

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

60th Legislative Day

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Adjournment

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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desks? And will our guests in the galleries please rise? The invocation today will be given by Rabbi Marks, of Temple Israel in Springfield.

RABBI MARKS:

(Prayer by Rabbi Marks)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary -- Mr. Secretary, Reading and Approval of the Journal.

ACTING SECRETARY KAISER:

Senate Journal of Thursday, October 27th, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HUNTER:

Madam President, I move to postpone the reading and approval of the Journal of November 2nd, 2005, pending the arrival of the printed transcripts.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

ACTING SECRETARY KAISER:

Committee Report correction. The report of November 2nd, 2005, from the Senate Committee on Education recommended that

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Senate Amendment No. 1 to Senate Joint Resolution 52 and the Motion to Concur with House Amendment No. 1 to Senate Bill 293, be Approved for Consideration. The recommendation with respect to those Legislative Measures should be recorded as, Be Adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

WICS-TV requests permission to videotape. Is there leave? Leave is granted. Mr. Secretary, Messages.

ACTING SECRETARY KAISER:

Message from the Governor by Joseph B. Handley, Deputy Chief of Legislative Affairs, dated October 26th, 2005.

Dear Mr. President - the Governor directs me to lay before the Senate the following message.

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

Signed, Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Mr. Secretary, House Bills 1st Reading.

ACTING SECRETARY KAISER:

House Bill 2108, offered by Senator Halvorson.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Mr. Secretary, Resolutions.

ACTING SECRETARY KAISER:

Senate Resolution 54 -- I'm sorry, Senate Resolution 514 {sic} (515), offered by Senator Cullerton.

It is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RIGHTER:

I with me here today a student that I would like to

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introduce to the Senate. He name is Kristen Dorsey. She is a student at Eastern Illinois University and also president of that college's College Republican Organization. I would also note for Senator Haine's benefit, who is not on the Floor, that her parents live in Senator Haine's district and they are particularly proud of her extracurricular activities. So with that, if the Senate could give -- could welcome, Kristen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Kristy, welcome to the Senate. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Madam President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LAUZEN:

I would like to introduce four people from back home in Aurora, Illinois. They are all four teachers of business curriculum at West Aurora High School. Joined in the gallery right above me: Paul Meyer, Eric Buholt, Gwen Wells and Bill Stanley. I would ask the Senate to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. I have two guests here that I would like to introduce. From Kankakee, I have Fred Tetter, who is the vice-chairman of the Kankakee County Democrats, as well as Earl Corbett. I would like the Senate to - welcome them.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise and be welcomed to the Senate?

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Welcome to the Illinois Senate, gentlemen. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Madam President. Rise to request a Republican Caucus in Senator Frank Watson's Office.

PRESIDING OFFICER: (SENATOR HALVORSON)

That's always in order. Senator, could you tell us how long you'll be?

SENATOR BURZYNSKI:

Do we want to start a bidding process or do we just want to go to -- to where we think we need?

PRESIDING OFFICER: (SENATOR HALVORSON)

You tell me what you think you need.

SENATOR BURZYNSKI:

I think I need forty-five minutes. If I want to start a bidding, I'll go up to an hour and a half and work my way backwards.

PRESIDING OFFICER: (SENATOR HALVORSON)

No, we'll give you the forty-five minutes.

SENATOR BURZYNSKI:

Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, for what purpose do you rise?

SENATOR LINK:

Thank you, Madam President. For an announcement. There will be a Democratic Caucus in the President's Office for about forty-six minutes. And -- we will be done in that time. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, I think we'll give you forty-five. The Senate will stand in recess. Oh, I apologize. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR GARRETT:

I would also like to introduce two guests who came all the

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way from Deerfield. The Mayor of Deerfield, Steve Harris, up in the gallery and his son Alec. Steve Harris was just confirmed as the new Tollway trustee representing Lake County's interests, so we're very happy and pleased to have him visiting us in Springfield today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. The Senate will stand at the call of the Chair. We'll be in recess till approximately 12:15. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

Senate will come to order. For the information of the Body, we will be starting on House Bills 2nd Reading on page 3. Mr. Secretary, Messages.

ACTING SECRETARY KAISER:

Message from the President, dated November 3rd, 2005.

Dear Madam Secretary - Enclosed please find the Senate Session Schedule for the 94th General Assembly which commences on Wednesday, January 11th, 2006.

Signed, President Jones.

PRESIDING OFFICER: (SENATOR HALVORSON)

Mr. Secretary, Resolution.

ACTING SECRETARY KAISER:

Senate Resolution 415 {sic} (516), offered by Senator Forby. It is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

If everybody could turn their Calendar to page 3, we'll be going to House Bills 2nd Reading. Senator Martinez, on House Bill 230. Madam Secretary, read the bill. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 230.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator DeLeo, on House Bill 1009. Mr.

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Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1009.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator DeLeo, on 1368. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate {sic} Bill 1368.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Sandoval, on 3871. Senator Sandoval, on House Bill 3871. Now on the Order of House Bills 3rd Reading, on page 2. House Bills 3rd Reading. Senator Raoul, on House Bill 466. Senator Raoul. Senator Collins, on 481. Senator Collins. Senator DeLeo, on 2900. Senator DeLeo seeks leave of the Body to return Senate -- House Bill 2900 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 2900. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you very, very, very much, Madam President. Amendment -- Floor Amendment No. 1 to House Bill 2900 is a technical. We -- one of the provisions for arson we left out. I'll explain it in the bill, in House Bill 2900.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator DeLeo moves the adoption of Amendment No. 1 to House Bill 2900. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments

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approved for consideration?

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 2900. Senator DeLeo, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. House Bill 2900 allows bail to be denied for a person charged with certain forms of arson, which such a person has been previously convicted of those same forms of arson. Floor Amendment No. 1, which we just adopted, was omitted in the original bill. It's another form of arson. It's in regards to those meth labs, if some -- something was to blow up and it caused a death to the family or burned up an apartment building because there was a meth lab, they could be charged with this arson. This puts the burden on the State to prove that a person would pose a real threat and danger to society. So, this is -- again a person would have to be convicted of arson. This would be their second time being charged and going to court and a judge would be able to deny bail on an arsonist. I ask for a favorable roll call, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2900 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 2900, having received the required constitutional majority, is declared passed. Senator Viverito, on 3478. Senator Viverito seeks leave of the Body to return House Bill 3478 to the Order of 2nd Reading for the

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purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3478. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Viverito.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito, to explain your amendment.

SENATOR VIVERITO:

Thank you, Madam Chairman. The amendment will become the bill and I will explain that in the 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Luechtefeld, do you wish to speak on the amendment? Senator Viverito moves the adoption of Amendment No. 1 to House Bill 3478. 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 3478. Senator Viverito, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3478.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

Yes. Thank you, Madam Chairman. This amends -- amends the Medicare Article of the Public Aid Code to make the provisions for a three-percent cost of living adjustments in the Intermediate Care Facilities for Developmental and the Disabled - long-term. Anybody have a question, I'll be happy to answer it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Madam -- Thank you, Madam President. Will the sponsor

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yield, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Viverito, two questions. First, the cost. Second, is there a supplemental appropriation bill that goes along with this substantive language?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

Cost is approximately five million. Fiscal impact would be spread over a thirty-day payment cycle, rather than a twenty-five payment cycle, and I do believe there is a supplemental in there for this purpose.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

What's the bill number of the -- of the supplemental appropriation, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

I'm not certain which it was, but at this -- one minute. It's the physical {sic} impact budget neutral and there is no need for a new appropriations. And I got this from the Speaker, by the way.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Well, I've not had an opportunity to speak to the Speaker personally about this. But I -- I guess I'm -- I'm a little confused now because we're going to give them a rate increase, but there's no fiscal impact? I don't know how we pay providers more money and it not cost any more money to do so.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

