to vote. And this is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

recall. Senator Cullerton seeks leave of the Body to return House Bill 112 to the Order of 2nd Reading for the purpose of an amendment. Is there any objection? Seeing none, so moved. Now, on 2nd Reading is House Bill 112. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This changes the effective date of the bill from January 1st, 2006, to July 1st. Move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to House Bill 112. 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:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to explain Amendment No. 2.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The -- the bill deals with biodiesel fuel and this amendment acknowledges that there are certain diesel powered vehicles that run on ultra low sulfur fuel, so they are exempted from the bill. Move -- move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 2 to House Bill 112. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

112. Senator Cullerton, you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill requires diesel powered vehicles owned and operated by the State or certain local governments to refuel at bulk central fueling facilities and use two percent biodiesel fuel. Biodiesel fuel is a fuel that's made from nonfossil organic materials, such as soybean oil and vegetable oil. Obviously, the -- it's also environmental friendly in that it has fewer harmful emissions. We have accommodated certain concerns with the amendments that we adopted. And for legislative intent, the goal of House Bill 112 is to have vehicles mentioned within the legislation burn at least two percent biodiesel, where available, and to burn higher level blends if so designed or retrofitted. I...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. Chairman. This bill came out of committee unanimously. We consider it to be a good bill.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 112 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 57 voting Aye, 1 voting Nay, none voting Present. House Bill 112, having received the required constitutional majority, is declared passed. House Bill 114. Senator -- Senator Cullerton seeks leave of the Body to return House Bill 114 to the Order of 2nd Reading for the purpose of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 114. Madam Secretary, are there any amendments approved for consideration?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This amendment adds language which is intended to protect the privacy of judges. The bill profiles {sic} for the sealing of the addresses of judicial candidates after the petition challenge period. Move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is -- is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. This came out of committee unanimously, and we recommend its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to House Bill 114. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 114. Senator Cullerton wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 114.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I think we all are aware of the tragic murder that took place in Chicago of Judge Lefkow's family members. I -- it was brought to my attention that it's pretty easy to go on the Internet and find out the home addresses of judges. So I worked with the State

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Board of Elections to come up with a bill that was intended to protect their privacy. I just discovered that we actually passed a bill three years ago that allows for local election authorities to do this - that is to protect the privacy of the judges - and so this would authorize the State Board of Elections to do the same. We worked with the State Board of Elections on the language so that the -- you -- you cannot obtain after the period of time where -- in which you would challenge the petitions of a judge candidate - you would not be able to access, on the Internet, their home address. I think it's a good idea. Would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 114 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. House Bill 114, having received the required constitutional majority, is declared passed. Senator Debbie Halvorson, what's -- purpose do you rise?

SENATOR HALVORSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. I have some constituents here today from Beecher, Illinois. They attend Zion Lutheran Church and I would love if the Senate would welcome them.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise, be welcomed to the Senate? Welcome to the Illinois Senate. Senator Wilhelmi, for what purpose do you seek recognition?

SENATOR WILHELMI:

A point of clarification, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR WILHELMI:

Thank you, Mr. President. On House Bill 112, I

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

inadvertently hit my No button rather than my Yes button, and I'd like the record to reflect that I would have liked to have voted Yes on House Bill 112.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. House Bill 128. Senator Schoenberg. House Bill 130. Senator Haine. Senator Haine seeks leave -- Senator Haine seeks leave of the Body to return House Bill 130 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is House Bill 130. Madam -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- a initiative of the Illinois Homecare Council and what it would do, would be to allow registered nurses and advanced practice nurses in home health care and hospice situations to be able to use and prescribe and administer five specific prescription drugs, available in their nursing bags, as needed, and they are defined: Saline, Heparin, sterile water, Benadryl and -- and -- and another one I can't pronounce.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion?

SENATOR HAINE:

There's no opposition.

PRESIDING OFFICER: (SENATOR HENDON)

Seeing none, the question is, shall House Bill 130 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 58 voting Aye, none voting Nay, 1 voting Present. House Bill 130, having received the required constitutional majority, is declared passed. House Bill 157. Senator Link. Madam Secretary, read the bill. Senator Link seeks leave of the Body

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

to return House Bill 157 to the Order of 2nd Reading for the purpose of an announcement {sic}. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 157. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment 2, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady, to explain Amendment No. 2.

SENATOR BRADY:

Thank you, Mr. President. Amendment No. 2 does two things. It provides for some protection from local units of government against enhancements here within the contract period, and secondly, it takes care of a provision that makes equal the benefit for downstate police as it does for Chicago police.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, -- Senator Brady moves the adoption of Amendment No. 2 to House Bill 157. All those in favor, 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:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady, on Amendment No. 3.

SENATOR BRADY:

Thank you, Mr. President. No. 3 makes a technical change which should help the House deal with this matter, and I thank Senator Link for his cooperation.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Brady moves the adoption of Amendment No. 3 to House Bill 157. All those in favor, 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 House Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

157. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 157.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. As Senator Brady indicated, this was a cooperative effort between Senator Brady and myself to make this work. And I think, as amended, what this does is require that all cities and villages incorporated in towns, except Chicago, employing one or more full-time police officers, who do not participate in the downstate police pension fund, begin participating in -- in the SLEP formula. And, basically, we initiated all the amendments that Senator Brady indicated, and would ask for your positive vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Risinger. Senator Risinger.

SENATOR RISINGER:

Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR RISINGER:

Is -- is this permissive or does this require?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

This is required.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RISINGER:

That's all.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I just stand in support of the legislation. It -- for those of you who -- who may be

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

interested, this does give an enhanced benefit that will have to be paid for out of payroll. My justification is that it -- cities only have so much money to pay that the -- the employees are requesting that a larger portion be saved for their retirement.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor. There's a little community, used to be in the old 33rd Senate District, that I used to kind of like and represent for ten years before Mike Madigan and the great Chicago cartographers decided that they would be represented by Chris Lauzen from Aurora, but in that little town on three separate occasions, the community has gone to referendum to decide whether they wanted to establish a police and fire pension, and on three separate occasions, these people who live in this community made a decision not to do that. It -- does this bill essentially say to those people in Sleepy Hollow, your vote doesn't count? Terry Link and Bill Brady have figured out a solution, and you're going to eat it?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link. Senator Link.

SENATOR LINK:

First -- first of all, I don't know the population of Sleepy Hollow. And -- and I -- I don't know if they're happy that Speaker Madigan did that carving out or not, but I meant -- maybe they are. But, I don't know their population. I don't know if it falls under this preview of this bill. But, I think what we're doing is, we did with the SLEP -- SLEP bill that we passed out of here - this is just a follow-up to that that we passed out of here nearly unanimously a -- a couple weeks ago - that this is just a follow-up to it, just to follow through with these downstate communities. But I don't know the population. But it probably, just to my guess, would say, yes, Senator -- Rauschenberger, to what you were asking.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, if -- if you could give me the population threshold,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

those poor people in Sleep Hollow probably don't think of themselves as downstate. So, probably Senator Lauzen and I were just flying along thinking you were doing something to some Saline County in southern Illinois, but we now know it's Kane County. So, can you tell me what the population threshold that you are magnanimously mandating a pension system onto?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Well, I don't consider myself downstate. I'm the only person that can call Chicago downstate, but I guess I'm considered downstate, too, and the inhabitants of a downstate police pension is a fund of five thousand of inhabitants. So, that's what I -- I don't know if Sleep Hollow would fall under that circumstance.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR GEO-KARIS:

You and I come from the same county. How does it affect our municipalities?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

It would -- it would probably not affect any or very, very few, if any of our -- any of our municipalities in Lake County, whatsoever.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 157 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 {sic} (49) voting Aye, 9 voting Nay, none voting Present. House Bill 157, having received the required constitutional majority, is declared passed. Senate {sic} (House) Bill 165. Senator Lightford. Madam Secretary, read the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

House Bill 165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 165 amends the Chicago Teachers Article of the Illinois Pension Code in regards to the Board of Trustees election. It specifies the role of the administrator. It specifies the administrator must be a member, who is employed in a position that requires him or her to hold a Type 75 certification that's issued by the State Teacher Certification Board. And it also specifies that administrators may vote at the Board of Elections for one candidate who is a contributor to the Fund and who is also a principal. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 165 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. House Bill 165, having received the required constitutional majority, is declared passed. House Bill 180. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 180.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Have we adopted this amendment? Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Amendment has already been adopted. Senator Cullerton, as adopted.

SENATOR CULLERTON:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Yes. Thank you, Mr. President, Members of the Senate. This bill makes the Juvenile Division of the Department of Corrections into a separate Department of Juvenile Justice. It sets qualification for personnel in the new Department, it creates a transition schedule and it provides for -- that the appropriations next year shall not exceed the appropriations from the previous year for the juvenile programs. The purpose of this is to, obviously, accomplish some goals. Acknowledging that youth and children are different from adults, they have different needs and -- present different opportunities in the criminal justice system. The problem is that the Department of Corrections, over the past thirty years, has blurred the distinction between adult and youth corrections. Separating it will benefit these children in that there will be fewer recidivists, and therefore long-term cost savings, and the separation itself does not necessarily cost. In fact, in Missouri, which is of similar size, they prove to get much better results and it was less costly. Now, I have to warn you that the Department of Corrections, by the way, did not testify against the bill, but AFSCME did. So, I -- and so, for those of you who like to vote with AFSCME, blindly or -- or otherwise, you should know that they're against the bill. And they're against the bill, in spite of the fact that in the statute we specifically say that any rights of employees or the State under the Personnel Code or any other contract or plan shall be unaffected by this transfer. So, they have a contract now with Corrections. They are employed. They're -- they are not to be in any way that -- that contract is not abrogated. However, what it does say is that if you're going to work in this new Department you have to have certain qualifications. You have to have -- be over twenty-one and you have to have some work experience in residential treatment or a college degree. So we're trying to upgrade the people that will treat juveniles in our correctional system. It doesn't cost any more money and the AFSCME employees are still protected under their contract.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR BURZYNSKI:

Thank you -- thank you. Senator, in the last couple of days I've received several telephone calls and they very well might be from AFSCME employees that reside in my district and -- and I've not had a chance to speak with them. But a concern that I would have is by splitting this out, and you said that, you know, that it doesn't affect the terms of the contract or the current contract, but what about in future negotiations? What if you've got people that are working in the -- the juvenile system right now who do not meet these qualifications, will there be a place for them in the adult system then?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Well, the goal, just to make it real clear, and -- and I -- I hope if it's not clear, I can do it through legislative intent - is it's the -- the -- this new Department of Juvenile Justice personnel, it's the ones who come in contact with the detainees who would have to have the -- this experience - not the janitors, okay, not the people who sweep the floor - the people who come in contact with 'em are the ones who would have to have it. I...

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Burzynski.

SENATOR BURZYNSKI:

I was just going to ask: Are there people now coming into contact with the juveniles that don't have these kinds of -- of qualifications? And if so, what would happen to them under this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Very simple solution - they would be transferred to the much larger Department of Corrections, which deals with adults, or they would have time to acquire the work experiences necessary to qualify in the juvenile department.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Burzynski, to wrap up.

SENATOR BURZYNSKI:

Thank you. But my understanding, Senator, is it's not just work experience, it's education qualifications, as well. And -- and -- and, I mean, you know, I understand, but I'm saying if they've been working there for fifteen or eighteen years already, they're certainly -- haven't done anything wrong or someone would have moved them out of those positions by now. So my concern is, are there going to be positions available for them in the adult correctional system? Because right now, you know, we just passed a supplemental not that long ago to take care of a problem within Department of Corrections. So, I -- I just want to make sure that we're not going to leave these people high and dry.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

I move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty moves the previous question. There are three more speakers. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. I rise in support of this bill, but perhaps for different reasons than have already been discussed. The underlying bill provides a accelerated -- procedure for a process known as extradition, which probably is a foreign concept to most people. But, currently, we have an out -- outdated, antiquated process of removing prisoners who are wanted in other states, if they're held in a federal institution in -- in our State. And what this will do is basically waive all of those procedures and get people who are wanted in other states, for -- for whatever reason, out of our system much more quickly. The underlying bill, though, is -- is a great piece of legislation, sorely needed, and for that reason alone, I rise in support of this legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. It's always great to be somewhere in the middle of Senator Ed Petka to my right and

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator John Cullerton to my left here, geographically. But anytime we have Ed Petka and John Cullerton in favor of the same piece of legislation, I feel very comfortable being somewhere in between. And, I rise in support of this bill. With all due respect to AFSCME, and I have -- I like and respect union workers who work for us in the State of Illinois and make us look good on a daily basis, I think that they will be better off under this new system. They may not like what's the unknown, but I think the average AFSCME worker will be better off under this new system. And while we worry about AFSCME, I think we really ought to worry what this bill is about and this bill is about kids. Kids who can be rehabilitated and I think we ought to worry more about the children, trying to rehabilitate 'em for the rest of their adult lives, rather than what this does to our unions. There are a number of groups that are in support of this. Chicago Metropolis 20/20, the Illinois Juvenile Justice Initiative, a -- a group that knows more about juvenile justice than anybody, except maybe our former colleague, Senator Carl Hawkinson, is in favor of this. So is the Illinois PTA and the Voices for Illinois Children and then there are many, many religious groups that are also in support of this bill. So, this is a -- a good measure. I salute Senator Cullerton for putting the time on on this. And then, again, any time I can be with Senator Cullerton and Senator Petka on a bill, I -- I'm going to be there and I'm a Yes vote and I urge you to be, too.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I also rise in strong support of this bill and not just because Senator Petka's for it, but that really -- helps to convince me. This is really a good piece of legislation. I commend Senator Cullerton for all the hard work that went into putting this bill together. It's well-thought-out. It's -- it's going to be really a better way of dealing with juveniles in this State. And I -- I did have discussions with some representatives from AFSCME and I think their concerns really are -- are not warranted here. They were -- they were concerned that even people who are serving as janitors in some of the prisons would be required to have a bachelor's degree. That

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

is clearly not the case, as Senator Cullerton has said. And when you look at the legislation, it does call for a transition schedule specifically designed to preserve the rights of current employees. So this is really Illinois taking a very important step to look at juveniles in a different way and making sure that they don't continue in a life of crime. And I would urge all of my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 180 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 42 voting Aye, 15 voting Nay, 1 voting Present. House Bill 180, having received the required constitutional majority, is declared passed. House Bill 212. Senator Haine. Senator Haine seeks leave of the Body to return House Bill 212 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 House Bill 212. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a -- an initiative of the Illinois Police Chiefs' Association and it provides that each police chief and deputy police chief in Illinois, other than in a home rule unit - we took out the home rule units to satisfy the Municipal League and that's not apparently where the problem is anyway - must have training of -- of at least twenty hours by the Illinois Law Enforcement Training and Standards Board relating to law enforcement management executive development or ethics. The requirement may be satisfied by attending conferences -- et cetera. These -- these things are free in -- in -- in essence, and it improves the quality, especially of small town police chiefs and -- and..

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Any discussion on the amendment? Senator Righter. This is the amendment. Senator Righter.

SENATOR RIGHTER:

On 3rds. Sorry.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen. Senator Haine moves adoption of Amendment No. 3 to House Bill 112 {sic}. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 212. Senator Haine. Oh! Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 212.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I just -- I have a question. First of all, this is a requirement. This is a mandate on local government. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

I suppose it is. It's a -- in the broad sense of that term, yes, Senator. But it is a -- it's a mandate really to qualify without cost to local government, 'cause these conferences, as I understand, are free. They're handled by the State and it -- it's a mandate to bring all police chiefs and deputy chiefs up to a standard of knowledge and training and expertise. These are extremely powerful positions, as we know. They have tremendous responsibility. They work -- closely with the State's -- attorneys. The -- in the -- and a small town may be the scene of a momentous crime and the first few hours of that crime could determine the future of that case and these officers should have

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

training. Quite often they're appointed at the discretion of the village president or the mayor, and that's fine. No, that doesn't disturb that, but they should undergo a minimum amount of training so they become qualified to deal with these criminal law matters.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. -- Senator, respectfully, the answer to the question is, yes, this is a mandate. The second part of the question, and you anticipated it, is have you provided for funding for these local municipalities? And the answer is, no, we don't have funding. When you say that this is free, I respectfully, again, disagree that, first of all, there is nothing that's free. Even if the training were provided somehow by the State government, there's the transportation -- there's the transportation and then there's the time that is diverted from other activities. So, it's at least the opportunity cost is there. I've been contacted by folks back home who say that this bill is an unfunded mandate and it could set a precedent which would require training for other personnel and there's no funding for the tuition and travel expenses involved. And then no replacement of the time that's involved. It's an unfunded -- mandate. I would suggest a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Haine, in your opening comments on your amendment, excuse me, you said that this -- we exempt home rule units in order to satisfy the Illinois Municipal League, and then you went on to say -- said that does not appear to be where the problem is. Can you describe for me some specific instances of problems that apparently have prompted this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR HAINE:

This is designed to raise the competence and the expertise of police chiefs and deputy chiefs in small towns. Usually in a home rule unit - and I dealt with this in a personal way as State's Attorney for many years - the home rule units have large departments. They -- their chiefs rise frequently through the ranks. They have many, many hours of training, as is naturally the case. They have civil service -- commissions. So it's just natural in a home rule unit that you would have this type of -- of training way far and above the requirements of this bill. This is minimal training. Twenty hours is minimal.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Haine, I -- I -- I mean, it's an admirable goal to raise the competence level, but that's not what I asked. I asked you if there were specific instances, I suppose, of incompetence that prompted this bill. I mean, I -- I appreciate the political value of carving out the home rule communities because, you know, that way we can get the Municipal League to go neutral on the bill. But I don't think that the competence of the individuals who are covered in this bill is any less important in home rule communities than it is non-home rule communities. So, again, what -- why are we targeting those smaller communities, other than just a general desire to raise their competence level?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

...you -- thank you, Senator. I think that would be the case. They -- we're -- we're -- it's not targeting so much, it's bringing -- it's assuring a minimal level of competence and training for the responsible position of police chief and deputy chief. It's not casting aspersions on anyone. The -- the larger home rule units have training far away and above -- above this. Now, as to the question of how many instances, I don't know. I think, based upon my own anecdotal experience, this is a good bill, it raises the competency -- level, the training, the networking, whatever it is, of small town chiefs. It is a small

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

burden, if any, on a local community. Certainly, they may resent it - the mayor may - I -- I don't know, but it's a small minimal burden. It isn't -- it's similar to requiring a police chief to -- to be -- to meet all the requirements of a commissioned peace officer, before he or she...