I believe it's something in the way and the time period. Rather than twenty-five days, it'll be thirty days. And I don't

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know exactly, but maybe that's something with the interest that lies in there a little longer. That's possibly what it is, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Okay. So there is a fiscal impact. But what you're saying is we're going to dilute that impact, by slowing down the process by which we pay the providers. Is that -- I mean, is that what you're saying, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

...think we were trying slow it down. I think what we're trying to do is become more efficient with it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator, I'm looking at a sheet that was put out by the Illinois Healthcare Association in favor of this and at the bottom it says, "This is not an additional appropriation. This will be handled by five-day payment cycle delay." So, I mean, just so we're clear here. I mean, I -- I -- I'm sure that this has a lot of support in this Chamber, but so we understand, we're not appropriating additional funds for this. We're going to slow down the payments to the providers in order to accommodate a rate increase. Is that your understanding of it, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

I would say there is a possibility, but the Illinois Healthcare Association, AFSCME are all in favor of this particular bill. It's a bill that will really guarantee more for those that need it most. A COLA is a very small amount of money for these people that are providing the care that they're doing.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Go right ahead.

SENATOR RIGHTER:

Thank you, Madam President. Ladies and Gentlemen, I'm sure that this is going to fly out of here, as it should. Senator Viverito is carrying a very worthy piece of legislation. I hope everyone will pay attention, though, to the fact that we are once again going forward to paying what we say we want to pay to these groups, not by coming up with the extra money, but by slowing down the process by which we're going to pay them. This is a different Medicaid line than what we -- we hear so much about the payment cycles that are four/five months behind. Having said that, we don't want to walk down the same road in this line that we are already in with regards to that Medicaid line, as well. Thank you, Madam President, for your indulgence.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR VIVERITO:

Thank you, Senator, for those questions. I know you're well-meaning, but I do feel this is something that is necessary and I would hope that all of you would be in favor of it. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 3478 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 3478, having received the required constitutional majority, is declared passed. Top of page 3. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LUECHTEFELD:

In the gallery behind the Republican -- Republicans are four people from my district that are friends of mine that I'd like to

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introduce, Mr. -- Mr. and Mrs. Stein and Mr. and Mrs. Green. So, if they would rise, I would hope that you would give them a welcome reception.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HARMON:

On a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HARMON:

I am very proud and pleased to be joined on the Floor here by two of my four favorite constituents, my wife, Teri, and our son, Don.

PRESIDING OFFICER: (SENATOR HALVORSON)

John and Teri, -- welcome to Springfield. John, you are very handsome -- Don. Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

I -- Bill 3814 {sic} (3478), I was a Yes vote. My light isn't working. If it doesn't work on the next one, I'll have somebody look at it.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR WILHELMI:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR WILHELMI:

Thank you. Ladies and Gentlemen of the -- of the Senate, I am honored to have with me today and with us today in the gallery, in the Senate President's gallery a good friend, John Adler, who's from Morris, Illinois, happens to be a constituent of Senator Dahl, but a very good friend of -- of Senator Wilhelmi and I'd like to introduce you to him and -- and ask him to please stand. He's in the gallery.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guest in the gallery please rise? Welcome to

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Springfield. Top of page 3. House Bills 3rd Reading. Senator Sullivan, on 3814. Senator Sullivan seeks leave of the Body to return House Bill 3814 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 3814. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to explain your -- amendment.

SENATOR SULLIVAN:

Thank you, Madam President. The -- it's really a technical amendment that allows a dealer to transport -- only a dealer to transport trailers. I'll talk about it more on -- on 3rd.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Sullivan moves the adoption of Amendment No. 1 to House Bill 3814. 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 3814. Senator -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill -- I'm sorry, House Bill 3814.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President and Members of the Senate. The -
- the bill allows a new or used dealer of trailers to transport trailers in tandem behind a vehicle to and from the manufacturer to their place of business. Illinois is the only state that does not allow this already. Individuals can do this for recreational purposes. This is -- allows the dealer to do that. The driver of the vehicle has to be a -- have a CDL license and I would be

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more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. To the bill. There were some concerns in committee, of both Republicans and Democrats. I think those concerns have been resolved with this amendment and I simply rise in -- in support of the legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Garrett.

SENATOR GARRETT:

Yes. In the -- I guess to the bill. In the Transportation Committee that I attended last, this bill did not pass because it didn't have the proper number of votes, so something must have happened in between and -- and unless something has dramatically changed, I want everybody to be made aware that I'm not sure if every state allows for sixty-five-foot and longer vehicles. And we're -- we're not including the truck part of it. The -- we're talking the extension, the trailers. This is something that we have to take into consideration because, while it might work well in certain parts of the State, it certainly wouldn't work well in the northern suburban areas. So, I'm asking everybody to take a better look at this bill. I didn't realize that it had passed Transportation. I voted No. I would ask that you also vote No until we know more about it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any -- any further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam -- Madam President. To the bill. The bill does just what the -- the -- the sponsor says and it's very narrowly constructed. It also requires that you have a CDL license to -- and -- and so that takes care of a lot of the safety issues. And Illinois should allow dealers to get in and - - and get to their trailers. So, I would encourage those -- all of us, to vote for the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. To the bill. I also rise in

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support of the gentleman's legislation. I've had conversations last spring with Senator Sullivan when this issue was first addressed, also conversations with Representative Sacia, who has been championing this issue over in the House. It's good legislations. It's narrowly drafted. We need to vote Yes on this. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Forby.

SENATOR FORBY:

To the bill. You know, I -- I was in the contracting business for thirty-some-odd years and I had trucks and I understand them trucks pulling what we call "pup trailers". This bill -- you have to have a -- CDL license plates to do it. I got a camping trailer also. I see some of these camping trailers running down the roads, that bothers me a little bit. But people that are -- got CDL plates are trying to do this. It is a good bill. And I think everybody ought to look at this hard because it's a safe bill. Because you can drive up and down the road every day, you can see pup trailers on trailers, and these people -- are got CDL plates and they're experienced at doing this. So, I urge everybody to vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to close.

SENATOR SULLIVAN:

Thank you very much. The -- the bill did pass out of Transportation Committee, as did the amendment. I believe that the amendment actually tried to address some of the concerns that were raised in committee. I believe that the, as Senator Forby mentioned, as I have mentioned, the -- the safeguards that have been put in place make this situation a -- a -- something that needs to be done for the dealers here in Illinois. Again, Illinois is the only state that does not have the -- does not allow this presently. A dealer who goes out of state, an Illinois dealer, who goes out of state to pick up trailers has to stop at the State line right now, dump the back trailer, come on into Illinois, drop that trailer off and go pick up the other trailer. That's the only -- we're the only state that does that right now. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

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The question is, shall House Bill 3814 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, 7 voting Nay, none voting Present, and House Bill 3814, having received the required constitutional majority, is declared pass. There will be a meeting of the Rules Committee immediately in the President's Anteroom. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Bill 838 and Floor Amendment No. 4 to House Bill 466.

Signed by Senator Viverito.

PRESIDING OFFICER: (SENATOR HALVORSON)

To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advice and Consent. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor dated February 3rd, May 10th, and October 25th, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon moves that the Senate resolve itself in Executive Session for the purposes of acting on the appointments set forth in the Messages from the Governor dated February 3rd, May 10th, and October 25th. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of October 25th, 2005, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of October 25th, 2005, I will read the salaried appointments of

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which the Committee on Executive Appointments recommend that the Senate do advise and consent.

To be an Assistant Director of the Department of Agriculture, for a term commencing October 1st, 2005, and ending January 15th, 2007: Thomas Jennings.

To be a member of the Chicago Transit Authority, for a term commencing August 15th, 2005, and ending September 1st, 2011: Susan Leonis.

To be a member of the Civil Service Commission, for a term commencing July 15th, 2005, and ending March 1st, 2011: Raymond Ewell.

To be a member of the Civil Service Commission, for a term commencing July 22nd, 2005, and ending March 1st, 2011: Barbara Peterson.

To be a member of the Department of Employment -- Security Review Board, for a term commencing June 1st, 2005, and ending January 15th, 2007: Christopher Cohen.

To be Director of the Illinois Environmental Protection Agency, for a term commencing January -- I mean, July 1st, 2005, and ending January 15th, 2007: Douglas Scott.

To be Inspector General in the Office of the Executive Inspector General, for a term commencing July 1st, 2005, and ending June 30th, 2008: James Wright.

To be Assistant Director of the Department of Healthcare and Family Services, for a term commencing August 22nd, 2005, and ending January 15th, 2007: Cristal Thomas.

To be a member of the Human Rights Commission, for a term commencing September 2nd, 2005, and ending January 19th, 2009: Robert Enriquez.

To be a member of the Liquor Control Commission, for a term commencing August 25th, 2005, and ending February 1st, 2010: Daniel Downes.

To be Assistant Director of the Department of Natural Resources, for a term commencing October 16th, 2005, and ending January 15th, 2007: Sam Flood.

To be a member of the Prisoner Review Board, for a term commencing June 23rd, 2005, and ending January 15th, 2007: Salvador Diaz.

To be Assistant Director in the Department of Revenue, for a

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term commencing July 25th, 2005, and ending January 15th, 2007:
Patrick Welch.

To be Directors of the State Toll Highway Authority, for
terms commencing September 26th, 2005, and ending May 1st, 2009:
Steven Harris, James Roof, and Carl Towns.

To be a Director of the State Toll Highway Authority, for a
term commencing September 26th, 2005, and ending May 1st, 2007:
Betty-Ann Moore.

Madam President, having read the salaried appointments from
the Governor's Message of October 25th, 2005, I now seek leave to
consider the appointments on a roll call. Madam President, will
you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate
advise and consent to the appointments just read from the
Governor's Message of October 25th. 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 59 Yeas, none voting --
59 Yeas, none voting Nay, none voting Present, and a majority of
the Senators elected concurring by record vote, the Senate does
advise and consent to the appointments just read. Mr. Secretary,
Committee Reports.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee
on Executive Appointments, to which was referred the Governor's
Message of October 25, 2005, reported the same back with the
recommendation that the Senate do not advise and consent to the
following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of
October 25th, 2005, I will read the salaried appointment of which
the Committee on Executive Appointments recommend that the Senate
do not -- do not advise and consent.

To be a Member and Chair of the Illinois Commerce
Commission, for a term commencing September 22nd, 2005, and
ending January 9th, 2009: Martin Cohen.

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Madam President, having read the salaried appointment from which the Governor's Message of October 25th, 2005, I now seek leave to consider the appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I rise to concur with Chairman Hendon's recommendation of this one particular appointment with great sadness, I guess, is the right way to characterize it. I have tremendous personal and professional respect for Marty Cohen. And as a consumer, as well as on behalf of most of the residents of my district, I think that Mr. Cohen has done a tremendous job in holding down utility rates and giving us an excellent perspective on utilities in the State of Illinois. Mr. Cohen, if he were to be confirmed by this Body, would not just be a Chairman of the Illinois Commerce Commission, he would be Chairman of this Commission at perhaps its most important time ever. We have a re-write of the telecommunications law that has to be done by this Body over the next couple of years. And more importantly, I think the issue of electric and electricity reliability is paramount before this particular commission. While I like Marty and I believe that he would be a good commissioner, our job as Senators is to follow the Constitution of the State of Illinois and the statutes. In committee, Madam President, I pointed out that the statute which Mr. Cohen has to be judged on is quote: A commissioner must disqualify himself or herself in a proceeding in which his or her impartiality might reasonably, and I underline reasonably, be questioned, including if the commissioner has a personal bias or prejudice concerning a party. And while Mr. Cohen told us in committee that he might recuse himself from some cases, it is pretty clear - if you've seen his good record on behalf of myself and all consumers in this State - that he has a certain bias against utility companies. And I believe that the reasonability of his impartiality being called into question is there. The Chicago Tribune, not one, not twice, but on three occasions has editorialized that they don't think that Mr. Cohen can reasonably be impartial or imbias {sic} (unbiased). The business community

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of this State, the Chamber of Commerce and the -- Manufacturers Association also have raised the reasonable bias issue. And therefore, I don't think Mr. Cohen meets the statutory requirements. And I'm only looking at this from a legal basis because I have great respect for Marty and think that under different circumstances if he were a regular member of the Commerce Commission he might be better. Just to close, Madam President. You know, I'm really sorry and our process is advise and consent. And I told Mr. Cohen I feel sorry for him because I believe that he has somewhat been used by the Governor in a public relations stunt to put someone on there who is very, very much viewed as a pro-consumer. But the process is advise and consent. And if -- Governor Blagojevich, I believe, should have gone to Senator Jones, our Senate President, early in this process. He should have talked to Chairman Hendon, and he should have probably talked to the Minority Spokesman or the Co-Chairman of the Committee, Senator Adeline Geo-Karis, and my Leader, Frank Watson. You know, we've seen a lot on the advise and consent process in Washington with the appointment of a United States Supreme Court Chief Justice and Justice by President Bush over the last month. You see President Bush going to Capitol Hill talking to the senate leaders about his appointees to the United States Supreme Court for better or for worse. But at least in Washington, you see what the process is supposed to be like. And I feel sorry for Mr. Cohen, personally, that he was cut and run on by the Governor in that the process wasn't handled properly. But most importantly, the bottom line is that legally I believe that Mr. Cohen cannot serve as the Chairman of the Illinois Commerce Commission, as we go into this crucial time. And I understand the risk. The risk that Marty Cohen is a good man; he is knowledgeable on utilities. And the person, that if we reject him today, might come back to this Body, could be a lot worse from a lot of our perspectives. But I took an oath to follow the laws of this State and I believe, sadly, that Mr. Cohen doesn't fit that statutory definition. And I agree with Chairman Hendon, very reluctantly, on this motion. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

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Thank you, Madam President. By way of explanation on the vote itself, the message -- you'll be voting on the Governor's Message so if you agree with Senator Dillard and I and the other members of the committee, you will vote No or Present. If you agree with the Governor that Mr. Cohen should serve, you will vote Yes. So, just to make that clear, if you agree with the committee, if you agree with Senator Dillard and I, you will vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, would you explain please for us so we -- so we can understand it? If we vote Yes, we are going with Senator Hendon's recommendation.

PRESIDING OFFICER: (SENATOR HALVORSON)

No. Senator Geo-Karis, the question will be put before you, do you recommend and you will -- either if you -- the question actually is, does the Senate advise and consent to the appointment read from the Governor's Message? Not what came out of committee that they -- you advise do not recommend. It's the opposite. So, if you do not want -- okay. Senator Geo-Karis.

SENATOR GEO-KARIS:

The way Senator Hendon stated the -- his motion was do not recommend.

PRESIDING OFFICER: (SENATOR HALVORSON)

Correct. That was what came out of committee. There is no motion. All we're doing here is proposing a question and the question is, does the Senate advise and consent to that appointment.