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Righter, to the bill. And once again, the Chair would appreciate lack of repetitiveness. Senator Righter, to the bill. And that's not just to the questioners, to the answers, as well. Senator Righter, to the bill.

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen of the Chamber, it's the small minimal mandates that we come to this place every year and place upon local school districts and local municipalities time and time and time again that helps them -- helps strap them in their budgets. Those small communities are the least -- are the ones that can least afford out of their small law enforcement budgets to be told by State government how they're going to spend a greater percentage of their dollars. That's what this bill does. I think -- may -- perhaps targeting, the sponsor doesn't like that word and I can appreciate that, but the bottom line is, I think, that it's just important to have the people that he's got in this bill competent in larger municipalities as it is in smaller municipalities. And to carve them out because that was required to get the municipal -- Municipal League to change their position, I don't know is the right thing to do. This is an unfunded mandate. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Shadid.

SENATOR SHADID:

Senator Haine, would you explain to me what -- what size departments are you aiming at? How small or how large, or...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid. I mean, Senator Haine.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR HAINE:

Thank you, Senator Shadid. It's -- it's all -- all police departments in communities that are not home rule units, of whatever size.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

Well, I notice that the -- the Mayor of Bolingbrook is opposed to that. I know him very well and that's a large community. I wonder why he would be opposed to that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Senator, I don't know. I -- I honestly don't. I -- I don't I -- to me it's -- as I say, it's a minimum of twenty hours of training each year, which can be satisfied with conferences pursuant to the Law Enforcement Training Standards Board. I mean, they're very cooperative. They're fellow officers. I don't know why the mayor -- maybe he assumes this is a -- something it isn't. I don't know.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid, to the bill.

SENATOR SHADID:

To the bill: In my experience, most of your police departments, small ones, hire city policemen from large departments who have had twenty-five or thirty years on and they come on well-trained. Now, if you're talking about a department with three or four police officers on it, part-time -- these are part-time police? I -- part-time police? Well, I -- when I -- in Peoria County, we had a lot of part-time police officers, a lot of part-time police departments. The chief of police and he had -- five part-timers. I can only tell you from experience that they contracted with me to let the county sheriff police their departments with contracts and did it much cheaper than what they were paying and they got well-trained. So, and then we went -- on this Floor I think I was the only person to vote against part-time police when they wanted them trained with the regional training program and gave 'em up to two or three years to get qualified. Well, as soon as they went through that

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

training - the police officers - and got their certification, they applied for jobs with the big police departments to get more money. It's money and that's what's driving all of this. The small departments cannot pay what the next-door, big police department pays. And when they get well-trained and certified, they apply to the big police department. So, you're just running around in a circle.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House -- Senator Haine, to close.

SENATOR HAINE:

I -- thank you, Mr. President. I would just urge my colleagues -- I appreciate the questions and the comments. I understand the bias against unfunded mandates. Again, this is a -- a light burden, if it is one, given the tradition of this type of training. I would point out to my distinguished colleagues that one of the chief cosponsors in the House is a recent retired police chief, John Milner, who understands the anecdotal experience that I understood as State's attorney. And I would ask for an Aye vote to upgrade our police chiefs and deputy chiefs and keep them there. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 212 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 35 voting Aye, 20 voting Nay, 2 voting Present. House Bill 212, having received the required constitutional majority, is declared passed. Once again, the Chair will ask you to make your questions and answers and explanations as succinct as possible and there is such a things as yes and no. Senator Jones, for what purpose do you rise? John Jones.

SENATOR J. JONES:

Thank you, Mr. President. On that last bill I inadvertently punched the wrong button. So, I would like to be recorded as a No on that.

PRESIDING OFFICER: (SENATOR HENDON)

The record...

SENATOR J. JONES:

And also on -- also on -- House Bill 180 I would like to be

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

recorded as a No on it.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. House Bill 215. Senator Martinez. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 215.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. Senate -- House Bill 215 provides that in the prosecution of multiple defendants for criminal sexual assault, aggravated criminal sexual...

PRESIDING OFFICER: (SENATOR HENDON)

Go right ahead, Senator.

SENATOR MARTINEZ:

...predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the court shall consider the impact of multiple trials upon the alleged victim in deciding whether to grant a motion for severance. The amendment that was put kind of clarified the position for the public defender that provides that a court's consideration of the impact of multiple trials is subject -- subject to constitutional limitations.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 215 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 215, having received the required constitutional majority, is declared passed. House Bill 227. Senator Martinez. House Bill 237. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 237.

(Secretary reads title of bill)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is a bill that came as a constituent request to Representative Elaine Nekritz. The reason I have it rather than Senator Schoenberg, I think, is Elaine, Representative Nekritz, is my neighbor here in Springfield and she thought this was going to go to the Judiciary Committee, but it went to the great Housing Committee of this Body. But nonetheless, it's a good bill and it says in a nonresidential lease, we make it clear that you can negotiate insurance coverage. We don't separate the way we void things on public policy between residential and nonresidential properties and this is a good change and says you can negotiate in a commercial lease setting, the insurance of the actual property. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. Just a comment to the sponsor. I know you all -- you're a very -- a stickler for details. Senator Garrett is actually Representative Nekritz's Senator. Representative Nekritz is formerly my legislative aid. I think of her like a sister. The fact that this is her bill means it's good enough for me, but I just want to set the record straight.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 237 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 58 voting Aye, none voting Nay, none voting Present. House Bill 237, having received the required constitutional majority, is declared passed. House Bill 315. WCIA television seeks leave to photograph. Is leave granted? Leave is granted. House Bill 315. Senator Harmon seeks leave of the Body to return House Bill 315 to the Order of 2nd Reading for the purpose of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 315. Madam Secretary, are there any

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House {sic} Amendment 2 to Senate {sic} Bill 315 is a technical amendment to address some concerns raised in committee.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Amendment No. 2 to House Bill 315. All those in favor, 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 House Bill 315. Senator -- I mean, Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 315.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 315 is essentially identical to Senate Bill 2078, which this Chamber already passed. It is the culmination of more than two years of work that Senator Geo-Karis and I undertook. The negotiations have, at last, resulted in an agreed bill. I think with the amendment we just adopted -- in response to concerns raised by Senator Righter and Senator Syverson in committee, we have no opposition. The bill creates a subsidized spay and neuter program that will significantly improve public health by reducing the number of dogs and cats running loose and significantly reduce the dollar cost of controlling such animals. We have eliminated the State surcharge on rabies vaccines, which

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

was of some concern to many of you, instead we are mandating counties to impose a differential fee on intact versus altered animals.

PRESIDING OFFICER: (SENATOR HENDON)

Is -- is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Harmon, first of all, thank you for your work. You -- you've spent long hours on this and -- and taken a lot of suggestions from the committee and I appreciate that. Obviously, most of the Members that are sitting out here were not -- have not been in committee, have not been party to those discussions. This bill, as I understand it, would require a county to adopt a ten-dollar differential in the fee that it charges for -- registration of -- of a dog or a cat, depending on whether or not that dog or cat has been spayed or neutered. And that that money - that ten-dollar differential - will go into the county's -- pet population control funding if it has one. If it doesn't have such a fund, where does that money go?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

In that case, if the county does not have its own program, the money is sent to the statewide fund, which will be used for statewide funding of these sorts of programs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Now, for a county that does not have such a fund, what confidence would they have if they're going to see any of this money back at all?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Well, first, the county could establish its own fund if it

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

wished to administer a program within the -- within the county itself. Second, the -- I would expect that the money to return to various counties across the State depending on -- on need. And I think there's a rough correlation between the number of animals who are vaccinated and the number of animals who may participate in this sort of a program.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Now, Senator, and I appreciate the speed with which we want to deliberate on this, but there are several other issues in the bill with regards to vicious animals and courts -- can you please run through some of those? I mean, you've talked about the financial aspects of the bill, Senator, but I think that the Members ought to have a little better idea of some of the substantive changes you're making in the law and I just want to thank you for your work on that. For the Members edification, there is a State-mandated fee, if you will, or differential that the -- that this legislation would tell the counties they have to adopt. So I would urge caution by the Members. Thank you, Senator.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski -- Brad? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just one question very quick.

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he...

SENATOR BURZYNSKI:

Senator, many counties currently do not register -- I mean, does this have any impact on farm animals, farm dogs, cats, those kinds of things that might not be registered or if a county doesn't have a registration process?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. No, it's not on registration. It's on rabies vaccine. We have been very careful not to do anything to disturb the -- the rights of farm animals or their owners.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. One quick question. Does this legislation exempt dog breeders?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. No. We -- we did not find a way to do that in an equitable manner. It's something I'd certainly be willing to entertain going forward, but no, this bill does not.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate -- House Bill 315 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 10 voting Nay, 1 voting Present. House Bill 315, having received the required constitutional majority, is declared passed. House Bill 325. Senator Winkel. Senator Winkel seeks leave of the Body to return House Bill 325 to the Order of 2nd Reading for the purpose of amendment. Leave is granted. Now on the Order -- we'll come back to -- we'll come back to this. House -- House Bill 328. Senator Collins. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 328.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Was the amendment already adopted?

PRESIDING OFFICER: (SENATOR HENDON)

Yes, it was.

SENATOR COLLINS:

Okay. Thank you. Basically, what the legislation does, it just says that if the lessor of a residential real property containing one hundred or more residential units in either a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

single building or a complex of buildings, maintains a business office on the premises of the building or complex that has regularly scheduled office hours, then the lessor or agent of the lessor must accept rent payments from a lessee of any of those residential units at the business office during the regularly scheduled office hours. And the lessor may not impose any penalty, fee or charge for making timely rent payments in this manner. And the -- the legislation came out of the Housing Committee unanimously.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes. Mr. President, I just wanted to make note that on that previous vote on House Bill 315, I hit the wrong button. And, I would like to be recorded as a No.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. As stated by Senator Collins, this bill did come out of committee unanimously and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 328 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. House Bill 328, having received the required constitutional majority, is declared passed. House Bill 337. Senator Link. House Bill 337. Senator Link. House Bill 339. Senator Cullerton. 339. Senator Cullerton. House Bill 350. Senator Collins. House Bill -- pass. House Bill 360. Senator Winkel. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 360.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR WINKEL:

Thank you, Mr. President. House Bill 360 amends the Illinois Marriage and Dissolution of Marriage Act. Pardon me. It requires the court to evaluate the need for counseling and then allows the court to order individual counseling for the child, family counseling for one or more of the parties and a child, or parental education for one or more of the parties when certain triggering conditions exist. Requires confidentiality. Glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 360 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. House Bill 360, having received the required constitutional majority, is declared passed. House Bill 369. Senator Trotter. Senator Trotter seeks leave of the Body - - we'll come back to that order of business. House Bill 383. Senator Lightford. Senator Lightford seeks leave of the Body to return House Bill 383 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 383. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment 1 is an amendment that the Illinois School Management Alliance felt that was needed to address some of their concerns. It did retain the underlying bill. It amends the School Code by specifying that the existing Black History study curriculum must include history of the African slave trade and slavery in America. Instead of developing curriculum guidelines on the topic, the amendment will require the Amistad Commission, in consultation with the State Board of Ed, to make available to every school board a curriculum for teaching African slave trade

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

and slavery in America. And the amendment also addressed the vagueness of the -- who would handle this in personnel. And we felt that in an individual with -- with knowledge of any subject; however, a certified teacher could teach the subject.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Lightford moves the adoption of Amendment -- No. 1 to House Bill 338 -- 383. 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 House Bill 383. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 383.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 383 amends the Illinois Historic Preservation Agency Act and it's regarding the Amistad Commission. What this bill does, it -- it creates a commission that would survey, design, encourage and promote the implementation of education and awareness programs in our Illinois schools concerning the African slave trade and the history of slavery. The commission would be particularly directed at students in the State of Illinois. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. The bill came out of committee unanimously, but if the sponsor would yield, I have a question.

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Risinger.

SENATOR RISINGER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Yeah. In committee we talked about the pressure on teachers to teach, you know, subjects in the amount of time available. As I understand, and as we talked about in committee, there is -- each individual school is -- is able to define how much time they want to allot to this subject.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RIGHTER:

Thank you. That's all.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Righter.

SENATOR RIGHTER:

Senator Lightford, the -- according to my reading of the bill, the commission is authorized to call upon any department or office or any political subdivision of the State, including school districts, to supply information or program reports or other information as it deems necessary. I mean, that's a pretty broad grant of authority you're giving to it. I guess I'm asking you, where are you going with this? I mean, why -- why are we dipping that far into or giving them that -- that kind of authority?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Righter, what the commission would be responsible for would be to provide assistance and advise to schools on how to incorporate information and education on slavery into their curriculum. They would survey and record current educational programs that are regarding the slave trade. They will act as liaisons with text book publishers, schools, not-for-profit resource organizations and the U.S. Congress and the Illinois

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

General Assembly in order to achieve its goal. They will compile a roster of individuals who will volunteer their time to achieve the goals of the commission, coordinate events, memorializing the slave trade and the stories of black individuals who overcame slavery, prepare reports for the Governor and the General Assembly on findings and recommendations on how to achieve the goals of the commission. And lastly, they would develop, with the support of the State Board of Education, a curriculum guidelines for the teaching of information on the slave trade and the contribution of Black Americans to the country. So in essence what they're doing, the commission would gather information, work with the State Board, make determinations on the best way to implement the history of slave trade and Black American slavery into the history subject.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you. Last question, Mr. President. Senator, I just want to make sure that -- that what you have in mind here and what the commission's going to be is a tool to help educate and not some kind of overarching entity that has what is a -- a grant of subpoena-like power to go in and -- and request information, or even personnel according to the -- to the bill, from local units of government. Am -- am I fair in that assumption? And I'll end with that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. You're correct, but what I will like to acknowledge is that it's important that we take a look at the history of slavery in -- in America, and -- and implement this history into our history books, because we're leaving out a critical part of understanding and really knowing the true history of America. I'd be happy to answer additional questions.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 383 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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

voting Aye, none voting Nay, none voting Present. House Bill 383, having received the required constitutional majority, is declared passed. House Bill 384. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 384.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 384 amends the School Code regarding teacher preparation. It removes the requirement that a teacher in training pass a subject matter test before student teaching. Now, this subject was actually heavily debated in our Education Committee and what we found was that the Chicago Teachers' Union, the Illinois State Board of Ed, Illinois Federation of Teachers, the Illinois Education Association, Special Education Administrators and the High School District Association were all in support of this. And if I could just briefly tell you what -- what happens here, is that this in no way lowers the standards. It requires that teacher candidates must pass the content test before completing the teacher education program. Teacher candidates cannot be certified until they complete a teacher education program and teacher candidates are not eligible for employment until they are certified. This just simply helps them to do student teaching while still taking courses at a college or university. I'd be happy to answer...

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Cronin.

SENATOR CRONIN:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Cronin.

SENATOR CRONIN:

Senator Lightford, you're right. We did debate this in -- in committee and I just wanted to ask a -- a -- a couple of really simple questions. With your bill if it becomes law, can

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

or will a student teacher who spends time in the classroom with students, will that student teacher as a result of your bill, now be able to spend time with the students not having passed a subject matter exam?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Can you just restate your bottom line to that question?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

If your bill right here becomes law, will student teachers be in classrooms with students - teaching - not having passed a subject matter proficiency exam?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Senator Cronin, every classroom has a certified teacher. A teacher assistant is that, just assisting the course of what it is that the actual teacher who is certified to teach is doing. No student teacher is in a classroom alone responsible for the kids.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

You know, and anybody who's involved in education knows, that student teachers from district to district - it may vary - can and do spend a considerable amount of time in a classroom with students. I'll ask my question again. Does your bill, if it becomes law, permit a student teacher in a classroom teaching students not having passed a proficiency exam?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

And I will answer your question again. You show me a student teacher that is responsible for teaching a classroom then my answer will change. Student teachers are that: they're students. They're actually enrolled in a college or a university. They have not gone on to earn their Type 75

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

certification. They're not being paid by that institution. They're actually students. And if I could for the Body, give an example. This is what the State Board shared with me in some of their concerns and the reason for this legislation. Their example is there's a young lady during her fall semester taking eight hours of math. She's scheduled to student teach beginning January 5th. She takes the math test on October 29th and the test scores will not be available until November 25th. Then there's a December test, but her college does not want to wait until January 4th when scores are available to make the student teaching placement decision. Therefore, Sara is at a disadvantage taking the math test before completing all of her math courses. So, in fact, Sara is still a student. She's taking the math course right then and there. How can you actually ask her to take a test to be certified when she's still a student and haven't earned a grade in the course yet?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin, to wrap it up.