SENATOR GEO-KARIS:

In other words, if you vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Then you want to confirm Marty Cohen for the ICC. If you do not want to confirm him, you vote No or Present. Any further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This a very, very difficult decision. And in listening to Senator Dillard, I thought, well, he just stated all the reasons why I will be voting to support

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Marty Cohen. He indicated that he has done an excellent job of keeping rates down. He indicated that the -- that this decision comes at a -- at really the most important time for the ICC. There are a lot of important matters that will be before the ICC. And he also indicated that Marty Cohen has clearly stated that he will recuse himself in decisions that he was involved with during his directorship of -- of CUB. I -- I certainly have a lot of respect for all my colleagues here. And -- and I know that -- that many of them feel very strongly about the legal arguments here and indicate that the statute, according to them, clearly states that Marty should never even have been nominated by the Governor. And I -- I understand those arguments; they are solid arguments. I am not standing here to try and debate that issue. What I do want to say is that I think it's a shame that we're at this point. It's a shame that we're at a point where we have to make a decision that some feel is based -- or will be based on politics. Others will feel that will be based on show -- showing favor for one side or the other or showing favor for utilities. The messages that'll go out will be many. But I think what should have happened was, I think that the Governor should have gotten an opinion from the Attorney General or others regarding the legal question here. Because certainly we don't want to vote to appoint an individual, to confirm a nomination, if it's not legal. I'm not convinced that that's the case in reading the statute. I wonder if, as a legislator, I leave and then I'm nominated by the Governor, will then individuals say, "Well, while he was a Member of the General Assembly, he voted against the utilities, so therefore he's biased and he's pro-consumer and can't be balanced when he goes on the ICC." I don't know. Is that another argument? I don't know. But the fact of the matter is that it's a shame that we're at this point. It's a shame that Marty Cohen has been treated the way he has treated -- has been treated. He's an excellent individual. He is a champion of consumers, but let me just close by saying this, I think at this time, point in time, given what is ahead of us with huge increases in heating costs and in electric costs and what is happening with the price of gas in this country, I think at this time consumers throughout the State are looking for relief and they're looking for individuals who are going to fight their

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cause and who are going to stand up for them in this process. That's what I think Marty Cohen would do. I -- I -- I -- I'm sorry that some of my colleagues have been placed in this predicament and are debating in their minds whether or not to support this. It should never have gotten to this. And I would hope that next time the Governor makes this type an appointment - - first of all, he ought to consult with our Senate President and he ought to consult with the Chairman of the Executive Appointments Committee and he ought to consult with many others, certainly the other side of the aisle, before he puts appointments on the table and certainly if he does that, then we could avoid going through what we're going through right now.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I agree with you, Senator del Valle, on -- on many of the points you made and just for the record, we will be hearing one hundred - one hundred nominees today. One, we're asking a Do Not Recommend on - one. So the Governor is getting ninety-nine percent of his pie and he still wants the entire pie. He never spoke to me and sought the advice of the Chairman of Executive Appointments, the Co-Chairman of Executive Appointments, the Vice-Chair of Executive Appointments on any of these one hundred. We have given him break after break. Today is the day that we finally stop just accepting anything. We have established a protocol that was established when I was a member of the committee under Chairman, Ed Petka. We're using the same protocol. The Governor's Office needs to learn how to follow that protocol and not put us in these situations. But I appreciate -- your comments, Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. I just want to say that I want to echo Senator del Valle's comments. I, too, view Marty Cohen as a victim today and he's a victim of politics and you can't miss it and we're all playing 'em. And so at the end of the day,

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I hope if nothing else, this leads us to a elected ICC, which I think would take out some of the politics.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. I rise in strong support of this appointment. This is not about legalisms or protocols or technicalities. This is about what's doing right for the people of the State of Illinois, for the people that each of us represent. The only thing that has been said about Mr. Cohen is that he's too pro-consumer. That on its face is absurd. That is the nature of the job. That is why he's been appointed. That is his purpose. That's the purpose of the Commerce Commission. You know, I went back and looked on-line to see if maybe I was in the "Twilight Zone" or not reading things correctly, but the -- the purpose of the Illinois Commerce Commission is to ensure the citizens of Illinois safe, efficient, reliable and -- uninterrupted utility service at reasonable prices. This is something that Marty Cohen has been about his whole life. He is pro-consumer. To say he's too pro-consumer, to say that we don't need a consumer advocate, to say that somebody who speaks for the people and the public is speaking for a special interest is blatantly wrong - blatantly wrong. Somebody who speaks for the people is somebody that we should be supporting. If we don't support him, we're not supporting our -- our -- our citizens and not supporting the members of our district. To say it's not appropriate to have a consumer advocate on the ICC, is like saying that the best way to guard that chicken coop is with a fox. That doesn't make any sense and we wouldn't support that. As has been said before, we are going through very, very difficult and trying times. One of the -- the issues that's been raised is about a conflict of interest and blowing that out of proportion. There are four cases out of the hundreds that come before the ICC that we're talking about where CUB was a party to. Mr. Cohen has already acted in a recused manner, has already said in writing that if the courts say it's inappropriate for him to act on those four cases, he will not act. What about all the others - hundreds and hundreds of cases that come before the ICC? What are we going to tell our constituents about all of those?

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At a time when Illinois faces serious challenges in paying for basic home energy needs, when the rules that govern the electric industry are being re-written, and when utility mergers are leaving consumers with fewer and fewer options, the ICC needs the leadership of somebody who understands these complexities, will act in an impartial way, and will always, always, always speak for the people. That's what he's supposed to be doing; that's what our job is. We need to stand up for this. This is a good day in Illinois. This is good that we're getting a chance to make this statement. The only way Marty Cohen loses, the only way he's being ambushed, is if we vote against him today. So, I would urge all my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I rise in strong support of Marty Cohen. I've known Marty Cohen for twenty years. And it's because of his honesty, his integrity and his impeccable qualifications that we should confirm his appointment as Chairman of the Illinois Commerce Commission. Madam President, Ladies and Gentlemen of the Senate, the ghost of Joe McCarthy walks in the halls of the State Capitol today. This man has a series of trumped-up -- this man has a series of trumped-up arguments in opposition, when in actuality, the very basis for the opposition to his nomination and to his confirmation is that if he's deeply flawed in one area, it's that Marty Cohen is the man who knows too much. Marty Cohen understands all the nuances; all the intricacies of these highly complex transactions, whether they relate to how our phone services run, how our homes are heated, how -- how the electricity runs throughout our homes, our businesses, and buildings throughout the State. If Marty Cohen has a problem, it's that Marty Cohen is the man who knows too much. He understands it all right. He understands it all too well. I had the unfortunate experience of listening in the Senate Executive Appointments Committee to some of the issues that were raised. Some of those issues were raised, I have no doubt that my colleagues raised them in good faith. But to -- but to give the kind of treatment that this person who has devoted his whole life

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to making sure that people who want to have heat in the winter, can do so; so that people don't have to keep their lights off in their home as much as circumstances in their personal financial household may require. This is a person who's committed his whole life to wanting to do better for other people. And I don't buy the arguments, Madam President, that have been raised in opposition to Marty Cohen. Marty Cohen is -- not only should have the opportunity to continue his service on the -- as the Chairman of the Illinois Commerce Commission, but we should all find ourselves fortunate that he's willing to do it. You may not agree with Marty Cohen's viewpoint. I think it's healthy to have people of competing viewpoints before us. I think the intellectual debate is what makes the truth even more secure. But there are a lot of false claims being made with respect to Marty Cohen to provide a rationalization and a justification for rejecting his confirmation. I thought this country was past Joe McCarthy and I hope you do, too.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett. I'm sorry, Senator Garrett. Senator Hendon.

SENATOR HENDON:

Madam President, I simply could not let that go by. I gave a -- a -- a very open and fair hearing to Marty Cohen. The -- the -- the remark, Joe McCarthy, I might look like Joe Frazier, but certainly not Joe McCarthy. Don't get it -- don't get it twisted, Senator. Okay? I gave the man a fair hearing. He did not make it. That's the American process. And to ease your -- your minds a little bit, I have already spoken with consumer advocates and community groups. I am looking for three names from them right now. I've spoken with the President about this. We'll be happy in our role as advise and consent to send those three names forward to the Governor's Office so he will have someone else to choose from. Marty Cohen is not the only talent in this town and he most certainly -- I don't rise to -- to the -- to any kind of level toward being referred to, and I hope you weren't referring to me, Senator, as Joe McCarthy or McCarthyism. You know, I don't appreciate that, whatsoever, and I will be expecting an apology from you later.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Garrett and then Senator Geo-Karis, for the second time.

SENATOR GARRETT:

Thank -- thank you, Madam President. To the bill. It's not a bill, to the confirmation. I stand up in support of Marty Cohen and here's why. At a time when ComEd is talking about higher rates and the ICC is responsible for voting these rates up or down, we as elected officials have a responsibility to ensure that the residents of this State have an equal voice on the ICC. Marty Cohen is that voice. People throughout the State are legitimately concerned about higher energy rates. Having a pro-consumer such as Marty Cohen who will also balance the business interests, and I think that's really important, is exactly the right choice. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Ladies and Gentlemen of the Senate, I don't know Marty Cohen too well, but the man met with me and I did ask him questions. And although the Tribune has taken him to task, he told me he'd called the Tribune a number of times and no one would take his call. So, and I want to be fair to the man. I mean, he's a dedicated person and I think if he were to be Chairman of the Illinois Commerce Commission, he would over bend -- he would bend over backward to be very fair to the utilities that he will supervise. I think we've pontificated long enough and all I can tell you is, the man deserves a chance. He's a dedicated person and I honestly feel that he will do his best to be fair to all sides and I support him.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. I rise in -- in opposition to the appointment and -- and for many of the reasons that have already been stated. But I -- but I want to comment on some of the things that have been stated which I think have been taken out of context. This isn't about the character of the man. I think that we all agree that he's very knowledgeable, but he's not "Superman". He alone is not

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going to keep rates from rising. They're going to rise because that is what's going on now in this country. This is a -- an international problem. And to imply that he's the only person that can stop that from happening, I think is disingenuous to all of us. So, let's -- let's take that out of it and all the hyperbole that's been placed here and said here on this Floor here today. We do need someone who's going to be there who's going to fight for consumers, but we need someone who's going to be impartial to the point that their decisions are not solely made up because he thinks he can save the world. He's not going to save the world. That one individual is not going to save Illinois. We need to deal with someone who has -- doesn't have the conflicts that this individual has. We need someone who's going to be able to articulate both sides and make those decisions based on all the arguments, not on a -- a myopic view that this is the only way things can work. And I say that we vote No on this appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon, to close.

SENATOR HENDON:

Thank -- thank you, Madam President. Well, just briefly, I understand the passion of -- of -- of some of my colleagues, but I do want to address just a few real quick. Any Chairman in here or Minority Spokesman who -- has been a Chairman in the past, because we weren't always in the Majority, if something came before your committee, you would expect the protocol to be followed. You would expect the Governor's Office to not run roughshod over you, or attempt to. Because I'm not going to accept it, as long as I am Chairman of Executive Appointments. The President has confidence in me. I am not going to accept - and I'm sending this message loud and clear to the Governor's Office - nominees to -- to be presented forward and I have never seen 'em, never heard of 'em, never met 'em. Marty Cohen, I met. Came to see me finally, finally on Monday. Total disrespect, total disregard to the rules. I walk around this Floor every time we get names, I say, "Did they come and see you?" "No, they didn't." But yet you're expected to consent all the time and sit right next to people who didn't even have enough respect to come and -- and see you as their sponsor and tell you how they will --

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what their philosophy is, what they're thinking is, nothing, nothing. And it happens time and time again. And I, personally, am sick of it. I love the Governor. I hope he gets re-elected. But I am no longer, as long as I am Chairman, going to allow any of them to be recused from appearing unless they're dead. They had people that they wanted me to have not appear because of all kinds of reasons that makes no sense at all. If they're too doggone busy to -- to talk to the Chairman, if they're too busy to pick up a phone call and say, "I've been appointed, can we chat?" - they're too doggone busy to serve the people of the State of Illinois. Rod Blagojevich, get your act together. Ricky Ricardo Hendon is not going accept it and you may as well understand it now. I would appreciate if you would stand with me as Chairman of the committee, because I will stand with you as Chairman of your committee. Because once we start allowing Committee Chairmen to be disrespected, it's your turn next. I urge a No vote today.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of October 25th? All those in favor of the appointment, 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 28 Yeas, 22 Nays, 9 voting Present. A majority of the Senators elected, having refused to give their advise and consent by record vote, the Senate rejects the appointment of Martin Cohen for the office of Member and Chair of the Illinois Commerce Commission. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of February 3rd, 2005, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam -- Madam President, with respect to the Governor's

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Message of February 3rd, 2005, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be a member of the Capital Development Board, for a term commencing January 21st, 2005, and ending January 21st, 2008: Stewart Munoz.

Madam President, having read the non-salaried appointment from the Governor's Message of February 3rd, 2005, I now seek leave to consider the appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of February 3rd. 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 55 Yeas, 1 voting Nay, none voting Present, and a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of May 10th, 2005, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of May 10th, 2005, I will read the non-salaried appointment on which the Committee on Executive Appointments recommend that the Senate do advise and consent.

To be a member of the Northeastern Illinois University Board of Trustees, for a term commencing April 28th, 2005, and ending January 21st, 2011: Wilfredo Ortiz.

Madam President, having read the non-salaried appointments from the Governor's Message of May 10th, 2005, I now seek leave to consider the appointment on a roll call. Madam President,

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will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of May 10th. 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 58 Yeas, none voting Nay, and none voting Present, and a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Chairmen -- Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of October 25, 2005, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of October 25th, 2005, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be a member of the Illinois Committee on Agricultural Education, for a term commencing August 25th, 2005, and ending May {sic} (March) 13th, 2008: Andrew Baker.

To be a member of the Illinois Committee on Agricultural Education, for a term commencing September 29th, 2005, and ending March 13th, 2008: Jill (Carey-)Hargrave.

To be a member of the Illinois Committee on Agricultural Education, for a term commencing September 29th, 2005, and ending March 13th, 2007: Tammy Miller.

To be a member of the Illinois Committee on Agricultural Education, for a term commencing October 17th, 2005, and ending March 13th, 2008: David Mouser.

To be a member of the Illinois Committee on -- for Agricultural Education, for a term commencing September 21st,

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2005, and ending March 13th, 2008: Stacy Stremsterfer.

To be a member of the State Banking Board, for a term commencing August 25th, 2005, and ending December 31st, 2006: Keith Bradbury.

To be a member of the State Banking Board, for a term commencing September 14th, 2005, and ending December 31st, 2008: Joy Becker.

To be a member of the State Banking Board, for a term commencing June 24th, 2005, and ending December 31st, 2008: Peter Morrison.

To be a member of the Capital Development Board, for a term commencing June 2nd, 2005, and ending January 19th, 2009: Reagen Atwood.

To be a member of the Capital Development Board, for a term commencing June 13th, 2005, and ending January 21st, 2008: Steve Toth.

To be a member of the Community College Board, for a term commencing August 25th, 2005, and ending June 30th, 2007: Dianne Meeks.

To be a member of the Community College Board, for a term commencing September 14th, 2005, and ending June 30th, 2007: William Naegele.

To be a member of the Eastern Illinois University Board of Trustees, for a term commencing June 16th, 2005, and ending January 17th, 2011: William O'Rourke.