SENATOR CRONIN:

Yeah. I'm not going to belabor this. And I'm -- I'm -- with all due respect, I -- I -- the bottom line is, Ladies and Gentlemen, this bill, if it becomes law, will permit student teachers, people who spend a considerable amount of time with students in a classroom - it will permit those who may have failed to pass a proficiency exam or haven't taken the exam yet. I cannot figure out, for the life of me, what is the rationale behind changing current law that requires a student teacher to pass a subject matter proficiency exam before they're in the classroom with a student. If we are devoted to quality teachers, if we want to improve our school experience for our students, whether it's in Proviso or Elmhurst or downstate or in the city, why in God's name do we want student teachers in the classroom not having passed a subject matter proficiency exam when the current law permits 'em to do that? And furthermore, they have seven opportunities to take the exam throughout the year. Imagine if you're a lawyer, you can go and practice under the supervision of another lawyer if you haven't passed the bar exam. It doesn't make sense if you care about the quality of teachers and you care about the quality of experience that the students

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

get in the classroom. I think this is a step backwards. Please vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. With all due respect to the sponsor, I strongly urge a No vote on this. The -- the sponsor in response to Senator Cronin asked for an example of a student teacher who was teaching in the class and had responsibility for that class. I'd welcome you to go to Mrs. Gibbins' class at Field School in Park Ridge where my wife is currently doing her student teaching. She had to pass these tests. As Senator Cronin pointed out, she had seven opportunities in the -- in the year to do this. Teachers need to do this. It's a great thing that we changed this system. My wife has had to work very hard to get this done, and I think - - we -- what we ought to do is have all the teachers who are currently teaching go back and do this. She has had to work very hard, study very hard and it would not be correct if she were in front of these kids teaching without having passed these tests. My wife is doing all the preparation after school and at night for these classes. In the classroom, she is the teacher. Mrs. Gibbins is more her assistant now, because as -- as it is the rule, as a student teacher she is supposed to be teaching. This is a -- a -- as Senator Cronin pointed out, this is a step backwards. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I'm not going to argue the problem that the Senator's trying to address, because I believe there is a problem that exists, and I commend her for trying to address that problem. I think, however, though, it can be addressed in a different situation. This is a brand new piece of legislation. This is the first year it's been in effect. The year 2004-2005. Our universities haven't really gotten into the groove on this yet. In order to offer these tests, competency exams, on a more frequent basis, which I believe they could do. Forty percent of our teachers are coming from our independent

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

universities and colleges. I think what we need to do, rather than changing this to allow student teachers to be in the classrooms prior to passing -- competency exams, is to work with our universities, both public and private, to ensure that they offer their competency exams on a more frequent basis on a staggered basis. My goodness, we've got a hundred and thirty-five, a hundred and forty universities in this State. Why can't we get them to work together to do something for the common good that will also benefit the kids of our State, the future teachers of our State and really give this law a chance to work? Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. This -- this may sound somewhat unusual for me to disagree with my colleagues over here. I spent a lot of time teaching and basically, I think one of the reasons that the -- the Senator Lightford would -- wants to do this and is to -- a lot of times your schedule can be messed up where you simply are forced to maybe put your practice teaching off for another semester and there you are that one whole semester really doing nothing. You know, I -- I certainly did practice teaching and -- and didn't pass the proficiency test. You -- you really -- this -- this -- that teacher will not be able to go in that classroom as a teacher by herself or himself and be a teacher. That -- this doesn't change that at all. It -- you know, when you're doing the practice teaching it's an awful lot like another course, you know, that you're taking to be a teacher. And if you -- if you fail that, then -- then you -- you won't be a teacher. So, I -- I don't really see anything wrong with what she's doing and -- and -- and, you know, Senator Burzynski said a few things about maybe they -- we should have a -- those tests given more often. I'm all for that. But this can really mess up a student for a whole -- or, for a half a semester at least as far as their schedule is concerned. You know, we're spent all day trying to come up with reasons why we should try to help people want to be teachers. I'm not real sure that this doesn't sort of put an impediment in the way for some people at least, and you won't be

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

a teacher if you don't pass that test. You might do your practice teaching, but you -- you -- you won't be -- get your certificate. So, I really don't think it's that big a deal myself. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President, and all the comments that were given on this subject. If I could briefly just close with the fact that there is a difficulty in scheduling for some of these students who want to student teach, and they have to enroll in advance. And so what this is doing is causing them to have a whole nother semester, which means that's very expensive for students to register themselves in a college or university to then student teach. They're not even at the actual school. And then another point I wanted to bring up is that -- that they're not eligible for employment until they're certified. I'm not saying take them into your -- your -- your daughter's schools, Senator Sullivan, and let them teach in your child's school. That's after they've earned certification and become a teacher. What I want you guys to understand and this is student teachers. They're students. They're actually enrolled and they'd like to have the opportunity to gather a classroom setting as they continue to advance themselves and prepare them to be teachers. Let's not not recognize that we do not have a student -- a teacher shortage. We have to address teacher shortages. We have to allow these students the opportunity to student teach, by the end of the semester, take the test. If they pass the test, wonderful, we welcome them into our school districts across the State. If not, then they are required to reenroll until they pass this test. I hope some of the comments made do not confuse you in what this bill actually is intended to do, and I hope you vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 384 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 voting Aye, 23 voting Nay, none voting Present. House Bill 384, having received

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

the required constitutional majority, is declared passed. With leave of the Body we're going to turn back to page 69. House Bill 325. Senator Winkel seeks leave of the Body to return House Bill 325 to the Order of 2nd Reading for the purpose of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 325. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. I have a inquiry of the Secretary. Has Floor Amendment No. 1 been adopted, and it's still intact on the bill?

PRESIDING OFFICER: (SENATOR HENDON)

Yes.

SENATOR DeLEO:

Thank you very much. Then I'd like to proceed on -- Floor Amendment No. 2. Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 2 is -- it's a provision to exempt nine acres of land in Elgin from the State to the City of Elgin. Most of the land is developed and is currently the site of Elgin Community College. What their -- their purpose is, is they're going to do a -- a recreation -- center and public educational center at the junior college in Elgin, Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator DeLeo moves the adoption of Amendment No. 2 to House Bill 325. 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:

Floor Amendment No. 4, offered by Senator Winkel.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel, on Amendment No. -- 4.

SENATOR WINKEL:

Thank you, Mr. President. What Amendment No. 4 does is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

authorizes the University of Illinois Board of Trustees, upon the payment of seven million dollars based upon three different appraisals, they're authorized to convey a specified parcel of land to Cook County, Illinois, to the Chicago Park District. The University informs us that the land is not part of their campus and that is not -- that is used primarily as a warehouse and is not currently being used. I move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, -- Senator Winkel moves the adoption of Amendment No. 4 to House Bill 325. 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 House Bill 325. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 325.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. We'll come back to that order of business at a later time. We will return to the page 70 on your Calendar. House Bill 394. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We actually took this bill out of the record a few days ago to -- in order for us to take a closer look at it. There were some questions. It deals with the issue of a bill that we passed last year allowing for, under very strictly limited circumstances,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

grandparents to petition for visitation rights to a child. And it adds one very limited circumstance and that would be when the -- the biological parents are both deceased and a relative of the -- a relative of the child then adopts the -- the baby. This would allow for the biological grandparents to petition for the right to have visitation rights. It also makes some technical changes to the bill that we passed last year, as well as changing the word "illegitimate" to "born out of wedlock". I don't know of any opposition, and would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you. Senator, on page 3 in Section 2 of the legislation, where you're talking about post-adoption visitation rights for the biological grandparents can happen, and the first point there is if the child is adopted by the adoptee's stepparent. I -- that -- that happened in my -- in my life. I adopted my older two children, but I certainly don't think that -- my kid -- my kids are older now so they -- this would not affect them, but I certainly don't think that those -- that their biological grandparents should have any right to see those children. I wouldn't want them to and I don't want to say anything further, so I don't get convicted of slander here. But those -- those people should never see those -- my children, unless my children want to see them, and the -- the way I'm reading that it sounds like other people could be subjected to that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. The way I read this, and the circumstances that I envision under this amendment, is that the parents -- the biological parents of a child are both deceased. The child is then adopted by a -- one of the people listed in the -- in this statute - that would be relatives - and now the grandparents -

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

the biological grandparents - the parents are deceased, the biological grandparents can -- are eligible to petition under this Act. And of course, the eligibility -- just to be able to petition, doesn't mean that they would ever necessarily win. And, the burden is on their -- is upon them to prove that it's not harmful to the child in order to have visitation. So, I don't know if your facts -- situation that you presented is -- is the same thing that's presented by -- by this amendment. I did come over and talk to Senator Lauzen and I forgot that you had asked this question earlier. So, I apologize for not talking to you about it earlier, but I -- I don't think that the circumstances you described are covered by this amendment. If -- if -- if I'm wrong, I'll take it out of the record again.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR D. SULLIVAN:

In -- in looking at this on -- on page 2 in paragraph (C) it -- it -- I -- this is the way I'm reading that, if one parent's rights have been terminated, then we're going to follow this process for these grandparents. In my case, the biological father willingly gave his children up for adoption and so his rights were terminated. My wife's rights, obviously, were not terminated and I became the adoptive father. The way I'm reading it there -- you're talking about a case just like mine where these people then would have had a right to come in for visitation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

So, if you're talking about paragraph (C) that's the current law and I'm not affecting that whatsoever. So, if -- if you object to paragraph (C) that's something I think we probably passed last year and I'd be more than happy to talk to you about the possibility of amending that, but that's not what the intent of the new additions are in this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR D. SULLIVAN:

But again, in looking at this paragraph (C), I'm not sure is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

the problem. It's paragraph (C) followed by what you're amending - this underlying portion in Section (2) on page 3 - that's where it's coming in with these post-adoption visitation rights. The current law says if only one parent's rights have been terminated, but now you're offering these visitation rights to people who I would argue do not deserve those rights.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Watson. I'm sorry. Senator Sullivan, was that a question? I thought you were closing.

SENATOR D. SULLIVAN:

No, I...

PRESIDING OFFICER: (SENATOR HENDON)

My apology. Senator -- Senator -- Cullerton.

SENATOR CULLERTON:

I just don't want to pass this bill, unless I clarify this issue. So, I'll take it out of the record, again.

PRESIDING OFFICER: (SENATOR HENDON)

Take it out of the record. Leader -- was on that bill? Okay. We'll take it out of the record. We'll move on. Senate Bill -- House Bill 395. Leader Watson. Madam Secretary, read the bill. Leader Watson seeks leave of the Body to return House Bill 395 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is House Bill 395. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Watson.

SENATOR WATSON:

Yes. -- It's a technical amendment that just allows the blind -- Blindness Prevention Fund to be added to the list of checkoffs, regardless of adoption number two -- Amendment No. 2.

PRESIDING OFFICER: (SENATOR HENDON)

Are there any -- is there any discussion? Seeing none, Leader Watson moves the adoption of Amendment No. 1 to House Bill 395. 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?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Watson, on Amendment No. 2.

SENATOR WATSON:

Yes. Thank you, Mr. President. I'd like to table Amendment No. 2.

PRESIDING OFFICER: (SENATOR HENDON)

Table Amendment No. 2. Are there any further Floor amendments approved for consideration? One moment, please. Senator Watson moves that Floor Amendment No. 2 be tabled. That motion is always in order. Those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment -- the motion -- the amendment is tabled. 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 House Bill 395. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Watson.

SENATOR WATSON:

Yes. Thank you, again, Mr. President. We all know the Illinois Lions Club. They're a -- a very community-minded group of individuals who -- part of their mission is to try to correct blindness and help young people with eyesight. And, they brought this legislation to me, along with the Illinois Optometric Association. And, what it does is creates the Blindness Prevention Fund. It authorizes a new income tax checkoff for donations to the fund for tax years ending on or -- or before December 31st, 2005. And, it also directs the Department of Public Health to make grants from the fund to charitable and educational entities in the State of Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To -- to the bill: I just want to let the Members know that this bill came out of the Revenue Committee without opposition, and I urge its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 395 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. House Bill 395, having received the required constitutional majority, is declared passed. House Bill 396. Senator Petka. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 396.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. But before I get to House Bill 396, for some reason, probably an electronic malfunction, I was astonishingly recorded as a Yes vote on House Bill 672. The record should reflect that I would have voted No.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect.

SENATOR PETKA:

Thank you, Mr. President. House Bill 396 would amend the Vehicle Code and it -- and it basically provides that if a -- a person is seeking a judicial driving permit that during the time that he -- he would have been eligible to receive a judicial driving permit, that he is picked up for a subsequent DUI that he would not be eligible for a -- a driving permit. It just seems that this makes all the sense in the world, because a person who already has a problem should not be given a second bite at the apple. I would urge its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

shall House Bill 396 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 396, having received the required constitutional majority, is declared passed. House Bill 398. Senator Crotty. Senator Crotty seeks leave of the Body to return House Bill 398 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 House Bill 398. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, to explain the amendment. Take it out of the record. With the leave of the Body, we will return to 398 at the proper time. House Bill 406. Senator Meeks. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 406.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. House Bill 406 is identical to House Bill 911 that passed out of this Chamber in the 93rd General Assembly. What this bill does is it alters the term "pollution control facility". This bill will only help one area in the State and that is Robbins, Illinois, where I represent. And Robbins had already been approved to be a waste incinerator and now what Robbins wants to do is to be a transfer station. Robbins will be used as a non-hazardous waste transfer station and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill passed out of the Energy and Environment

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Committee unanimously. I urge its support.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 406 pass. All 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? Take the record. On that question, there are -- 57 voting Aye, none voting Nay, none voting Present. House Bill 406, having received the required constitutional majority, is declared passed. With the leave of the Body, we're going to return to House Bill 398. Senator Crotty seeks leave of the Body to return House Bill 398 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 House Bill 398. Madam Secretary. Out of the record. Chair recognizes Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Sorry for the confusion. What I understand is that we have to adopt Amendment No. 1 before we can get to Amendment No. 3.

PRESIDING OFFICER: (SENATOR HENDON)

We -- take it out of the record. Continuing on page 70, is House Bill 457. Senator Cronin. 457. Madam Secretary, read the bill. Senator Cronin seeks leave of the Body to return House Bill 457 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 457. Madam Secretary, are there any amendments approved for consideration? Take it out of the record. We'll return to this order of business shortly. Senate Bill 480. Senator Dillard. Madam Secretary, read the bill. Senator Cullerton seeks leave of the Body -- Senator Dillard seeks leave of the Body to return House Bill 480 to the Order of 2nd Reading for the purposes of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 480. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR DILLARD:

Thank you, Mr. President. This amendment takes away all new costs to this bill dealing with reporting of eye ailments in newborns and we use a current system that's up and running and it takes away the cost. I'd move its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion on Amendment No. 2? Senator Cronin. Seeing none, Senator Dillard moves the adoption of Amendment No. 2. 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 House Bill 480. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. As we did the amendment a minute ago taking away the cost, this bill would create a Newborn Eye Pathology Act and sets up an advisory committee and requires hospitals to report information on congenital abnormalities or diseases of the eye in newborn children. I think as we probably saw at the Lincoln Library with an exhibit called "The Eyes of Abraham Lincoln", our eyes tell us a lot about disease and it's very important that we know from a public health standpoint what diseases are in the eyes of newborn children. They can prevent a lot of problems later on down the road. There's no cost at all really involved in this and we ought to keep track as we do a number of things with diseases of the eye when children are born, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 480 pass. Those in favor will vote Aye.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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. House Bill 480, having received the required constitutional majority, is declared passed. House Bill 481. Senator Harmon. 481. Senator Harmon. House Bill 509. Senator Luechtefeld. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. This bill amends the Southeastern Illinois Economic Development Authority Act by adding a township in the corner of my district - Irvington Township to the authority's jurisdiction. Also, there is an amendment that was put in by Senator Watson, which would add language regarding nonprofit water companies to use the easement for -- that -- that public water districts have.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 509 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 57 voting Aye, none voting Nay, none voting Present. House Bill 509, having received the required constitutional majority, is declared passed. House Bill 511. Senator Hunter. House Bill 515. Senator Clayborne. Return -- return to House Bill 511? Senator -- Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Just a point of order.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR ROSKAM:

Mr. President, there's a number of Republicans and, frankly, half of your caucus that are taking bets and the theory is that

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

you're actually compensated on your leadership stipend by the number of bills we go through. Is that true? Can you confirm that?

PRESIDING OFFICER: (SENATOR HENDON)

No, but I think I'd make a lot of friends around this Chamber if we can get us out of here at a decent time and limit some of the lengthy discussion by some of the windbag Senators. Not -- not one like you, but some of us do get rather lengthy. House Bill 511. Senator Hunter seeks leave of the Body to return House Bill 511 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. On the Order of 2nd Reading is House Bill 511. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senators Harmon and Hunter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, on Amendment No. 2.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 becomes the bill. The goal of the bill is very simple. It's to eliminate mercury as a preservative in vaccines. This is a nearly agreed upon amendment. I believe Senator Hunter's intent, if I am successful in adopting the amendment, is to hold the bill on 3rd Reading. We hope a subsequent amendment that will make it an agreed bill will come either directly to the Floor or back through committee.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Amendment No. 2 to House Bill 511. 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. House Bill 315. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

House Bill 515.

PRESIDING OFFICER: (SENATOR HENDON)

515. I'm sorry.

SECRETARY HAWKER:

House Bill 515.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. House Bill 515 makes it easier for abandoned homes to be sold and moved from undesirable locations, either by the county when acting as a trustee for all taxing districts within its power, or by homeowners -- or by owners of mobile home parks. I would ask for favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

There is one speaker. Senator Althoff.

SENATOR ALTHOFF:

Senator Althoff - thank you, Mr. President - would just like to go on record noting that we don't always oppose mobile home park bills. This is a good bill. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 515 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 56 voting Aye, none voting Nay, none voting Present. House Bill 515, having received the required constitutional majority, is declared passed. House Bill 523. Senator Collins. Senator Collins seeks leave of the Body to return House Bill 523 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 House Bill 523. Madam Secretary, are there any amendments approved for consideration?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Basically, Floor Amendment No. 1 just amends the DPH Powers and Duties Law to specify the guidelines for the proper disposal of hypodermic syringes, needles and other sharps as related to their use for self-administrative purposes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Collins moves the adoption of Amendment No. 1 to House Bill 523. All those in favor will say Aye. Opposed will say Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 523. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 523.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. Chairman. Ladies and Gentlemen of the Senate, this is somewhat of a trailer bill, I think, to a controversial bill we passed last Session that would decriminalize or allow a pharmacist to sell up to twenty sterile syringes or needles to a person who was at least eighteen years of age. And during the debate on the Floor, it was a concern for the disposal and how the passage -- passage of that legislation might prevent harm and place other dirty needles on the street and where they might be placed in garbage. So, this is like a trailer bill, I believe, where it sets forth the guidelines for the proper disposal of those needles.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. That bill that you're referencing, Senator, was my bill and I don't think it was that controversial. It only took me twelve years to pass it. But -- but I think this is a good bill and that I'm going to sign onto it.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 523 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 57 voting Aye, none voting Nay, none voting Present. House Bill 523, having received the required constitutional majority, is declared passed. House Bill 527. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 527 amends the Code of Corrections regarding good conduct credit in mental health units. Basically, there is just a category here where men and women at Corrections cannot receive good conduct credit and one of them are men and women that's assigned to mental health unit. Therefore, the Department of Corrections is seeking to change this area of awarding good conduct credit in hoping that it will provide incentives for more active participation from inmates in this unit. It has nothing to do with the offenses that they're convicted for if it's first degree murder, terrorism, attempted first degree murder and the list goes on and on. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 527 pass. Those in favor will vote Aye.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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's 51 voting Aye, 7 voting Nay, none voting Present. House Bill 527, having received the required constitutional majority, is declared passed. House Bill 566. Senator Link. Senator Link seeks leave of the Body to return House Bill 566 to the Order of 2nd Reading for the purposes -- take it out of the record. House Bill 594. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 594.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, thank you. 594 changes the short title of the Act to Volunteer Emergency (Worker) Job Protection Act. The bill goes on to provide volunteer emergency workers with job protection. This Act does not apply to municipalities that are larger than thirty-five hundred.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 594 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 57 voting Aye, none voting Nay, none voting Present. House Bill 594, having received the required constitutional majority, is declared passed. House Bill 595. Senator Hunter. Senator Hunter seeks leave of the Body to return House Bill 595 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 House Bill 595. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR HUNTER:

Amendment 3 retains the bill -- the underlying bill and -- and becomes the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Hunter moves the adoption of Amendment No. 3 to House Bill 595. All those in favor will say Aye. Opposed, say Nay. And the Ayes have it. The amendment is adopted. Are there any -- further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 595. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 595.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter, on 595.

SENATOR HUNTER:

Thank you, President Hendon and Ladies and Gentlemen of the committee -- committee -- of the Senate. House Bill 595 requires, subject to appropriation, Hepatitis education for providers, the public and veterans and it also develops a -- a voluntary Hepatitis advisory council. This bill came out on the agreed bill list and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 595 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 57 voting Aye, none voting Nay, none voting Present. House Bill 595, having received the required constitutional majority, is declared passed. House Bill 596. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 596.

(Secretary reads title of bill)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. After the tornado last spring in Utica, a group of firemen showed up. They were calling themselves the "Lost Creek Fire Department". They had a used truck. They were detained by the police and it was found that there was no law against them posing or impersonating emergency - - emergency management workers. So this bill simply creates some definition of what emergency management worker is and also creates a Class 4 felony for those who are impersonating a -- a firefighter or emergency worker.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 596 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. House Bill 596, having received the required constitutional majority, is declared passed. House Bill 601. Senator John Sullivan. Senator Sullivan seeks leave of the Body to return House Bill 601 to the Order of 2nd Reading for the purposes of amendment. Seeing no -- no objection, leave is granted. On the Order of 2nd Reading is House Bill 601. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan, on your amendment.

SENATOR J. SULLIVAN:

Thank you, Mr. President. House Bill 601, the amendment, is an initiative of the Department of Ag to encourage livestock production in the State. It makes a number of changes to the Livestock Management Facilities Act. I'll go through a couple of those. Creates a sales tax exemption on building materials used to construct livestock facilities. It exempts small livestock facilities from compliance with a notice of intent to construct requirements. It exempts facilities with less -- less than a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

hundred and fifty animal units from compliance if the proposed facility is located wholly within an existing Ag area, and it modifies design standards for facilities with capacities of -- of less than three hundred animal units.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator Sullivan, I've been informed by staff just moments ago, and I think this was raised in other places, that there is a pretty serious single-subject problem with this amendment if it goes onto House Bill 601. The underlying bill amends the Soybean Marketing Act and the amendments that -- or, everything that's in Amendment No. 1 would amend the following Acts: The Used Tax Act, the Service Used Tax Act, the Service Occupation Tax Act, the Retailers Occupation Tax Act, the Soybean Marketing Act, which is the only one that fits, and the -- Livestock Management Facilities Act. Can't we do better? You know what I mean? I don't think there's any objection to anything in terms of the subject matter of what you're trying to accomplish, but are there no bills that are over there that -- that we can do this the right way? 'Cause I think we're really looking at a serious constitutional problem based on the single subject argument with the Illinois Supreme Court.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Sullivan.

SENATOR J. SULLIVAN:

You're right, Senator. That was brought up in committee. There were some concerns that we tried to address at that time. Basically, everything that we're doing with regard to the amendment and the original -- bill deals with agriculture and we feel like the -- the -- the amendment goes along with the bill and there's no problems as far as our concerns.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel, on the amendment?

SENATOR WINKEL:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Yes. Briefly. Thank you, Mr. President. Briefly to the amendment. Yes, we did discuss this in committee, Senator, but the problem was we -- we went ahead and did it anyway and I think the -- and I'll reiterate - sorry, but I'm going to reiterate - the -- this -- the situation is not waivable. It is a single-subject matter problem. It's a constitutional infirmity and we're for these things in this bill and we're -- we're very concerned that as you send this over, we're going to be defeating each of those items that are joined in multiple subject fashion, which is not permitted by the Illinois Constitution. I -- I just want to rise and reiterate that concern and -- and hopefully we're trying to figure out how to address that, because it's my understanding in the House, that they won't -- they won't even entertain this if there's a single -- if there's a single-subject infraction. So, I just wanted to bring that up again.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan moves the adoption of Amendment No. 1 to House Bill 601. 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 House Bill 601. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 601.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Sullivan. Oh! The question is, shall House Bill 601 -- Senator John Sullivan.

SENATOR J. SULLIVAN:

Wanted to -- I addressed the amendment. I'd like to address the original bill, Mr. President. Thank you. The original bill adds six at-large members to the soybean marketing program operating board. It increases those members from eighteen to twenty-four and this is an initiative of the Illinois Soybean Association. I know of no opposition to the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Dahl.

SENATOR DAHL:

Mr. President, to the bill: The Senate Ag Committee passed this unanimously. But I want to, again, state what my colleagues have, that there is -- there is a problem and this is a good bill. We just -- we just hope we can keep this intact and make it do what -- want it to do.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 601 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 56 voting Aye, none voting Nay, none voting Present. House Bill 601, having received the required constitutional majority, is declared passed. House Bill 612. Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 612 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 House Bill 612. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 2 to House Bill 612 becomes the bill. It creates a new Act called the Family Case Management Act. It would require Department of Human Services to establish and administer a family case management program to low-income families and -- to help them obtain health and human services support and -- and other specializes -- services. It's main goal is to assist women in having healthier babies and reducing infant mortality.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Trotter moves the adoption of Amendment No. 2 to House Bill 612. All those in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

favor will say Aye. Opposed will say Nay. The amendment is adopted. Are there any further 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 House Bill 612. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. I essentially explained the bill when -- when I explained the amendment. If there's any questions, I'll be happy...

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 612 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 57 voting Aye, 1 voting Nay, none voting Present. House Bill 612, having received the required constitutional majority, is declared passed. House Bill 615. Senator -- Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 615 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 House Bill 615. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, -- Members of the Senate. I will be happy to discuss the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Is there any discussion? Seeing none, Senator Martinez moves the adoption of Amendment No. 1 to House Bill 615. 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 House Bill 615. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 615.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 615 retains the underlying bill. Makes changes to House Bill 615 by distributing the program duties between Department of Public Health and the Department of Human Services. The Department of Public Health must coordinate with DHS on existing community-based programs such as chronic disease community intervention programs, diabetes control programs, the Chicago {sic} Health Insurance (KidCare) Program, the HIV/AIDS program, immunization program, and other related programs at State and local levels to avoid the duplication of efforts. The Healthy Start Program, Infant Mortality Program and Diabetes Program will remain under the sole oversight administration of the Department of Human Services. The -- the establishment of such grant program is subject to appropriations.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 615 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 57 voting Aye, none voting Nay, none voting Present. House Bill 615, having received the required constitutional majority, is declared passed. House Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

655. Senator Althoff. Senator Althoff seeks leave of the Body to return House Bill 655 to the Order of 2nd Reading for the purpose of amendment. Is there any objection? Hearing none, so ordered. Now on the Order of 2nd Reading is House Bill 655. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff, on your amendment.

SENATOR ALTHOFF:

Thank you. Amendment No. 1 retains the underlying bill and actually amends sections of the County Code allowing counties to regulate AM broadcast towers and facilities in the same manner they currently regulate telecommunications carriers now.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, -- Senator Althoff moves the adoption of Amendment No. 1 to House Bill 655. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any Floor -- further Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Dave Sullivan.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan, on Amendment No. 2.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment simply is TIF legislation for the City of Mt. Prospect in my district, Senator Garrett's district and Senator Wendell Jones. I thank Senator Althoff to allowing us to hop onto her bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Sullivan moves the adoption of Amendment No. 2 to House Bill 655. 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.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 655. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 655.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President, Members of the esteemed Body. House Bill 655, actually provides that a municipally and/or county must adhere to the same timeframe that they require a homeowner to abide to in relation to response to code violation notices. Be happy to answer any questions. You heard Amendment 1 and 2.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 655 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 2 voting Nay, none voting Present. House Bill -- 655, having received the required constitutional majority, is declared passed. House Bill 668. Senator Althoff. Senator Althoff seeks leave of the Body to return House Bill 668 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 668. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff, Amendment No. 1.

SENATOR ALTHOFF:

Thank you, Mr. President, Members of the Body. Floor Amendment No. 1 retains the underlying language but also authorizes specifically only McHenry County Board to adopt a resolution to submit the question to the voters to dissolve the McHenry County Conservation District and create a forest preserve

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

district with boundaries -- coexistent with the county. In addition, if that choice is made, the forest preserve district created under this Section shall have the same bonding and taxing authority as the conservation district. This was in response to several requests from people of the community who wanted to have an elective conservation board.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Althoff moves the adoption of Amendment No. 1 to House Bill 668. 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 our consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 668. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, again, Mr. President, Members of the Body. House Bill 668 amends the Conservation District Act and again, is very specific to McHenry County. It provides that a district with a county with a population under seven hundred and fifty thousand and contiguous to a county of more than two million inhabitants shall have seven trustees and may incur additional debt if approved by a front door referendum and shall have their budget approved by resolution by the county board.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 668 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. House Bill 668, having received

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

the required constitutional majority, is declared passed. House Bill 669. Senator Haine. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Well, just another point of order, Mr. President. Interesting, the doorman just brought in a -- a note to me and apparently Arlington Racetrack is seeking permission to do live tapes of you up at Arlington, 'cause you sound so much like the guys that are doing their -- their announcements. So, I say a show of hands, let's let him -- everybody in favor, -- say Aye. Aye. Opposed, same sign. Motion carries, and Arlington can broadcast live. Back to you.

PRESIDING OFFICER: (SENATOR HENDON)

I -- I -- I -- I would simply hope that they aren't -- the person from Arlington will give me a trifecta or at least a perfecta or a winning horse every now and then and perhaps I will consider it. Senator Haine seeks leave of the Body to return House Bill 669 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 House Bill 669. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Is this the amendment?

PRESIDING OFFICER: (SENATOR HENDON)

Yes.

SENATOR HAINE:

The -- the -- the amendment retains the underlying bill, but it also ensures that only State generated money, not federal funds, is used to preserve wildlife.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Hearing none, Senator Haine moves adoption of Amendment No. 3 to House Bill 669. 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?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 669. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 669.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this a -- a -- a initiative of the ASPCA. It requires, beginning in Fiscal Year '06, that five percent of the monies of the Illinois Wildlife Preservation Fund will be used by DNR to maintain wildlife facilities that -- not construction, just maintain, that protect threatened or endangered species. The amendments have to do with the DNR's wanting to make sure this is not the total fund -- or, federal money in this fund. It's a very narrow amount.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 669 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 56 voting Aye, none voting Nay, none voting Present. House Bill 669, having received the required constitutional majority, is declared passed. House Bill 678. Senator del Valle. Senator del Valle seeks leave of the Body to return House Bill 678 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 House Bill 678. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR DEL VALLE:

Thank you, Mr. President. The State Board of Education requested this amendment, which replaces specific mention of the Illinois Measure of Annual Growth in English exam, which is known as the IMAGE exam with the phrase Limited English Proficient student academic content assessment. The removal of this specific name will allow the Board the flexibility to select a different assessment instrument in the future for students with the most severe language barriers. I ask for...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, -- Mr. President. I rise in support of the bill. I ask my colleagues to vote Yes, please. Thank you. Bye.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle moves the adoption of Amendment No. 1 to House Bill 678. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Now on the Order of -- are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Now -- 3rd Reading. I get your message. Now on the Order of 3rd Reading is House Bill 678. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 678.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill would allow us to codify what is allowed by the No Child Left Behind Act and that is to extend, by rule, the time allowed to students in transitional bilingual education or transitional instructional programs for completing State tests, as well as the provision in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

the -- the amendment, that I just talked about, that changes the term IMAGE to another term to allow for flexibility in the development of an assessment to -- for limited English proficient students.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 678 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 57 voting Aye, none voting Nay, none voting Present. House Bill 678, having received the required constitutional majority, is declared passed. House Bill 690. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 690.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 690 creates the Eastern Illinois Economic Development Authority Act. It would encompass the counties of Ford, Iroquois, Piatt, Champaign, Vermillion, Douglas, Moultrie, Shelby, Coles and Edgar Counties. It would consist of a fourteen-member board - three of which would be appointed by the Governor, one of which would be the Director of the Department of Economic -- I'm sorry, Commerce and Economic Opportunity, and the county board chairman in each of the other counties would have a appointment as well. It's important to know for purposes of this, Mr. President, that this does not permit the State to be on the hook for any moral obligation bonds whatsoever. Those would simply be under the purview of the Authority and there is a limit of two hundred and fifty million dollars. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 690 pass. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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. House Bill 690, having received the required constitutional majority, is declared passed. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you very much. On House Bill 678 would the record reflect that I would have voted Yes if the button would have recorded it?

PRESIDING OFFICER: (SENATOR HENDON)

The -- the record will so reflect. House Bill 695. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bills -- pardon me, House Bill 695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 695 amends the School Code and State Mandates Act regarding indoor air quality policies. The bill requires that each school district, other than Chicago, to prepare an indoor air quality policy and annually distribute the policy to parents in the district. The only reason Chicago is exempt is because in that particular part of the Section of the Code that's amended by this bill they're not included; however, the Healthy Schools Campaign is actually working with the Chicago public schools directly to implement the -- a similar policies that we will be trying to address here. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I almost feel like I need to apologize to Senator Lightford, because I really like her and I really respect her, but I just can't vote for this bill and I recommend to my colleagues that you don't vote for it either. Talk about another

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

mandate. Talk about a mandate that really doesn't have a big impact on student achievement on kids in the classroom. I know air quality is important, so is lighting, so is ergonomically correct chairs, so is the evenness of the floors that they walk on. I mean, this is nutty. Look at the language in the bill. They're going to require somebody to be hired. They're going to require a report to be issued. I -- I just think it just is going beyond the pale. You ask the average person what they think of this, I think they would think it's nutty. Please vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senator, I -- I believe that your last -- the bill that you had -- or the bill, that was all right. This one here you -- you really should take this one out. This is -- this is a bad one. I mean -- I mean, honestly I -- I remember when it came before the committee I said to Senator Lightford, "Is this air detector that you have sort of like a smoke detector?" And she said, "No. That's a real live person who will smell the air each day and determine whether people are healthy." I -- I -- I hope that we have enough votes in here to defeat this bill, because you know, I -- I don't know what -- what we would do next. You know, can you imagine that? The expense of it. Can you imagine the -- you know, even possibly liability of it? Maybe we all ought to get trained so we could do that, especially after we retire. Again, I hope that there is -- I -- I think just common sense will tell you, this one's not a good bill. I'm sorry. My last -- or my -- not my last best friend, but my new best friend. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill: Senator Lightford, I -- I would say this, once I heard about this bill several weeks ago around over in my district as I was making talks to different groups, I -- I brought this up to them and explained to them the -- this bill. Quite frankly most of 'em thought it was a nutty idea. I -- I hate to say that, but it was a nutty idea. But

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

they said if it does pass, they all want the job. So, I -- I guess if you -- if you can get enough votes, which I hope you can't, there's lots of people that'd be applying for this job. So, I would recommend the Body to -- to defeat this bill and -- and put up a lot of red votes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President. You know, with friends like Dan and Luechtefeld, who needs enemies? I mean, I've got the best friends in the world, but let me tell you. The Healthy Schools Campaign have been working on this initiative for the past three years. It is a direct correlation to student achievement, because during a -- a UIC, our own university has a School of Public Health report and in that report, they list asthma as the leading reasons for students to miss school. And a neighborhood Capital Budget Group study showed that twenty percent of teachers reported an average of four sick days per year due to poor indoor air quality. The Campaign also believes that improvements to indoor air quality could thus reduce days of schools missed by both the student and the teacher. There is no State funding required to this legislation in any way. And I'd be -- I hope that you would consider supporting a -- a notion that asthma is the -- a leading cause of problems in many of our children. My son has asthma. He's highly -- affected. He's home. He's fine. He goes to school. He comes home. He's sick. He needs a treatment. This goes on daily, because I don't believe that they care enough about their air quality in the schools. So I'm hoping that this will, if nothing else, give school districts a -- a -- an opportunity to address some of the concerns that's keeping the kids home sick with asthma.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill -- 695 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 27 voting Aye, 28 voting No, and 2 voting Present. House Bill 695, having not received the required constitutional majority, is declared failed. House Bill 709. Senator Harmon. House Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

712. Senator Martinez. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 712.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 712 expands the factors that a court must consider in determining custody in accordance with the best interest of the child to include whether one of the parents is a sex offender. House Bill 712 also provides that where a parent intends to marry or reside with a sex offender, and knows or reasonably knows that that person is a sex offender, they should provide reasonable notice to the other parents prior to the marriage or the commencement of residency.