To be a member of the Illinois Finance Authority, for a term commencing June 24th, 2005, and ending July 17th, 2006: Magda Boyles.

To be a member of the Illinois Finance Authority, for a term commencing September 2nd, 2005, and ending July 16th, 2007: Ron DeNard.

To be members of the Illinois Finance Authority, for terms commencing September 2nd, 2005, and ending July 22nd {sic} (21), 2008: Demetris Giannoulis and Martin Nesbitt.

To be members of the Illinois Finance Authority, for terms commencing August 25th, 2005, and ending July 21st, 2008: Michael Goetz and Terrence O'Brien.

To be a member of the Illinois Finance Authority, for a term commencing August 15th, 2005, and ending July 21st, 2008: Juan

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Rivera.

To be members of the Illinois Gaming Board, for terms commencing July -- July 2nd, 2005, and ending July 1st, 2008: Joseph Moore and James Sullivan.

To be members of the Illinois Global Partnership, for terms commencing September 27th, 2005, and ending July 1st, 2009: G. Allen Andreas, Thomas Miner and Alvin Robinson.

To be a member of the Illinois Global Partnership, for a term commencing September 27th, 2005, and ending July 1st, 2007: Richard Stephens.

To be a member of the Governor's State University Board of Trustees, for a term commencing September 14th, 2005, and ending January 17th, 2011: Jack Beaupre.

To be members of the Governor's State University Board of Trustees, for terms commencing September 16th, 2005, and ending January 17th, 2011: Kristi DeLaurentiis and William McGee.

To be members of the Health Facilities Planning Board, for terms commencing September 2nd {sic} (12th), 2005, and ending June 1st, 2008: Courtney Avery and Ronald Winters.

To be a member of the Board of Higher Education, for a term commencing August 2nd -- I mean, August 12th, 2005, and ending January -- 31st, 2011: John Minogue.

To be a member of the Board of Higher Education, for a term commencing June 24th, 2005, and ending January 31st, 2009: Elmer Washington.

To be a member of the Board of Higher Education, for a term commencing July 1st, 2005, and ending January 31st, 2009: Addison Woodward.

To be a member of the Housing Development Authority, for a term commencing October 21st, 2005, and ending January 12th, 2009: Karen Davis.

To be a member of the Housing Development Authority, for a term commencing June 2nd, 2005, and ending January 12th, 2009: S.R. Krishnamoorthi.

To be members of the Illinois State University Board of Trustees, for terms commencing September 29th, 2005, and ending January 7th, 2011: Annie Davis and Michael McCuskey.

To be a member of the Medical Disciplinary Board, for a term commencing June 9th, 2005, and ending January 1st, 2008: Maria

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LaPorta.

To be a member of the Medical District Commission at Springfield, for a term commencing September 12th, 2005, and ending June 30th, 2010: Lu Ann Johnson.

To be a member of the Metropolitan Pier and Exposition Authority, for a term commencing August 25th, 2005, and ending June 1st, 2007: Virginia Ojeda.

To be a member of the Natural Resources Advisory Board, for a term commencing June 13th, 2005, and ending January 17th, 2011: Michael Kepple.

To be a member of the Board of Natural Resources and Conservation, for a term commencing August 3rd, 2005 and ending {sic} -- August 3rd, 2005: John Rogner.

To be Public Administrator and Public Guardian of Jo Daviess County, for a term commencing September 21st, 2005, and ending December 5th, 2005: Anthony Quinn.

To be Public Administrator and Public Guardian of Sangamon County, for a term commencing September 21st, 2005, and ending December 5th, 2005: Kevin McDermott.

To be a member of the Quad Cities Regional Economic Development Authority, for a term commencing September 14th, 2005, and ending January 21st, 2008: Scott Verschoore.

To be members of the Quality Care Board, for terms commencing July 8th, 2005, and ending September 18th, 2006: Rita Burke and Thane Dykstra.

To be a member of the Quality Care Board, for a term commencing June 29th, 2005, and ending September 18th, 2008: Nathaniel Gibson.

To be a member of the Quality Care Board, for a term commencing June 24th, 2005, and ending September 18th, 2006: Keith Kemp.

To be a member of the Quality Care Board, for a term commencing June 24th, 2005, and ending September 18th, 2008: Brian Rubin.

To be a member of the Southeastern Illinois Economic Development Authority, for a term commencing October 17th, 2005, and ending January 15th, 2007: Ira Frashier.

To be a member of the Southeastern Illinois -- Economic Development Authority, for a term commencing June 24th, 2005, and

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ending January 19th, 2009: Marcia Scott.

To be a member of the Southeastern Illinois Economic Development Authority, for a term commencing June 21st, 2005, and ending January 19th, 2009: George Rosborough.

To be members of the Southern Illinois University Board of Trustees, for terms commencing August 18th {sic} (8th), 2005, and ending January 17th, 2011: Samuel Goldman and Stephen Wigginton.

To be a member of the Southwestern Illinois Economic Development Authority, for a term commencing September 14th, 2005, and ending January 21st, 2008: Robert Plummer.

To be a member of the Advisory Council on Spinal Cord and Head Injuries, for a term commencing September 14th, 2005: Matt Abrahamson.

To be a member of the State Police Merit Board, for a term commencing June 13th, 2005, and ending March 21st, 2011: John Rednour.

To be a member of the Illinois Student Assistance Commission, for a term commencing October 24th, 2005, and ending June 30th, 2009: Andrew Davis.

To be a student member of the Illinois Student Assistance Commission, for a term commencing October 5th, 2005, and ending June 30th, 2007: Ashley Dearborn.

To be a member and Chair of the Illinois Student Assistance Commission, for a term commencing October 5th, 2005, and ending June 30th, 2009: Donald McNeil.

To be a member of the Waukegan Port District Board, for a term commencing June 1st, 2005, and ending May 31st, 2011: Michael Melius.

To be members of the Western Illinois Economic Development Authority, for terms commencing June 7th, 2005, and ending January 17th, 2011: Michael Barnett and David Gross.

To be a member of the Western Illinois Economic Development Authority, for a term commencing June 7th, 2005, and ending January 16th, 2006: Monte Graham.

To be a member of the Western Illinois Economic Development Authority, for a term commencing June 7th, 2005, and ending January 21st, 2008: Ronald Moore.

To be a member of the Western Illinois Economic Development Authority, for a term commencing June 7th, 2005, and ending

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January 15th, 2007: Melvin {sic} (Mervin) -- Sorrells.

To be a member of the Western Illinois Economic Development Authority, for a term commencing June 7th, 2005, and ending January 19th, 2009: Hubert Staff.

To be a member of the Western Illinois University Board of Trustees, for a term commencing June 13th, 2005, and ending January 17th, 2011: George Guzzardo.

To be members of the Workers Compensation Advisory Board, for terms commencing October 6th, 2005, and ending January 15th, 2007: David Buckman and Michael Carrigan.

To be members of the Workers Compensation Advisory Board, for terms commencing June 29th, 2005, and ending January 15th, 2007: Frank -- Cavaretta and Mark Flannery.

To be members of the Workers Compensation Advisory Board, for terms commencing October 17th, 2005, and ending January 15th, 2007: Elwood Flowers and Boro Reljic.

To be members of the Workers Compensation Advisory Board, for terms commencing September 27, 2005, and ending January 15, 2007: Kim Maische and Kim Presbrey.

To be members of the Workers Compensation Advisory Board, for terms commencing September 26, 2005, and ending January 15, 2007: David Menchetti and David Vite.

To be a member of the Workforce Investment Board, for a term commencing July 22nd, 2005, and ending July 1st, 2006: Janet Payne.