PRESIDING OFFICER: (SENATOR HENDON)

Okay. Any discussion? Seeing none, the question is, shall House Bill 712 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 712, having received the required constitutional majority, is declared passed. House Bill 720. Senator Link. Senator Link seeks -- seeks leave of the Body to return House Bill 720 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 House Bill 712 {sic}. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is a amendment to a -- with an agreement with the Department of Natural Resources. Be more than happy to discuss it on 3rd Reading.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 4 to House Bill 720. 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 House Bill 712 {sic}. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is agreed upon bill at the Department of Natural Resources, the Illinois Municipal League and it provides that territories -- that is not within a corporate limits of any municipality shall be considered to be contiguous of municipality for annexation purposes if the territory is separated from municipality by a former railroad right-of-way that has been converted to a recreational trail.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 720 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 720, having received the required constitutional majority, is declared passed. House Bill 733. Senator Hunter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 733.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate {sic} Bill 733 is a Healthy Schools Campaign initiative and it requires ISBE and Public Health to establish a working group to -- to help school districts meet a wellness policy and it also establishes a school Wellness Policy Task Force. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 733 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 50 voting Aye, 8 voting Nay, none voting Present. House Bill 733, having received the required constitutional majority, is declared passed. Senator Sieben, for what purpose do you rise, sir?

SENATOR SIEBEN:

Have an inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your inquiry.

SENATOR SIEBEN:

Yes, Mr. President. Several years ago, I introduced legislation in this Body to license auctioneers in this State, and we had quite a bit of fun with that legislation. You were a -- a young Member of the Legislature at that time and I remember presenting that bill before a committee you served on. You took a great deal of interest in the licensing of auctioneers. Now, I checked with Senator Sullivan who is a licensed auctioneer in the State of Illinois. He's done some research and he can't find any of your credentials on file or where you've ever paid the fee to -- to maintain an auctioneer's license. And speaking as you do, we believe that there -- there may be a problem here that you are not currently licensed to speak at this rate of speed. Can you...

PRESIDING OFFICER: (SENATOR HENDON)

Well, hopefully one day if -- if young John Sullivan lives to be as old and ripe and handsome as myself, he might get to sit in this Chair and then we'll see how fast he can go to move this along. Senator John Sullivan.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR J. SULLIVAN:

Yes. President, I -- you know, I don't know what the fine is for impersonating an auctioneer, but I know we passed a bill out here just recently for impersonating a firefighter. But, I think the penalty should be just as stiff for impersonating an auctioneer. So, I think that you need to get your license current, if you're going to try to do what we do professionally.

PRESIDING OFFICER: (SENATOR HENDON)

Well, Senator Sullivan, I -- I -- I -- you should be hoping that you have no bills on the Calendar while I'm in this Chair, because I will most certainly skip all of them. House Bill 760. Senator Ronen. Senator Ronen seeks leave of the Body to return House Bill 760 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 House Bill 760. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Ronen.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This amendment narrows the scope of the bill and provides cost of living increases for Public Aid for funeral and burial expenses for three years.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Ronen moves adoption of Amendment No. 1 to House Bill 760. All those in favor will say Aye. Opposed will say Nay. And the Ayes have it. The amendment is adopted. Are there any further Floor -- amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 760. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 760.

(Secretary reads title of bill)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. The amendment that I described becomes the bill. This allows the Department of Public Aid to increase the amount that they reimburse for burials and funeral expenses at the level of the consumer price index.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly to the bill: I stand in support of the bill. I appreciate the sponsor's good work on this. The -- right now, the level at which the funeral homes are reimbursed for funeral expenses is just -- it's ridiculously low and it's appalling and -- and this is long overdue. And I appreciate the Senator's work, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 760 pass. Those in favor will vote Aye. Opposed will vote Nay. And, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 760, having received the required constitutional majority, is declared passed. House Bill 763. Senator Cullerton. House Bill 783. Senator Martinez. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 783.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. -- thank you, Mr. President, Members of the Senate. What this amendment -- it allows -- House Bill 783 allows an obligor to make child support payments at a licensed currency exchange. The Act requires that if an obligor makes such payments through a currency exchange, the obligor is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

required to provide sufficient information to enable the exchange to transmit the amount of the payment to the State Disbursement Unit.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 783 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 57 voting Aye, none voting Nay, none voting Present. House Bill 783, having received the required constitutional majority, is declared passed. House Bill -- top of page 73 - we're doing great here - is House Bill 788. Senator Trotter. House Bill 806. Senator Martinez. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 806.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Out -- out of... Senator Martinez, for what purpose do you rise?

SENATOR MARTINEZ:

For the point of some information. I need -- I need -- on my -- on my bill 783...

PRESIDING OFFICER: (SENATOR HENDON)

83.

SENATOR MARTINEZ:

I was so excited about child support that I forgot to vote for my bill. So I want to be voted as an Aye.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect and I really appreciate that you didn't blame it on the President. Any further complaints about the way -- about the pace I'm -- I'm taking, I've got a note here that I'm going to turn it back over to Senator Link. House Bill 806. Senator Martinez. House Bill 823. Senator -- we'll come back to that Order of Business. House Bill 832. Senator Risinger. Senator Risinger seeks leave of the Body to return House Bill 832 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Order of 2nd Reading is House Bill 832. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson, to explain Amendment No. 2.

SENATOR SYVERSON:

Thank you, Mr. President. With this amendment, it -- it adds language that allows counties that have passed a one-percent criminal justice tax -- allows them to reduce the tax portion on motor fuel, if necessary, by county board approval.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Syverson seeks -- moves the adoption of Amendment No. 2 to House Bill 832. 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 House Bill 832. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President, Members of the Senate. The bill provides that in the annual budget of a county, they may appropriate an amount not to exceed five percent, it is now three percent, of the amount appropriated to the county's general corporate fund or operating fund for the purposes of making specific capital improvements, repairs or replacements with respect to real property or equipment or other tangible personal property of the county. You also heard the amendment.

PRESIDING OFFICER: (SENATOR HENDON)

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

shall House Bill 832 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 57 voting Aye, none voting Nay, none voting Present. House Bill 832, having received the required constitutional majority, is declared passed. House Bill 864. Senator Munoz. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 864.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 864, as amended, provides that aggravated battery is a Class 2 felony - three to seven years, twenty-five-thousand-dollar fine. Aggravated battery causing great bodily harm or permanent disability or disfigurement is a Class 1 felony - four to fifteen years and twenty-five-thousand when the victim is one of the following persons: Peace officer, community policing volunteer, employees of correctional institutions, Department of Human Services personnel supervising sexually dangerous or sexually violent persons, or firefighters. I know of no opposition, and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 864 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 56 voting Aye, none voting Nay, none voting Present. House Bill 864, having received the required constitutional majority, is declared passed. House Bill 870. Senator DeLeo. Senator DeLeo seeks leave of the Body to return House Bill 870 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 House Bill 870. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Floor Amendment No. 3, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady, to explain the amendment.

SENATOR BRADY:

Thank you, Mr. President. Floor Amendment 3 is amendment that was heard in Executive Committee. It adds to another issue in my district that will help a sanitary district gain federal funds.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Brady moves the adoption of Amendment No. 3 to House Bill 870. 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 House Bill 870. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 870.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 870 grants Dewitt County quick-take. 870 is required because they're going to do a five-mile widening resurfacing. They -- it's going to widen the shoulders, increase the ditch capacity at -- just south of Clinton Lake Marina and you heard Senator Brady's amendment and that is the bill. So, I'd ask for a favorable roll call on House Bill 870.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 870 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 voting Aye, 12 voting

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Nay, 1 voting Present. House Bill 870, having received the required constitutional majority, is declared passed. House Bill 875. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 875.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- a bill which regulates the practice of dentistry in Illinois. It amends the Regulatory Sunset Act and it gives authority to administer certain drugs in small increments. It defines conduct for which discipline may be instituted against a -- a -- a dentist or a dental student. It's supported by the Illinois State Dental Society and the Department of Financial and Professional Regulation. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 875 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 56 voting Aye, 1 voting Nay, 1 voting Present. House Bill 875, having received the required constitutional majority, is declared passed. House Bill 876. Senator Ronen. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 876.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This bill merely clarifies the educational requirements for advanced practice nurses making it clear that APNs seeking licenses in multiple specialties would need to have the appropriate education

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

and certification in those specialties, but would not be required to have multiple graduate degrees.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 876 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. House Bill 876, having received the required constitutional majority, is declared passed. House Bill 881. Senator del Valle. House Bill 930. Senator Haine. House -- House Bill 956. Senator Munoz. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 956.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 956 would change the Vehicle Code by providing that the Secretary of State, upon complaint by a Motor Vehicle Review Board, shall refuse the issuance or renewal of a license or suspend or revoke the license, if the cost or fees assessed under Section 29 of the Motor Vehicle Franchise Act, and have been unpaid for a period in excess of ninety days after the license received from the Board actual notice and demand for the fees. The Board must send license written notice and demand for payment of the fees or costs at least two times. And, the second notice of demand must be sent by -- certified mail. The bill also contains some cleanup language. It was suggested by the Secretary of State. I know of no opposition.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 956 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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

voting Nay, none voting Present. House Bill 956, having received the required constitutional majority, is declared passed. House Bill 973. Senator Link. House Bill -- top of page 74. House Bill 991. Senator Hunter. House Bill 1100. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1100 is a long awaited, much worked on, anticipated Payday Loan Reform Act of 2005, which we have notated it as the Monsignor legislation here in Illinois. Monsignor J. Egan Payday Loan Reform Act. And if I could just give you a little history, that this is something that many people across the Capitol have worked on for the past four or five years. It came across my attention in 2001 - the summer of 2001, I had the opportunity to become the Chairman of the Financial Institutions Committee and that summer CFSA is one group that's in the industry who didn't mind being reformed, recognizing that they did, in fact, have a legitimate business. They'd taken me to one of their stores, which is now in Senator Harmon's district in Oak Park on North Avenue, and I was able to observe the fact that they could be a legitimate business if they were regulated by the State of Illinois. What happened was in August, 2001, regulations were passed that included important consumer protections, but the payday loan industry somehow were able to circumvent that and create loopholes to get around the new rules. So, current Illinois laws fall short of creating an affordable loan product and reform legislation is needed. What are payday loans? Payday loans are short-term loans secured by a post-dated check that consumers borrow at a very high fee and high rate. In our legislation, we've been able to do a number of things to reduce and cap that fee. We've also put a restriction on the amount of money that a borrower can borrow based on their income, how many loans can be borrowed per month and that there'd be a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

statewide database to provide information of each borrower from location to location - a statewide consumer reporting service. What -- what's astounding here is this legislation passed the House -- unanimously, came over to the Senate and there was so much speculation that the Senators wouldn't know what to do with this, and I beg to differ. I know we understand here in the Senate that reform is necessary, that we need to give the Department of Financial Institutions and Regulations the opportunity to regulate this industry so that it can support those who have challenges, taking out small loans from banks and who have high risk on credit card returns. So I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

I move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty moves the previous question. There are five additional speakers. Leader Watson.

SENATOR WATSON:

Thank you very much, Mr. President. I'll tell you what we ought to all do. Well, a -- a suggestion I got for you - something I did. I went over to MacArthur Street {sic}. There's like ten of these -- these payday loan places down MacArthur Street. I went in there. I went in with a sweatshirt on and jeans, tennis shoes, and I said I want a three-hundred-dollar loan. And it's amazing -- it's amazing what's -- there is a need for this industry. There's no doubt about it, but there is definite need for regulation - definite need. And I -- one place I went into the guy knew me. The guy that was working there and he used to be a security guard here. And he took me out the back and said, "Here -- here I wanted to just show you what it's all about." And it -- five hundred percent annualized interest these people are paying. Now, I doubt if very few of us have ever had the need to go into a payday loan, and I hope you never have to. And, it's very unfortunate that there's a population that has to rely on this type of an industry. There is a need for it, sure. There's a market for it, but it definitely needs to be regulated. So, I applaud Senator Lightford and -- and all those who've been

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

involved with this. Kay Wojcik, on our side, who's done and outstanding job of working out an agreed-to -- somewhat agreed-to bill, but definite regulation is needed. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just rise in strong support of this legislation. I would like to commend Senator Lightford, Senator Schoenberg and all the Senators, Senator Wojcik, all those that have labored, as you might say, in the vineyard to see that we have a -- a piece of legislation that is credible. Let me just say, and I think Senator Lightford mentioned it earlier, this legislation is named after the late Monsignor John Egan. And, I think it's only fitting - it's a fitting tribute to his life and his legacy as he was an advocate for the least of these. And, I think that about forty-four percent of Illinois citizens have indicated they, at some point, need short-term loan -- loans. And, I think that given that, as Senator Watson has also mentioned, there is a -- a service to be rendered. But I think there's a difference between service and serfdom and that's why I believe that we do need the regulations put in place. And, I think this is a role in the responsibility the government can play here to make sure that the uneducated and the desperate are not preyed on. And so I -- I thank everyone who've been involved in this endeavor.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

Well, I, too, rise to say that I'm happy to see that we were able to come to an agreement. We worked very, very hard. We had many, many meetings and some understanding, some misunderstandings, but we've come a long way. When we first started, I didn't -- I had no clue what a payday loan was. So I've grown in that issue myself. But I think the fact that -- Director Grillo had the meetings and he was open and he called me to speak with me to say were we happy and it -- it just worked out well. We did put an amendment in. The small business people are satisfied, somewhat. There's some things that they're not satisfied with. But, I will tell you that the number of years

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

and the hours that have been put into this, certainly deserves a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I also want to compliment all the individuals who have worked long and hard on this bill. But, I really think it's a shame that -- that in the State of Illinois we have so many people that have to turn to payday loans and I think that we ought to challenge the financial industry in the State of Illinois to develop some alternatives. We should not ignore a large segment of the population. Many of these individuals are -- are working people who leave -- who -- who do get a paycheck, but -- live from paycheck to paycheck. And, the fact that they can't turn to their local financial institutions for assistance, I think says a lot about the products that are offered out there. And, so I hope that that financial sector over -- over time will develop additional products that will make it possible for these individuals to be able to get the service. You know, this to me has been a battle between the big bad guys and the little bad guys. And the big bad guys have won, because they were willing to give in and they were willing to give a lot more. But actually, you know, the winner should be the individual consumer and the consumer will not be a winner until there are alternatives out there, until there are more alternatives to currency exchanges and more alternatives to payday loans. And, one last thing I'd like to say is, we haven't touched car title loans and I've got a list of places that offer both car title loans and payday loans. I think we're going to be seeing some individuals, who for whatever reason, can't keep up with the payday loan part being enticed into doing the car title loans. We're going to have to visit that issue, because I think it is a problem and more and more places are doing both. And, so I hope in the future we'll be able to do that, but this is definitely a great step in the right direction and, again, I commend the sponsors.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Thank you, Mr. President. A question for the sponsor. A -- just a context. You know, the regulation is certainly needed, as other speakers have said. The bill is certainly credible, all these good people who have worked so hard on it, so certainly the bill is credible. The industry access to loans is important. Anybody who's ever been in that position, as many of us have, you need the money and you're willing to pay a higher price for it. But my question is, how high is that price? And, just so that we have in front of us what the cost is on this money, if I'm not mistaken it's -- one of the amendments sets it at about fifteen dollars and fifty cents fee per hundred dollars. So that's -- well, first of all, let me ask that question. Is the maximum rate that can be charged every two weeks 15. -- or fifteen dollars and fifty cents per hundred dollar?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator Lauzen, for discussion and clarity further on -- on the bill. Actually, it's set at fifteen-fifty. That was an amendment that was brought to us by the Small Business Association, the Small Loan Association. But, what I want the Body to know is, right now the average is forty-four dollars on one hundred. So we've lowered that number from -- the average of forty-four dollars to fifteen-fifty.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Okay. What that means then is that the monthly interest rate on a hundred dollars is thirty-one percent times twelve months during the year. That is a three hundred and seventy-two percent effective interest rate. I mean, not precisely, but just doing some of the simple math on that. That is just huge. Three hundred and seventy-two percent is what we are going to pass if we vote Yes. Now, I know that the argument is that's better than the higher rate, but three hundred and seventy-two percent is just -- it's so hard to explain back home that we have brought regulation and it's almost like there's a legitimacy now at three hundred and seventy-two percent interest per year.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator -- Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. That is a -- almost misleading in terms of -- that's your AYP. That's your annual percentage rate, provided that the consumer takes out two loans every month for a total of twenty-six loans. That means they have to take out two loans every two weeks to get to what you're talking about. To a total of twenty-six loans in a year. But what happened is, there's a provision in the bill that says that they can only take out up to a thousand dollars or twenty-five percent of their income. So, there's no way that they would be able to reach that percentage that you just described.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. I -- I, too, would like to commend the sponsor and -- and the others who've been involved in these negotiations over the years. And -- and, you know, I want to echo some of the comments made by Senator del Valle, recognizing that this is a step. But, we as a Body should look at other steps that we would take in the future with regards to making sure we do not -- that we prevent industry from digging people of the least means further into -- poverty. It's commendable of -- of -- of the institutions who saw fit to step to the -- table and -- and negotiate this bill, for them to do so. But the -- the fact of the matter is, we need to try to steer people who access this industry to more traditional industries and try to get the more traditional financial institutions to open the door to these people. So, I -- I -- I, again, commend the sponsor, but urge -- and I urge a Aye vote on this, but I also urge the Body to -- to look to the future to -- to -- to do more on this issue.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg, for what purpose do you seek recognition? You were late after we moved the previous question. For what purpose, sir?