Madam President, having read the non-salaried appointments from the Governor's Message of October 25th, 2005, I now seek leave to consider the appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Hendon. Even though I have had several requests that you please read them again because they didn't understand what you said, -- is there any further discussion? Mr. President -- no. The question is, shall the Senate advise and consent to the appointments just read from the Governor's Message of October 25th. 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 59 Yeas, none voting Nay,

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none voting Present. A majority of the Senators elected -- concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon moves that the Senate arise from Executive Session. All those in favor will say Aye. Opposed, Nay. The ayes have it, and the motion carries. The Senate has arisen from Executive Session.

PRESIDENT JONES:

It is my pleasure to introduce to you the Consul General of Israel to the Midwest, Barukh Binah. Mr. Binah has served the -- as Consul General since August the 24th, the year 2005. He has been a member of Israeli Foreign Service since 1979 and has held several -- held various positions of diplomacy, research, policy planning and media relations. From 2001 to the -- his recent appointment, he served as head of the International -- International Affairs Bureau and the Center for -- for Political Research of the Foreign Ministry. I ask you give me a warm -- welcome to the Consul General. Mr. Binah.

CONSUL GENERAL BARUKH BINAH:

(Remarks by Israeli Consul General Barukh Binah)

PRESIDING OFFICER: (SENATOR HENDON)

On the Order of Concurrences is Senate Bill 273. We are going to page 6, of your Calendar. Please turn to page 6 of your Calendar. On the Order of Concurrence, Senate Bill 273. Senator Haine, do you wish to proceed? Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move -- I move to concur with the House in the adoption of their Amendments numbered 1 and 2 to Senate Bill 273.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, to explain your motion, sir.

SENATOR HAINE:

Thank you, -- pardon me, Mr. President. Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment 1

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and House Amendment 2, together, create the Methamphetamine Precursor Control Act. It's a regulation of certain ingredients to the manufacture of illegal methamphetamines, principally the sale of cold pills and these pills are defined in the Act. The procedures of sale are defined in the Act including placing them behind a pharmacist counter only; restricting the sale to more -- to no more than one convenience package without a prescription during a twenty-four-hour period; in a single retail transaction, no more than two targeted packages and seven hundred and fifty {sic} milligrams of ephedrine or pseudo-ephedrine during any thirty-day period. It defines how these things are to be packaged. It defines where they are to be stored. It defines the procedures to sell them to law-abiding citizens, which provides that the citizens must be eighteen years of age, provide a driver's license or other government issue identification, sign a log so that it may be a matter of record. There are a number of other things in here. This is a three-year -- this is a culmination, probably, of a three-year effort, Mr. President, of attempting to do something about the plague of meth across Illinois in the -- Midwestern United States. A particular horrendous problem not only in the City of Chicago, but downstate. It's an initiative that's been the result of the leadership of Attorney General, Lisa Madigan. She and her staff and the law enforcement community participated in this effort. Attorney General Madigan has shown a remarkable degree of courage and originality in pursuing these matters -- most important. I would also take note to the Senate that the Illinois Retail Merchants Association should be complimented and praised for their input into both the bill earlier this year, and this bill, as well as past measures. They have stood for the common good, even over some difficulty to their members. I would also ask the Senate to take note of the input and the perseverance and the patience of Senator Dale Righter, who's chief co-sponsor to this, who spent a good deal of his time, not only in the spring but over the summer and his input is heavily a part of this bill. And I would ask for the sake of our -- our -- our communities, our young people, the families of this State to ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

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Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you -- thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you. Thank you, Mr. President. I rise in support of the gentleman's motion for concurrence. Briefly, thank you, Mr. President. I -- this has been a long process. It's been a difficult process. This motion encompasses a reform that first took place in the State of Oklahoma in early 2004 and has seen dramatic successful results in reducing the number of methamphetamine laboratories that have been seized in that state. Particularly to those of you who represent more of the rural areas of this State, you know methamphetamine use and manufacture is a scourge. It decimates public law enforcement budgets. It destroys lives. The only thing it creates is hazardous waste sites. This is a reform that has been proven to work in other states and I would urge its adoption. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator John Sullivan.

SENATOR J. SULLIVAN:

To the motion.

PRESIDING OFFICER: (SENATOR HENDON)

To the motion, sir.

SENATOR J. SULLIVAN:

I rise in support of the -- of the legislation. The -- my Senate district borders Missouri and Iowa. And the Attorney General, Attorney General Madigan, was over in Quincy earlier this fall and held a -- basically a round-table discussion with law enforcement from Missouri and Iowa, as well as Illinois. And the folks from Missouri and Iowa outlined to everybody at that -- at that forum, at that meeting, how the legislation that they had proposed in their states, which is much more restrictive than it is here in Illinois, has really made a big difference in -- in reducing the -- the amount of meth that has been manufactured in those states. Also, we heard from Illinois law enforcement about how the fact people from Missouri and Iowa are coming to Illinois to purchase pseudo-ephedrine and other ingredients. This

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legislation is essential. It is going to put a -- make it a little more difficult for some individuals to purchase their pseudo-ephedrine, but it is a necessary step that we are taking today and I urge all Members to support it.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Dillard.

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Haine, referring to Section 20 of the bill, could a consumer buy more than two retail packs of a meth precursor so long as he or she does not exceed the seven-thousand-five-hundred-milligram cap in a thirty-day period?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes. Thank you, Senator, for that question. The answer is simply, yes, so long as the consumer does not purchase more than two retail packs in a single transaction or in a twenty-four period. So they may buy up to seventy-five hundred in a thirty-day period spaced out.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Very quickly -- very quickly to the bill, Mr. President. I want to thank Senator Haine. As always, he is a leader on criminal law issues here. But as been pointed out by Senator Haine, I really want to thank the leader on meth issues, who I believe here in the Senate, and there's many of you, but Dale Righter has just been somebody who has -- whose district borders Indiana, stayed on top of the Judiciary Committee day in and day out. And I really think that Senator Righter has gone over and above in his zealous advocacy to protect the people of Illinois and his district. And my hat's off to Dale - working with Senator Haine and Attorney General Madigan to fix this terrible scourge that is invading our country and our State. Thank you.

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PRESIDING OFFICER: (SENATOR HENDON)

Final speaker, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I, too, rise in strong support of Senator Bill Haines' bill. However, I have a problem. The fact is I just got on my hand-held computer and bought a year's worth of supply of Sudafed from my Canadian drug suppliers and I know we can't regulate the Internet but, you know, it seems a little bit backwards to me that we regulate retail pharmacies in our own country, but we can't stop the pouring of thousands of tablets of Sudafed from Canadian drug dealers.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, to close.

SENATOR HAINE:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Jacobs' last comment -- reminds -- should remind us that this bill, however important and well-crafted it is, will not stop meth. What it does is free law enforcement from running throughout the State to try to do something about the -- the -- these small labs which pop up in neighborhoods, pop up in apartment buildings, that are highly volatile, with children present. It frees law enforcement from doing that because controlling the precursors will inhibit these yahoos from engaging in the manufacture of meth. And it frees up law enforcement to do something about the importation of refined meth, which is what the Senator's talking about, from Canada or Texas or anyone else. So it will slow the process down, on behalf of the wrongdoer, which will go a long way toward eliminating the easy availability of meth and the highly dangerous manufacture of meth. That's the key to this bill, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 273. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments 1 and 2 to Senate Bill 273, and the

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bill having received the declared constitutional majority, is declared passed. Senate Bill 293. On the Order of Concurrence. Senator Cronin, do you wish to proceed? Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in their adoption of their Amendment No. 1 to Senate Bill 293.

Filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin, to explain your amendment -- your motion.

SENATOR CRONIN:

Thank you. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this motion to concur. This requires all contracts and agreements that pertain to goods and services that are intended to generate additional revenue and other remunerations for a school district in excess of a thousand dollars to be approved by the school board. I know of no opposition. I -- I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Harmon.