SENATOR SCHOENBERG:

I -- I think...

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

On -- on -- on the issue. Go ahead. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen. I did believe I had my light on, but perhaps you didn't catch it. I just wanted to -- been there, done that. Huh?

PRESIDING OFFICER: (SENATOR HENDON)

Briefly, sir. Your light was not on. We gave you a courtesy. Please don't do that to me. I gave you a courtesy. Go right ahead. Speak to the bill. To the bill.

SENATOR SCHOENBERG:

Thank you. Thank you very much, Coach. The -- Mr. President and Ladies and Gentlemen of the Senate, it is refreshing for me to finally be able to pull this hatchet out of the back of my head. I introduced the Monsignor payday loan reform coalition's bill in the -- as a Member of the House. And the Senate sponsor at the time was former State Senator, now Attorney General, Lisa Madigan, and I just wanted to add that with all the acknowledgements that are taking place today that I think we should give credit to the Attorney General for her commitment in protecting consumers on the legislative level, as well as in her current capacity. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There were many people involved in assuring that consumers were protected. In addition to Citizens for Action being a major lead in this, the Ada S. McKinley Community Service, Chicago -- Chicago Urban League, the Chicago Westside Branch NAACP, Citizens For a Better Westside, Cook County Democrat Women, Farm and Community Service, Health Consortium of Illinois, I.R.E.N.E., Sankofa for Rainbow/PUSH. The list goes on and on, but in closing, I'd like to say, before Lisa became the sponsor of that bill at that time, I had already sponsored a bill to lower the interest rate to thirty-six percent. So, I just want that to be noted that this is something that many of us were working on and not knowing, but what we did recognize is there was a need for reform. So let me just say that by many editorial boards and regulators across the State they consider us in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Illinois the wild, wild west of payday lending. And it's time for us to come in line with thirty-six other states to regulate this product. This legislation is the product of deep study, much discussion between the regulators, the industry and the consumer groups and now is the time to -- for us to act on behalf of all the consumers who want to use this product, but deserve to be protected from unfair or abusive practices. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 1100 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 57 voting Aye, 1 voting Nay, none voting Present. House Bill 1100, having received the required constitutional majority, is declared passed. Three more pages to go, Ladies and Gentlemen. House Bill 1102. Senator Harmon. House Bill 1133. Senator del Valle. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1133.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill requires the Department of Public Aid to develop a pilot asthma disease management program targeted to an area or areas with the highest prevalence of asthma. And it requires the department to consult with the Department of Public Health and other State agencies, federal agencies and experts in asthma immunology, providers, and consumers in developing the pilot program.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Simply stand in support of the bill. It did pass out of committee unanimously, and I urge its support.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

The question is, shall House Bill 1133 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. House Bill 1133, having received the required constitutional majority, is declared passed. House Bill 1149. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett, on House Bill 1149.

SENATOR GARRETT:

Thank you very -- thank you very much, Mr. -- Mr. Coach. House Bill 1149 creates a Computer Equipment Disposal and Recycling Commission and requires that the Commission to do the following: Issue a report of its findings and recommendations related to the disposal and recycling of computer equipment on or before May 31, 2006; beginning on May 31, 2007, evaluate the implementation of programs by the State relating to computer equipment disposal and recycling; and three, finally issue a report of its findings and recommendations on or before December 31st, 2008.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Dave Sullivan. Seeing none, the question is, shall House Bill 1149 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 55 voting Aye, 3 voting Nay, and none voting Present. House Bill 1149, having received the required constitutional majority, is declared passed. House Bill 1177. Senator Munoz. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 1177.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 11 -- 77 extends the regulatory sunset of the Collection Agency Act to January 1, 2016. The Act is currently set to sunset on the 1st of 2006. It broadens the definition of "collection agency" to include any legal entity that, for compensation, offers services to collect an alleged delinquent debt.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 1177 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 57 voting Aye, none voting Nay, none voting Present. House Bill 1177, having received the required constitutional majority, is declared passed. House Bill 1181. Senator Halvorson. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1181.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. Basically, House Bill 1181, it -- it defines the -- or it changes the definition of "minnow". Before, minnow and Asian carp, you know, Asian Carp were considered minnows, but now we're finding out that Asian carp are ruining the waterways. So, we want Asian carp not to be able to be in our waterways.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 1181 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 57 voting Aye, none

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

voting Nay, none voting Present. House Bill 1181, having received the required constitutional majority, is declared passed. House Bill 1195. Senator Link. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

I think there's an amendment on this that we had to add, or did we add that yesterday?

PRESIDING OFFICER: (SENATOR HENDON)

Amendment No. 2 was adopted yesterday, sir.

SENATOR LINK:

Okay. That's all I want...

PRESIDING OFFICER: (SENATOR HENDON)

...amendment. House Bill 1195. Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill contains requirements for automotive -- parts recycling and scrap processing and repair -- rebuilders. It's agree-upon bill with the automotive service providers and the American Insurance Association.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 1195 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 57 voting Aye, none voting Nay, none voting Present. House Bill 1195, having received the required constitutional majority, is declared passed. House Bill 1197. Senator Sandoval. House -- House Bill 1289. Senator Munoz. House Bill 1316. Senator Harmon. Senator Harmon seeks leave of the Body to return House Bill 1316 to the Order of 2nd Reading for the purposes of an amendment. Senator Munoz, on 1316. Senator Munoz seeks leave of the Body to return House Bill 1316 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Order of 2nd Reading is House Bill 1316. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. This amendment retains the underlying bill and further adds any unqualified person caught using disability license plates, parking decals or devices illegally is guilty of an offense against traffic regulations governing the movement of vehicles. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Munoz moves the adoption of Amendment No. 1 to House Bill 1316. 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 our consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1316. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1316.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. This bill is an attempt to crack down on these abuses and keep handicap spots for those who truly need them. I know of no opposition, and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 1316 pass. All in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, and none voting Present. House Bill 1316, having received the required constitutional majority, is declared passed. Senator Jimmy DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

House Bills 3rd Reading. Page 75 of your Calendar. Senator Halvorson, on House Bill 1318. Excuse me. Senator -- Senator Link, for what purpose do you seek recognition, sir?

SENATOR LINK:

Thank you, Mr. President. I was off the Floor and -- anyway I didn't get -- I was -- by my desk and I didn't get a chance to vote for House Bill 2449. I just would want to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The record will so indicate that. Senator Halvorson, on 1318, ma'am. Do you wish to proceed? She indicates she wish to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 1318 amends the Good Samaritan Act. What it does is it provides professional engineers, architects, land surveyors and structure -- structural engineers protection from liability for civil damages if they offer their time and energies free of charge during a disaster.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, shall House Bill 1318 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 Nays, 0 voting Present. House Bill 1318, having received the required constitutional majority, is declared passed. House

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Bills 1319. Senator Collins. Out of the record. House Bill 1338. Senator Crotty. Madam -- Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. House Bill 1338 amends the Local Government Employees Political Rights Act. Provides that a member of a fire department or the fire protection district may be elected or appointed to public office and may serve in public office. Provides that if the member is not in uniform and not on duty, that member may solicit votes and campaign funds and challenge voters for the public office for which the members -- member happens to be a candidate. This is the very same language that is -- is -- has been in Indiana since the mid-1980s. Also, if elected, the firefighter would be bound by the same local ethics ordinances as public officials from other occupations.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Crotty, is there any prohibition in -- in your bill, as drafted, that would prevent a fire department employee from actually being on the city council of the very community where he or she were employed?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

No. This -- this legislation would allow him or her to do just that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

To the bill: Senators, this is a really bad idea. I know it's late in day and I know things have been moving -- through here like a freight train, because most of them have been pretty harmless and pretty innocuous. This is a bad idea. 'Cause what you have here is the possibility -- I mean, in all likelihood the distinct probability, that somebody would have an inherent conflict of interest. Think about a municipal government that has employees -- I mean, we have a structure for municipal governance in this State that says you've got the leaders and the elected officials and then they hire employees. And the -- employees do -- are -- follow through on the policies of the elected representatives of the community. This bill creates an inherent conflict. So that what you could have is a -- an employee who is also on the city council. That's a bad idea. It's not a partisan bad idea. It's not a Senate bad idea. It's just a bad idea. It's a bad idea that will lead to bad things. In other words, think about it. If you've got a negotiation going on, and you've got the -- the city council meeting and deciding on a collective bargaining issue or how they're going to negotiate with employees, how much sense does it make if you have the very employee, who's the -- on the other side of the negotiating position in terms of the beneficiary of those negotiations, actually sitting in the room? That's an absurdity. This would be a much better bill, and I would support this bill, with a very simple exemption that says if you -- you can't run in the you -- you -- you can't be employed in the town that you're running in. Now, that makes a lot of sense. And there's men and women who are part of the fire service who have great things to add and great contributions in terms of public service, but it makes a lot of sense if they are employed in a different town. Let's spare our communities from a lot of hassle. Let's spare our communities from a lot of litigation. Let's spare our communities from a lot of ugly stories, and so forth, that will come out of this and let's vote this down. And then let's -- let's take this bill back up to -- and with the amendment that I've suggested, which everybody agrees with. But let's -- let's -- let's not do this. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Sullivan.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR J. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

That request is in order, sir. There's one, two, three, four, five, six, seven people seeking recognition. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

A couple of questions on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Again, these are -- and I -- I do rise in opposition. I -- I believe -- I agree with Senator Roskam on that inherent conflict of interest. Is it -- is it the case - two questions - is it the case that as a city council member, this firefighter would be able to vote on his or her raise?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR LAUZEN:

...or, on the contract that would dictate...

SENATOR CROTTY:

This -- this person, who would have been elected, would certainly be under all the ethic ordinances that any other -- someone who would have, you know, a job that would be in conflict, much like the rest of -- of us sitting here. There's many issues that come up that -- from all of our different backgrounds could actually be a conflict, then we would stand up and -- and state that. They can also recuse themselves from -- from any conflict. So, that's -- that's the part that I don't understand, that they can actually recuse themselves from those issues.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. So I assume from that answer that the -- or -- or from the -- your answer that the answer to my question is, yes, they would be in that position, unless they took some extraordinary action. The second question is just when -- when city councils or county boards go into executive session, you

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

know, into private meeting to talk about the details of contract and personnel policy, that excludes by necessity -- that excludes, you know, folks from being able to listen into that. Now, if you have the -- person from the group that it's the bargaining unit, aren't they now on the inside of that executive session privy to information that they typically would, going back to the inherent conflict of interest?

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, FOX-TV in Chicago seeks leave to videotape the proceedings. Seeing no objection, leave is granted. Senator Crotty.

SENATOR CROTTY:

Going back to the Open Meetings Act and executive session, as I was a school board member, many times we'd go into executive session and I think the professional thing there is to -- all those discussions shouldn't really stay privileged to those members that were inside that executive session. I would find that any time that any of us are elected to a position that we take it seriously and we would, in fact, keep those items within the body that we're elected to serve. You should be able to separate yourself from that elected position and the position that you hold outside of that office.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Lauzen, there's seven other people speaking -- seeking recognition, sir. Senator Lauzen.

SENATOR LAUZEN:

Final -- okay. Final question then is, just on your example, Senator, just on your example - on a school board when they go into executive session, are there members from the teachers' union who are members of that school board?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

At certain times, yes. If there is a -- a grievance procedure you may -- you may be able to have those members representing that person.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator -- Mr. President, would the Senator yield?

PRESIDING OFFICER: (SENATOR DeLEO)

The Senator -- will yield for a question, sir.

SENATOR VIVERITO:

The position of a full-time fireman in my community is -- my fire chief is a highly regarded individual, probably making about ninety-some thousand dollars a year. And to negotiate a contract in the city while you're the fire chief or you're a trustee, definitely seems to me to be a conflict of interest when you've got the police and fire, both, that you have to negotiate. There's a lot of confidentiality there. It's a very difficult thing to -- have you ever sat -- sat in on any of those?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

I also served on Civil Service Commission prior to this. But have I ever sat in on negotiations? Absolutely. As a school board member, I was a chief negotiator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I think that -- I would hope that you would consider -- I think -- I have a son-in-law that's a fireman for the City of Chicago and I have a great compassion for the great work that firemen do. I believe you are correct in letting them run for the school board, the library board, the park board, but when they're negotiating their own contract, I truly believe it is not in the best interest to this Body to vote for that bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

I also would like to make sure that, you know, I -- I'm not going to speak for every fireman or every person who would run for an elected position, but if it was me, I would make sure that I would not be sitting on a negotiation committee for the firemen, but I may want to sit in on a negotiating committee for public works. You know, I want to also make sure that everybody understands, this fireman isn't -- or, he or she is not being

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

handed anything. It -- they're running in an election much like us, where the people are electing them. So, I just wanted to make sure that there's an understanding there, too. It's an election.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. The notes that I have here say that minority spokesman pointed out that the bill, as written, makes it very clear that in order for any of the above mentioned situations to occur, the individual must first answer to the voters of the district in which he or she is running. And the General Assembly should trust these decisions to the voters of the individual districts. I think what we have here is rights in America to run for office. Whether you're qualified to be in that office, is determined by other factors, such as conflicts of interest and things like that. So, I -- I think it's a question of rights to run, as opposed to who can serve. We have a lot of people with conflicts of interests in various walks of life. If we start selecting out those of us who have conflicts of interest, we won't have anybody in government. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Althoff, for what purpose do you rise, ma'am?

SENATOR ALTHOFF:

Thank you, Mr. President and Members and -- of the Senate. As a third-generation firefighter family member, probably fourth once my son graduates from college and returns home, and as a former mayor, this is truly a bad piece of legislation. And it has nothing to do with firefighters or their ability to serve or the voters' decision. What this has to do with is simply, as we've been talking about all afternoon, a conflict of interest. A firefighter can serve in any capacity elected to any other board, except for the board that is going to determine that individual's personal compensation. And recusing yourself, let me be very clear as a former mayor, if you are an elected official and your employer wants to bid on a contract for your municipality or your county, they may not do that. You may not

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

recuse yourself and you may not even leave the room and take that vote. Can't do it. It's -- it's against the law. This is not going to stand up to Supreme Court rulings. In fact, I think that there is an absolute stay - Rogers versus Tinley Park, that stated a village police officer couldn't serve on his village board, because of the incompatibility of holding those two positions. I really urge you to look at this. This is not good legislation. In fact, there was consideration to try and amend this bill, because we certainly don't want to have firefighters not hold public office. They just shouldn't hold public office in the municipality or county of which they are an employer. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Mike Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

If two candidates are running for office and one's a fire chief and one's just a civil servant doing nothing, do you think the voters are smart enough to decipher between the two points of view?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Yes. I do.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

And -- and second, and -- and probably more important, do you think that the lawyers in this Body are able to make a good decision - nonbiased decision - on the medical malpractice bill?

SENATOR CROTTY:

...hear him.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Would the sponsor yield?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates she'll yield for a question, sir.

SENATOR SHADID:

Do you know if they allow any other city employees to hold public office in the State of Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Certainly.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

I think you're right, but let me ask you this. Would you be willing to take out the part of appointed and just leave it elected to the city council, or whatever?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Well, I don't see the reason why appointed should fall into anything any differently.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR CROTTY:

Then again...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

Let me -- let me tell you the big difference. I think Wendell Jones hit on it. If they're running for office in a community, and most communities, even the size of Peoria, know just about everybody in town. If they're elected, as appointed - appointed, I think there's a big difference, 'cause he's been elected by the people or she's been elected by the people, but if he's been appointed, he's been appointed by the mayor and six or eight councilmen. So I -- there is a big difference. I have no problem with them being elected, personally. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, what purpose do you rise?

SENATOR RISINGER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Yeah. And maybe you've answered this, and -- and if so, I apologize. But do you know of other positions, for example, can a teacher that's a member of the -- of the teachers' union serve on a school board of which they get their reimbursement -- their -- their imbursement for that? Or can a park district employee serve on the park board where they receive their compensation? Do you know of any examples of that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

I don't know of any examples of that off the top of my head.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Risinger.

SENATOR RISINGER:

I -- I've been told that it's -- there -- we've had a ruling that it's unconstitutional for a police officer to serve on the city council. Are you aware of anything such as that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

...sorry -- I'm sorry. Could you repeat that? I'm sorry.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

I've been told that it's been ruled unconstitutional for a police officer to serve on the city council. Are -- are you aware of anything like that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

I have read -- I have read part of that, yes. But, also it started out -- at one point it was -- the decision was differently and it was overturned, because that was having to do - if I'm not mistaken - having to do with the officer at the time

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

taking a leave of absence so that he can run for office.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Viverito, are you seeking recognition, sir?

SENATOR VIVERITO:

One more question. And I don't mean to...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR VIVERITO:

Yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito.

SENATOR VIVERITO:

Thank you. Thank you, Mr. President. You know, we could very easily put an amendment on this that the firemen be able to run for public office anywhere else, except in their own particular town where they live as the mayor, where they can't decide their own particular salary. Would you consider that? We can certainly put an amendment onto that, and -- and you could bring it back. Like some of our firemen now in the City of Burbank did not want to live in the City of Burbank. They wanted to live outside of the City. So the mayor went along with that and a lot of 'em live out in Tinley and they live in Orland. They live somewhere else. So, they can run for mayor in -- in Tinley or they could run for mayor somewhere other than where they live. The -- the chief I'm talking about.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

And -- and I can understand, you know, that -- that train of thought, but the -- so many of our districts also have a residency law. So, that would mean that even though that person would like to run for office, they wouldn't be able to without them giving up their job and then -- and then trying to run. So, you know, I -- I just want to make sure that this language is identical to Indiana and I don't recall having anything traumatic coming out of Indiana. I certainly haven't heard anything. And, I think that a person running for office like -- just like all the rest of us, we need to make sure that if there is a conflict,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

that we stand up and -- and say so. The question was, you know, do teachers -- teachers serve on their retirement boards. You know, so off the top of my head, I can't say across this entire State, you know, how many have been able to serve. But I've served with teachers when they were on the school board and, you know, they're -- they're union members. They're very strong in -- in -- in their convictions for, you know, union issues and I thought they did an excellent job when I served with them. So, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Crotty, to close, ma'am.

SENATOR CROTTY:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 1338 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 33 Ayes, 20 Nays, 1 voting Present. House Bill 1338, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, we have House Bill 1350. Senator Harmon. Do you wish to proceed, sir? He indicates he wish to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1350.

(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. House Bill 1350 is an initiative of one of my State Representatives, Deborah Graham, and it derives from an incident in our district in which a -- a parent accidentally backed over her child with the car. Representative Graham was understandably moved by that and in her first attempt, sought to mandate the inclusion of sensors on the backs of -- of every car

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

manufactured. Recognizing the difficulty of -- of doing that at the statewide level, she moderated her ambitions and has now devised a bill that will help us collect information on these so that we can make an informed decision. In the course of her investigation, she also discovered the number of accidents involving children and power windows. With the amendment that we adopted yesterday, I'm not aware of any opposition to the bill, and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Senator Harmon, you and I discussed this a little bit in committee and I -- I'd like to -- I -- I guess I'm going to ask that you -- you inform the Body a little bit about -- as I recall, you said in committee that this started when the House sponsor saw a news report in the Chicagoland area about -- either a report that the number of children being hit by motor vehicles in their own driveways was increasing or actually saw a report of a child dying as a result of that. How did we get from that to asking that there be reports on injuries where children may have a finger or an arm or a leg or a foot caught in an electric window in a car?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Again, we're not asking just for reports of those sorts of accidents. We're asking primarily for reports of these accidental backovers that -- that happen when typically a parent or a family member, backing up in the drive way or in the alley, backs over one of their own children. That's how the bill started. As I said in my introduction, as Representative Graham developed this bill, it became obvious to her that a great number of children were also being significantly injured with the -- the -- the power windows. So she expanded the scope of her inquiry to include that issue, as well.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

When you picked up the bill here, Senator, did -- did the Representative give you any notion of once these statistics are compiled, then -- what we're going to do with that? I mean, I would assume that we're collecting information with an idea of taking that and moving in one direction? Can you tell us what that might be?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Again, as -- as I mentioned in my introduction, her initial reaction was to try to mandate sensors on the backs of cars. I think she recognizes that that's not something we can do at the State level, given the -- the national or international scope of car manufacturing. But, because of the significance of this issue and the injuries, collecting the information, at least in one State, could contribute to the -- the visibility of the issue and lend some statistical support to looking at something like this down the road. I don't believe she has any concrete plan to do X, Y or Z as the result, but I think it would help us to survey the territory and figure out what we might be able to do.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you. Then along the -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. Then along the same lines, Senator, what's -- what's -- what are they going to do with the data relative to the power windows?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

I -- I do not know. And I -- I -- I think we need to know

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

what the data shows before we decide what to do with it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Just to that issue. Most new vehicles now, as I'm sure you're aware -- I'm sure your vehicle has a lockout for all the windows. It's located by the driver's door or on the driver's door. And, you know, I understand the concerns. I understand, you know, we all -- we all cry when children are harmed or -- or hurt, but the fact of the matter is, this is something, you know, the -- the second portion's -- the amendment of the bill relative to the power windows, you know, I don't know what else can be done. There is a mechanism right now that's available on most new cars. I don't know what reporting the accidents will do to further that. And I don't know, in all honesty, what gathering the other data will do either, but thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

Mr. President, question.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DAHL:

Why is this a hospital problem and not a police problem?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Well, I think what we're interested in is the -- the scope and nature of the injuries, which seems to me to be something that's -- it's -- that we're getting our information from two sources, from hospitals and from coroners. And they seem to be the best source of this information.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl.

SENATOR DAHL:

It -- it just -- it just seems to me like, you know, hospitals are already mandated with tons of paperwork and -- and -- and a police report's going to be made on some child getting run over and it just seems to me like we're mandating the wrong

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

people to do the reporting here.

PRESIDING OFFICER: (SENATOR DeLEO)

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 Harmon, you are a good soldier and it's obvious to me that you -- we all have State Representatives and some of them are bright lights and -- and you know what, I don't know your State Rep. and I'm sure that State Representative is terrific. I don't think this is one of the best pieces of legislation that this particular Representative has come up with. Because just to drive a piece of legislation based on a news report and then sort of say, wow, that would be really interesting to come up with data and then well, let's mandate that hospitals acquire that information. It -- it -- once we go down this road, this will have no end, because then we'll have emergency room doctors - my brother is a physician in one of the emergency rooms in Chicago, and he frequently will comment to me about the amount of paperwork and so forth, and that comes with the territory - but if we start doing -- if we start doing, you know, the number of children that were injured in -- in this particular fashion, it's going to be who is injured in that particular fashion and it will go on and on and on and on and on. I can't believe that there's no other way to figure out the amount of injury if these -- if these windows are so insidious and -- and having such trauma, number one, that more people aren't hearing about it or number two, that there's not some other place other than an emergency room that can gather this information. Has your Representative - - and -- and I know you got a bill box under there, so, you got a lot of bills, and this is probably not the highest priority and you're doing your duty, but did your Representative consider any alternatives? Because, Senator, the way you've described this is sort of, "Well, she wanted a federal standard" -- or, she wanted a standard, couldn't come up with that, so we threw together this and here it is and what do you think? It is really not a compelling argument to move this deal.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Well, thank you, Senator. I've actually been fortunate that I have not had to do a lot of work on this bill, because Representative Graham has done most of the work. She started out being opposed by the coroners, being opposed by the hospitals and being opposed by the doctors. We have amended the bill to bring them all into line so that the hospitals are not opposed to providing this information. The doctors are not opposed. The coroners are not opposed. You -- this is -- this is political catch-22. If I were to bring forward a bill that proposed a solution, I would be criticized for not having the statistics to back up that the problem existed. If I bring forward a bill saying we should collect the statistics, you're -- I'm -- we're being criticized for not knowing what the solution is. You can't have it both ways. We're doing our best to move forward in a logical progression to collect information to decide what a good solution might be. Perhaps we'll find that the statistics don't support the notion that this really is a problem. This is not the first bill that began as a news report, and it won't be the last bill. I think that Representative Graham has done a wonderful job of eliminating opposition, building coalitions, and asking to gather information so we can make an informed decision about a solution.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Is there anything -- what is it that's driving the power window situation? Again, this is Representative Graham's reading of the news?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. No. I believe that in the course of discussing with the medical experts the dangers posed by backup accidents, she discovered that there was an equal or greater risk posed by power windows, and decided that as long as we were collecting this information, we should collect it about

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

both types of incidents.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Can you anticipate any other ways in which vehicles hurt people? In other words, do they go over children? Do the -- when you open doors quickly, is that a problem? Is trunks that pop up, do they bang children's chins causing dental problems? Anything else related to autos that we can anticipate Representative Graham wanting emergency room physicians who are trying to care for very desperately ill people, wanting her -- any other boxes she wants them to...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Perhaps we could meet in the Capitol drive and conduct some of our own experiments. I'll drive.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, I -- I do get the strong sense that you're doing your duty for your Representative and that I respect. And I tell you what, if you just quietly take this bill - this ridiculous bill - out of the record, we will all act like you ran it through the tape. Senator Hendon will come in. We'll reshoot the videotape with him calling "have all voted who wish" and we'll show a nice little roll call and you can show a videotape for her later. But -- but in the meantime, I think that this is absurd. I think the collection of this type of data is a complete waste of time for emergency room physicians, who are, as we speak, involved in -- in trying to prepare Chicago and the metropolitan area in terms of terrorist attacks and so forth. And the type of fiddle-faddle that this involves, I think, is a waste of time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to close, sir.

SENATOR HARMON:

Well, for a bill that has absolutely no opposition outside of this room, I -- I -- I don't know how else I can defend what I think is a good idea, other than to ask you all for your Aye

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 1350 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, take the record. On that question, there are 33 Ayes, 21 Nays, 1 voting Present. House Bill 1350, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. 1358. Senator Munoz. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 1358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill simply requires that any time an application for a motor carrier of passengers license is filed with the Illinois Commerce Commission that it includes an airport as a point being served, that the applicant must also serve a copy of the application on the chief legal officer of the municipality or political entity operating the airport and the process agent for any other licensed motor carrier of passengers serving the airport. It's an identical bill to 612 that was passed here, passed out 55 to 0. I know of no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall House Bill 1358 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 Nays, 0 voting Present. House Bill 1358, having received the required constitutional majority, is declared passed. House Bill 1387. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 1387 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 House Bill 1387. Mr. Secretary, are

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, to explain the amendment, sir.

SENATOR JACOBS:

The -- Mr. President, the National Safety Transportation Board has recommend that school busses be equipped with a noise suppression switch capable of turning off noise and -- producing accessories. Installing noise suppression devices will be thirty-five dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Jacobs moves the adoption of Floor Amendment No. 1 to House Bill 1387. All those in favor will vote -- say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1387. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1387.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz, to -- Senator Jacobs. I'm sorry.

SENATOR JACOBS:

I got promoted.

PRESIDING OFFICER: (SENATOR DeLEO)

You -- you look alike.

SENATOR JACOBS:

Thank you, Mr. President. This is an initiative of the Illinois Department of Transportation. It adopts the federal motor carrier safety regulations regarding drug, alcohol and controlled substance testing, training requirements, financial responsibility and transportation of hazardous material. I'd

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

appreciate your favorable Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 1387 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 1387, having received the required constitutional majority, is declared passed. Senator Burzynski, for what purpose do you seek recognition, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just for clarification. I -- rarely does this happen to me, but I neglected to vote on House Bill 1350, Senator Harmon's bill. And I'd like for the record to reflect that had I voted, it would have been a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate. Ladies and Gentlemen, continuing on House Bills 3rd Reading is House Bill 1403. Senator Martinez. Do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1403.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 1403 provides for the creation of a five-member board of trustees for downstate fire pension funds. Currently, all -- all downstate firefighters pension funds have eight members or nine members board of -- trustees, depending on whether the fund is set up for the municipalities or a fire protection district. House Bill 1403 will terminate all current downstate fire trustees and create a five-member board of trustees for municipalities and fire protection districts.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Brady.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR BRADY:

Thank you, Mr. President. I stand in support of the bill. The Senator is doing what's been done with the police for a number of years and we've heard of no complaints from the police, so I'd recommend your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 1403 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 53 Ayes, 2 Nays, 0 voting Present. House Bill 1403, having received the required constitutional majority, is declared passed. House Bill 1427. Senator Link. Out of the record. House Bill 1457. Senator Schoenberg. Do you wish to proceed, sir? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the bill {sic}. House Bill 1457, the underlying bill is identical to Senate Bill 1966, which passed here unanimously. An initiative of the Procurement Policy Board for reverse of options. Other subsequent additions to the bill include measures which we debated yesterday that affect the disclosure of financial interests and the requirement for individuals to seek waiver. Impacts the -- makes changes in the requirements for what's necessary to -- for scrutiny of the -- the disposition of property and also lifts the sixty-percent threshold on -- the -- on the compensation of the Governor's annual salary on the prohibition for obtaining contracts as a means of obtaining a waiver. I'd be happy to answer any questions. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no discussion, the question is, shall House Bill 1457 pass. Those in favor will vote Aye. Those opposed

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 1457, having received the required constitutional majority, is declared passed. Senator Cullerton, on 1469. Senator Cullerton, on 1469. Out of the record. Ladies and Gentlemen, turning to the top of page 76 of your Calendar, House Bills 3rd Reading, is House Bill 1480. Senator Halvorson, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein. Senator Halvorson.

SENATOR HALVORSON:

...and Members of the Senate. House Bill 1480 amends the Labor Dispute Act to allow persons engaged in picketing the use of a public right-of-way. Allows for tents, shelters and vehicles to be parked on a public right-of-way on a temporary basis and it establishes limitations for the use of a public right-of-way. It preempts any limitation on picketing by a unit of local government, if it is in violation of the Act.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PANKAU:

Yes. Thank you, Mr. President. I want to remind the Body to make sure that they know that in committee, City of Chicago testified against this. Also Mayors and Managers were opposed to this also. The basic idea being, is how long is temporary? There were many things that were not specifically spelled out in the bill. There were even some questions asked whether campaign signs could be in the right-of-way if you can have picket signs.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

And that was -- and there was no answer to that either. So I would like you to make sure for -- to those that are particularly sensitive to -- to particular issues look at the opponents on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Halvorson.

SENATOR HALVORSON:

Thank you. In -- in response to Senator Pankau, and maybe this isn't good enough, but according to the bill, "temporary sign" means a sign or other display or device that is not permanent and can be removed at the end of each day or shift.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This simply allows picketing, which I think is every American's right to picket whatever they want to and it comes from our friends at Local 150 Operating Engineers. I urge its support.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger. Senator...

SENATOR RISINGER:

Thank you, Mr. President, Members of the Senate. This is truly, truly a bad idea. You need to think about what you're allowing here. You're allowing picketing on Class I, Class II and Class III highways. We're talking about picketing on the interstate highway. We're talking about picketing on the toll-way. We're talking about picketing on rural highways. We spend hundreds of thousands of dollars with traffic control standards that contractors have to put up and -- and work behind in order to protect the traveling public, in order to protect the employees that are working out on the highway. Whenever a -- a surveyor works out on the highway, he has traffic control standards that he has to work behind. Whenever IDOT works out on the highway, they have traffic control standards that they have to work behind. This does not address that issue at all. You have people out there that need to have on hard hats, steel-toed shoes, vests. This does not address that issue at all. Think about it. How would you like to have somebody standing next to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

you with a sign - a picketer - and then put yourself within three feet of the traveling public? We have been very, very careful not to have any conflicts with stop signs and slow signs out on the highway, and now you're going to put a picket sign next to that stop and slow sign. And who's going to read that picket? Who's going to read the picket? The driver that drives by. Right? The people that you want to have their mind on their driving. Have you seen the signs that says, "My Mommy works here. Please drive safely"? All of you have worked to have safe work zones. It's the most dangerous place that you can think about to work, and, yet, we're going to put signs - picket signs - out in that workplace? Picketing is okay. We need to find a place to have that to be done and to be done safely. This is truly a bad idea, and if this takes place, somebody's going to get hurt.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Halvorson, to close, please.

SENATOR HALVORSON:

Thank you, Mr. President. Just to clarify, we put an amendment on there that would ensure that water mains, sewers, and other utilities are readily accessible for construction, maintenance and emergency repair work and -- and we worked really hard to narrow it down as far as we could to maintain public access. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall House Bill 1480 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 40 Ayes, 14 Nays, 0 -- 1 voting Present. House Bill 1480, having received the required constitutional majority, is declared passed. Senator Halvorson, on 1483, ma'am. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1483.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

SENATOR HALVORSON:

Thank you, Mr. President. I have another good bill. This amends the Unified Code of Corrections. It provides that supervision is not available to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if -- within the twelve months preceding the date of the defendant's arrest, the defendant has been assigned court supervision for a violation.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, the question is, shall House Bill 1483 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 1483, having received the required constitutional majority, is declared passed. Senator Crotty, on 1504, ma'am. Out of the record. Senator John Sullivan, on 1511. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1511.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. House Bill 1511 declares that if a -- if the guardian of an adult with disabilities is alleged to be the perpetrator of abuse, neglect or exploitation, the Adults with Disabilities Abuse {sic} Project may seek the appointment -- appointment of a temporary substitute guardian pursuant to the Illinois Domestic Violence Act. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no discussion, the question is, shall House Bill 1511 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 1511, having received the required constitutional majority, is declared passed. Senator Schoenberg, on 1522, sir. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1522.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1522 creates the Loan Repayment Assistance for Physicians Act, which allows doctors who agree to practice full-time in this State for three years, to apply to the Department of Public Health for grants to repay one year's worth of student loan payments up to a maximum amount of twenty-five thousand dollars. If the physician does not fulfill that requirement, he or she must repay the -- three times the amount that they received and this is subject to appropriation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Leader Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Yes. Thank you. I think he just answered it when you said, "subject to appropriation". So this is a new Act. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Schoenberg.

SENATOR SCHOENBERG:

Yes, and this is subject to appropriation.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Watson.

SENATOR WATSON:

Is this a new Act, then?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Correct.

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:

Senator Schoenberg, there was substantial discussion of this legislation in committee about the fiscal impact, which I think the Department of Public Health told us that the price tag for this legislation would run anywhere between a hundred and twenty-five million dollars to six hundred and twenty-five million dollars. And the process by which the determination would be made - what hospitals get these loans and -- and which do not. I guess a two-part question. First, do you have any idea where the money for this might come from? And two, how is the process -- how is -- how is it going to be determined which hospitals are needy and -- I'm sorry, the physicians, which physicians deserve some assistance under this and which do not?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

To -- as far as where the money would come from, as -- as you indicated, there is a -- potentially a very broad range. The fact that this is subject to appropriation, which means we make a subsequent decision in setting amount -- in setting a -- aside resources in addition to what programs currently exist with the Department of Public Health in administering the health services grants, the family practice residency grants, and some of the grants for rural physicians. What -- we will define the parameters of the program, based on the amount that we -- appropriate. If you're asking for a specific source tied to it, that'll be our subsequent -- that'll be our subsequent determination. But I think I answered your second question, as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

The -- the -- the issue of how we'll determine which physicians are able to access the assistance. If you did say that, Senator, I apologize. I -- I did miss that. If you could go through that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Certainly. There are already existing programs, - incentive programs in place, which provide financial relief for those who enter the medical profession. This would be in addition to those programs and the parameters would be set based on the amount of money that we decide to allocate to it. And this is precisely why the Illinois State Medical Society endorsed this proposal, and I hope that answers your question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR SYVERSON:

Senator, I thought, you know, maybe -- forgive me if I missed it, but I thought during committee we were going to discuss having an amendment that was going to address the issue of -- of -- that these loans will be going to doctors who are going to be serving in -- in needy areas, whether it's underserved areas or in urban areas where there were shortages of doctors and I don't see where that's -- that's been amended onto this portion of the bill. Can you help me with that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Certainly. It was my understanding - correct me if I'm wrong - that the primary question was raised had to do with the cost and the fact that this is potentially -- expands the incentives and -- and the financial relief that we do offer physicians. It would certainly be my priority in how we establish the rules for this program that we would place priority for those who go into underserved areas.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Underserved areas would be -- that would include the rural areas, as well as underserved, and then how would this compete with the current programs that are already in place for those physicians now? For example, the U of -- University of Illinois' rural medicine program where they're having that incentive as a way to incentivize doctors to go into those rural areas. Are we now setting up a competing program that's going to make it more difficult to get doctors to want to go into the underserved areas?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg. I think there was a question there.

SENATOR SCHOENBERG:

My -- I view this as complimentary to that which we already have in place and by no means should it substitute for the financial incentive programs that we have for people to go in -- to provide, either into specialties where there are shortages of specialties, or into areas of the State where there are inadequate -- where there's inadequate medical care. I would see it as a compliment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Senator, does this just apply to do not -- to new doctors who are just completing their initial medical degree?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes, it does.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

It -- it does? Because I wasn't sure, looking at my analysis, I thought maybe it included all physicians, including those who have been in practice and who might have incurred new student loans going back to school or getting another degree.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

No. It's strictly prospective.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

That's not what I asked if it was prospective. If -- if it was just for the initial medical schooling or if they wanted to go back and get a specialty on top of that, if it was for that type of a loan, as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

The current bill -- the current bill -- you mean someone who decides to -- who's already an MD and decides to go for additional training? The bill remains silent on this. It would be my intention that it would be for -- to assist those who are in the process of initially becoming MDs and that would complicate -- I'm sorry. That would compliment - Freudian slip - that would compliment some of the existing incentive programs that we have.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, 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 Schoenberg, one is a drafting question. Would it make more sense to put the criterion into the bill itself - into the legislation - rather than just sort of hoping that there's going to be a rule promulgated that will reflect the will of the General Assembly?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Schoenberg.

SENATOR SCHOENBERG:

There are certain eligibility criteria which are in here. It's not uncommon that we express our intent and that -- and make sure -- follow up and make sure that that manifests itself in the -- in the rulemaking process. This is the version that came over from Representative Coulson, and my belief was that she wished, working in concert with the Medical Society, for it to remain in this existing form.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you. Just two comments, Senator, in terms of improvement. One would be, I mean, the current eligibility requirements are: They have to be a citizen or permanent resident of the United States - good idea; an Illinois resident - another good idea; full-time practicing physician in Illinois - a good idea; currently repaying educational loans - a good idea; and agree to continue full-time practice in Illinois for three years - another good idea. But it would seem to me that another good idea would be to making sure that these are folks who are practicing in high risk -- either high-risk medical areas, or high-need geographic areas. So, for example, my -- my suspicion is that we need obstetrician/gynecologists and neurosurgeons, for example, more than we need dermatologists - that sort of balance. You know what I mean? That's -- that's where the crisis is. I think it would be good, if the legislation reflected that. The other thing is, and this may be a drafting error -- and I know we love all of there Representatives, but God bless 'em, this may be a drafting error on the part of the Reps -- and that is, the term of our - in the Illinois statutes - "physicians" is a -- is a very broad term. That includes chiropractic physicians. Now, that -- that's not your priority, Senator, I don't think. You know what I mean? That's not the need that you're trying to reach. There's -- there's a lot of chiropractors that practice in Illinois. We don't have a chiropractic crisis, but I think that group may be eligible under this bill, as drafted. So I'm wondering, are the two suggestions that I'm making, do they make any sense and is there a way for us to amend this to focus in?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

'Cause I really don't have a lot of confidence in the rulemaking elements of this - you -- you know what I mean - once -- once it leaves here. And those are two ideas that I think are really worth thinking about and wrestling with.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

Thank you. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 1522 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 52 -- 32 Ayes, 23 Nays, 1 voting Present. House Bill 1522, having received the required constitutional majority, is declared passed. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. It's come that time of the day. We'd like to request a verification.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman requests a verification on House Bill 1522. Mr. Secretary, -- would ask that all Members please be in their seats. Senator Burzynski has requested a verification. The Secretary will read the affirmative votes.

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, Pankau, Raoul, Schoenberg, Shadid, Sieben, Silverstein, John Sullivan, Trotter, Viverito, Watson, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. Secretary. Does Senator Burzynski question the presence of any Member voting in the affirmative, sir?

SENATOR BURZYNSKI:

Thank you. Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator James Clayborne. Senator James Clayborne is in the back of the Chamber near the phone, sir.

SENATOR BURZYNSKI:

Thank you. Senator Meeks.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James Meeks. Senator James Meeks. Senator James Meeks is next to Senator Clayborne.

SENATOR BURZYNSKI:

Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins. Senator Jacqui Collins. Senator Jacqui Collins is always here.

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. I have no further questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you, Senator. On a verified roll call, there are 32 Ayes, 23 Nays, 1 voting Present. House Bill 1522, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, we have House Bill 1559. Senator Dillard. Mr. Secretary, read the bill, please.

ACTING SECRETARY KAISER:

House Bill 1559.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

...you -- thank you, Mr. President. This comes from a -- an expose done by CLTVA subsidiary of WGN Television. A three-part expose on how you can order an airline pilot's uniform off the Internet and show up at an airline dressed like an airline pilot and one in four times you can walk by security without ever being asked for an identification card. Pretty scary, especially for a State that has O'Hare and Midway Airports. So this makes it clear that you can't pawn yourself off as an airline employee to purchase an airline uniform and it makes it a Class 4 felony to go into restricted areas impersonating an airline pilot. I'd

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no discussion, the question is, shall House Bill 1559 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 1 voting Present. House Bill 1559, having received the required constitutional majority, is declared passed. Senator John Cullerton, why are you seeking recognition, sir?

SENATOR CULLERTON:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please...

SENATOR CULLERTON:

Senator, I was not on the Floor when Senate -- House Bill 720 was called. Someone inadvertently pushed me -- pushed a Yes vote. I -- had I been here, I wish to have voted Present, because I have a conflict of interest on the bill. So I want the record to so reflect.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate your intention, sir. Thank you. Continuing on House Bills 3rd Reading, is House Bill 1562. Senator Link. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 1562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This amends the Renter's Financial Responsibility and Protection Act. Provides that a vehicle rental company may void a damage waiver with regard to damage or loss occurring when -- while a vehicle -- rental vehicle was operated by a driver under the influence of alcohol, drugs, or -- intoxicating compounds in violation of the DUI provision in the Illinois Vehicle Code. I know of no opposition. Be more than happy to answer any questions.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Seeing no -- discussion, the question is, shall House Bill 1562 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 1562, having received the required constitutional majority, is declared passed. Senator Hendon. Senator Munoz, on 1565, sir. Mr. Secretary -- Senator Munoz, this is a recall. Senator Munoz seeks leave of the Body to return House Bill 1565 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 House Bill 1565. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz, to explain the amendment, sir.

SENATOR MUNOZ:

Thank you, Mr. President. This is an agreed amendment between the Secretary of State's Office and the Illinois Retail Merchants Association, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, Senator Munoz moves the adoption of Floor Amendment No. 1 to House Bill 1565. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1565. He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1565.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill changes a number of unrelated provisions regarding the Secretary of State's Office, at their request. The provisions contained in this bill are generally a -- non-controversial and mostly cleanup. It's supported by the Secretary of State and the Illinois Department of Transportation. I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no discussion, the question is, shall House Bill 1565 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 Nays, 0 voting Present. House Bill 1565, having received the required constitutional majority, is declared passed. Senator John Cullerton, on House Bills, 1588, sir? Are you seeking leave of the Body to return this to the Order of 2nd Reading for an amendment, sir? Out of the -- out of the record. Senator Munoz, on 1597. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1597.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. This bill simply holds that a notice of penalties and hearing for failure to pay a fine for a parking violation must be sent first to the address on file with the Secretary of State, and if the notification is returned as undeliverable, the U.S. Postal Service database may be accessed to find the correct address. This bill -- I know of no opposition. I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, House

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Bill 1597 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 1597, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 1679, sir. Do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1679.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this underlying bill had to do with the -- the port authorities in my area and Senator Luechtefeld's. The bond council of many local units of government came in with an addition, which is the amendment, which amends the Public Funds Investment Act and the Local Government Debt Reform Act to allow local governments to invest in secure AAA -- investments that they are unable to now. It also allows them to do certain things -- they're unable to do with investing in short-term corporate obligations, and it has no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

Yes. Thank you, Mr. President. This came through Local Government, passed 9 to nothing. I recommend -- its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 1679 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 1 voting Present. House Bill 1679, having received the required constitutional majority, is declared passed. House Bill 1870.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

Senator Raoul, do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1870.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. House Bill 1870, as amended, amends the -- Adoption Act in -- with regards to cases regarding termination of parental rights where one of the grounds for finding of unfitness would be failure to make reasonable progress within any nine-month period after adjudication. This bill would require the petitioner to file an additional petition -- identifying a nine-month period -- upon which they're relying. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, shall House Bill 1870 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. House Bill 1870, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading on the top of page 77 of your Calendar. Senator Munoz, on House Bill 2004. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2004.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. House Bill 204 {sic} amends the -
- School Code to create a Healthy Kids - Healthy Minds Expanded
Vision Program. Under the program, school districts are required
to provide services including, but not limited to, visual

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

examinations and glasses and dental care, hearing examination and hearing aids and counseling services. Prior -- for eligibility before the program is to be based -- excuse me, on financial and physical need.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Seeing no discussion, the question is, shall House Bill 2004 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 2004, having received the required constitutional majority, is declared passed. Senator Halvorson, on House Bill 2077, ma'am. Do you wish to proceed? She indicates, yes. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2077.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. House Bill 2077 is just a technical change to the Criminal Code. Basically, instead of saying that it's unlawful for a child sex offender to knowingly loiter on a public way within five hundred feet of a school, we're just taking out the words "on a public way" so now they just can't loiter within five hundred feet.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, shall House Bill 2077 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 2077, having received the required constitutional majority, is declared passed. Senator Jacobs, on House Bill 2137, sir. Out of the record. Senator Demuzio, on House Bill 2190, ma'am. She indicates she wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

House Bill 2190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 2190 amends the Illinois Insurance Code -- regarding coverage for post-traumatic stress disorder. And what this does is the bill requires insurers that provide coverage for a hospital or medical expenses under a group policy of accident and health insurance to provide the coverage for post-traumatic stress disorder under the same terms and conditions as coverage for other illnesses or diseases. I ask for a favorable roll.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, the question is, shall House Bill 2190 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. House Bill 2190, having received the required constitutional majority, is declared passed. -- Susan Garrett -- Senate -- Susan Garrett, on 2244, ma'am? Out of the record. Senator Clayborne, on 2250, sir. Senator Clayborne, on House Bill 2250, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2250.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. House Bill 2250 authorizes county boards to create and fund the operations of Hazmat and -- technical rescue teams, which would consist of volunteers or -- career professionals. These teams would serve and be reorganized as emergency responders. I would

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR ROSKAM:

Senator Clayborne, are you on the phone?

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, the question is, shall House Bill 2250 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 Ayes, 0 voting -- 0 Nays, 0 voting Present. House Bill 2250, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 2345, sir. Do you wish to proceed? He indicates, yes. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2345.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill -- will set up a task force to prepare and submit a report on the Electronic Health Records system. It's an initiative of the Illinois Academy of Family Physicians. No opposition and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. I stand in enthusiastic support of this bill. It passed out of committee unanimously and I'd urge its passage.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The question is, shall House Bill 2345 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 1 voting Present. House Bill 2345, having received the required constitutional majority, is declared passed. Senator Schoenberg. Senator Jeff Schoenberg seeks leave of the Body to return House Bill 2347 to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2347. Mr. Secretary, are there any amendments approved for our consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, on Floor Amendment No. 1 to explain your amendment, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor -- Amendment No. 1 responds to some issues raised by the Truck Renting and Leasing Association and the Illinois Trucking Association as -- as far as those who lease vehicles. There's no opposition. I'd be happy to answer any questions. Urge its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PANKAU:

Thank you. A -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PANKAU:

Is this the diesel idling bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's -- Senator Pankau, that's the underlying bill. What

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

this bill does is recognize, as we have in other states, that -- it -- that operators should - not owners, should be held responsible for idling. So, when leased vehicles are cited for violation, the law does not hold the owner liable. That's what the amendment does.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

Now, it was my understanding that the -- the -- the federal EPA is meeting over the summer to try to come up with some uniform guidelines. And, it was my understanding that there were a number of people that would hope we could put this bill off until November to see what sort of guidance they might give us, so that then truckers would know, as they go from state to state and locale from locale, what the rules are, rather than trying to have to figure out every time they park.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

That actually addresses the underlying bill, not the amendment. The amendment -- I -- I think you're anticipating -- I'd be happy to address those issues on 3rd -- on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Seeing no further discussion, Senator Schoenberg moves the adoption of Floor Amendment No. 1 to House Bill 2347. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment's adopted. Mr. Secretary, any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2347. Senator Schoenberg, do you wish to proceed? No, sir. Out of the record. House Bill 2351. Senator Risinger, do you wish

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. Chairman. What Senate {sic} Bill 2351 does is, authorize the Secretary of State to issue a special registration plate or sticker designated for medically required tinted -- tinted windows license -- or tinted windows for those with Lupus or Albinism.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Seeing no discussion, the question is, shall House Bill 2351 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, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. House Bill 2351, having received the required constitutional majority, is declared passed. Senator Harmon, on 2379, sir. Out of the record. Senator Schoenberg, on -- Jeff Schoenberg, on House Bill 2380, sir. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Do we have an amendment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the -- of the Senate. House Bill 2380 -- creates the Arthritis Prevention, Control, and Cure Act. It expands the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

scope of the work that the Department of Public Health would -- would be doing in making people aware of how crippling and expensive the chronic disease of arthritis is. I'd be happy to answer any questions on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no discussion, the question is, shall House Bill 2380 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 54 Ayes, 1 voting Nay, 0 voting Present. House Bill 2380, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, at this time for the purposes of an announcement. We have now completed the 3rd Readings. We are going to page 84 of your Calendar. House Bills 2nd Reading. This is final, final, final 2nd Readings. So, if you have anything, this is the last time you can move it to 3rds on -- today. This is a triple final. Let's go to -- we'll give the Secretary a second to -- we'll go to House Bills 2nd Reading. Ladies and Gentlemen, the last time we're going through 2nd Readings. Senator Crotty, on House Bill 2, ma'am. Out of the record. Senator -- Senator Roskam, for what purpose do you seek recognition, sir?

SENATOR ROSKAM:

Just a point of order, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR ROSKAM:

Is it the Chair's intention to only go through 2nd Readings and do no other final action for the rest of the day?

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct, sir. Okay. Senator Haine, on 27. Senator Crotty, on 44. House Bill 44, ma'am. Senator Petka, on House Bill 220, sir. Out of the record. I'm sorry. Once again, Senator Petka, out of the record, sir. On House Bill 466, Senator Raoul. Senator Raoul, on 466, sir. Out of the record. Senator John Sullivan, on 708, sir. Out of the record. Senator Meeks, on 755, sir. Senator Meeks, on 755, sir. Out of the record. Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

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 1968.

Passed the House, May 18, 2005.

I have a like Message with respect to House Bills 1919, 2048, 2275, 2706, 3031, 3167, 3687.

All passed the House, May 19, 2005.

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

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

Senate Bill 46, together with House Amendments 1 and 2.

Passed the House, as amended, May 19, 2005.

I have like Messages with respect to House Bill -- pardon me, Senate Bills 54, with House Amendment 1; Senate Bill 57, with House Amendment 1; Senate Bill 66, with House Amendments 1 and 2; Senate Bill 79, with House Amendments 1 and 2; Senate Bill 101, with House Amendment 1; Senate Bill 139, with House Amendments 1 and 2; Senate Bill 1 {sic} (210), with House Amendment 1, Senate Bill 241, with House Amendment 1; Senate Bill 309, with House Amendment 1; Senate Bill 383, with House Amendment 1; and Senate Bill 411, with House Amendment 1.

Which all passed the House, as amended, May 19, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 219, offered by Senators Martinez, del Valle, Munoz, Sandoval and all Members.

Senate Resolution 220, offered by Senator Dave Sullivan and all Members.

And Senate Resolution 221, offered by Senator Trotter and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, House Bills

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

5/19/2005

1st Reading.

SECRETARY HAWKER:

House Bill 1968, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, the Senate has completed their business today. So there being no further business to come before the Senate, the Senate will stand adjourned until the hour of 10 a.m. on Friday, May 20th, the year 2005. The Senate stands adjourned.