SENATOR HARMON:

Senator Cronin, my recollection is when this bill was first before us, it was strongly opposed by organized labor. Does the amendment adopted in the House change that position?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

That bill that dealt with the issue of project labor agreements that we entertained here in the Senate is no more. This amendment from the House became the bill.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 293. 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

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voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 to Senate Bill 293 and the bill, having received -- declared constitutional majority, is declared pass. Senate Bill 319, on the Order of Concurrence. Senator Harmon, do you wish to proceed, sir? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 319.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to explain your motion.

SENATOR HARMON:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Last spring we passed a bill that provided lifetime supervision of sex offenders. This is a trailer bill and a technical clean-up. The original bill triggered the enhanced supervision based on the date of the conviction. For constitutional reasons, we need to amend it to relate it back to the date the -- the incident occurred. It's an initiative of the Attorney General's Office. I'm not aware of any opposition and I'd ask you to join me in supporting the motion to concur with the House.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 319. 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. The Senate concurs in House Amendments No. 1 to Senate Bill 319 and the bill, having received the required constitutional majority, is declared passed. Senate Bill 331, on the Order of Concurrence. Senator Crotty, do you wish to proceed? Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 331.

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Filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you -- thank you, Mr. President. I, too, rise in support of the motion to concur with Senate Bill 331. The Elevator Safety and Regulation Act went into effect on June 1st, 2003. And since it became effective, the State Fire Marshall's Office has encountered some problems administering the Act. During the summer, interested parties have continued to work on an amendment to the elevator safety statute, an attempt to solve some of the issues that resulted in JCAR filing prohibition on the implementing rules. This amendment appears to have solved those problems and make the implementation of the program less difficult. I know that we've received, I think, probably over the summer and even at the end of last Session, a lot of letters from persons with disabilities. I'd like to let you know today, the amendment favorably addresses those concerns. Private residences would be exempt from the Act, in response to those concerns from senior citizens and disabled communities. The disabled community would be allocated an appointment to the Elevator Safety Board to help address possible future concerns that could impact and burden disabled individuals. A limited license that would allow mechanics to work solely on platform lifts and chair lifts in a commercial setting is clarified in the amendment. This provides a safeguard to those companies and their employees who do only this type of work. Special purpose elevators, such as grain elevators, plants and other workplaces and generally only move authorized personnel and their tools and equipment, are exempt. This clarifies an oversight in the original Act, and that was supposed to have exempted those conveyances. And it also provides an extended grandfather period until July 1st, of 2006 for elevator contractors and mechanics, and clarifies the rules regarding previous experience necessary to qualify. It also clarifies the exemption for the City of Chicago who already has an elevator safety Act.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you -- thank you, Mr. President. First of all, this is a bill that has been around for quite some time. We've had a lot of debate on it in JCAR. It has become very involved, very convoluted, I think. I think there are still some questions, some issues, with the bill and to be quite honest, I'm not sure I like it or not. But I've got a couple of questions for you and I'd like to try and go through those very briefly. And this isn't anything I don't think that you have there, but I'm looking on page 13, of the amendment, Senator, and we're talking here -- or actually page 14. We're talking about the qualifications applicants must have to get an elevator mechanic's license and one of them is that they can have not less than three years of work experience in the industry and then they have to complete a written examination administered by the Elevator Safety Review Board or its designated provider. I'm a little bit concerned about who that designated provider might be and if that would be the only provider of any kind of test or even continuing education programs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty. Senator Burzynski, could you restate that or...

SENATOR BURZYNSKI:

It's on line... Thank you, Mr. President. That would be basically lines 4 through 8, on page 14.

PRESIDING OFFICER: (SENATOR HENDON)

Page 14, lines 4 through 8. Senator Crotty.

SENATOR CROTTY:

I think if I'm reading this correctly, and what I'm thinking is that the Elevator Safety Review Board would appoint a designee, so that would be up to the board.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Let me go on down the page then, where it talks

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about the type of training - a nationally recognized training - that would start with line 20. Certificate of successful completion mechanic examination of a nationally recognized training program, and it talks about that. And right now there are, as far as I know, only certain types of training programs and those are primarily union training programs. Would it be your intent to limit this to only union training programs or union apprenticeship programs or are there going to be other programs that could be available during the process?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

And again, Senator, that was part of the original law, the original statute. So to my understanding, that wasn't one of the problems that we were seeking remedy on in JCAR. So, at this time, I would probably leave that up to the mechanics of the bill or the board. I'm not really aware if there is another program or if that is the only program, so I wouldn't want to speculate.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. But then as far as you're concerned it wouldn't -- for purposes of legislative intent, it doesn't necessarily have to be a union program?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

To my knowledge, I don't know if it -- it would have to be a union -- but that's just my opinion.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, and thank you, Mr. President, for your indulgence, but you can see this bill has a lot of concerns, some questions about what L.U.L.A.s are relative to being in not-for-profits and churches and how that's going to be impacted. There's a registration fee. Those that have these kinds of facilities, these kinds of elevators or lifts, must register with a local entity. There's a fine that's levied in here, if they do

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not register within a certain period of time. And it says now -
- in the original bill, I think it said the -- the Fire Marshal
or whoever is in charge of this could levy up to fifteen hundred
dollars a day. In this bill, as I was reading it earlier today,
and I'm sorry I didn't have a chance to get back with you, it
says that they shall levy a fine of fifteen hundred dollars per
day. And, you know, there's some real concerns that I have with
the bill. I guess my question, Senator, is what happens -- and
maybe you can walk me through the JCAR process, what happens if
we do not pass this bill today?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

If it -- then the entire -- this is my opinion, and I think
you'll have to agree, that would halt the entire process for all
of the coalitions and all of the companies that install, work on,
repair elevators.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, do you have one final -- if you -- if you would be
kind enough, sir? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I've got just four quick
questions that I want to ask just for clarification, legislative
intent. If an -- if an individual's been working exclusively on
Limited Use/Limited Application conveyances, for three or more
years, will that qualify them under the experience in the
elevator industry criteria?

PRESIDING OFFICER: (SENATOR HENDON)

Could you ask all four? I'd appreciate it if you could.
We have a number of speakers.

SENATOR BURZYNSKI:

It won't take but a minute.

PRESIDING OFFICER: (SENATOR HENDON)

Oh, okay. Senator Crotty. I'll come back to you, Senator
Burzynski. Senator Crotty.

SENATOR CROTTY:

The answer -- the answer to that is, yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

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SENATOR BURZYNSKI:

Thank you. This amendment also has a grandfather clause for the elevator mechanic's license. Will an individual who has exclusively worked on Limited Use/Limited Application equipment, which we're talking about - these are those nice little stair lifts and those things in private homes - qualify under the grandfather clause, if they have worked for a contractor that has worked on L.U.L.A.s for three or more years but not commercial elevators?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Yes, they will qualify under the grandfather clause.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

One of the requirements to be eligible for an elevator contractor license is five years of experience in the elevator industry. Will a contractor that has worked for five or more years on L.U.L.A.s, but not on commercial elevators, be able to qualify under the elevator industry requirement?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. This amendment adds definitions and provisions for an elevator helper and an elevator apprentice. Is it your intent to have these helper and apprentices also apply to the installation, maintenance or repair of chair lifts or platform lifts under a limited contractor or limited mechanic's license?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

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SENATOR BURZYNSKI:

Thank you, Mr. President. Just to the bill very briefly. I, personally, have some major concerns with this piece of legislation. But I also have concerns if we don't pass this bill today - what that does relative to the process, relative to us moving forward. I would just encourage everyone to know this does have an impact in your communities. It has an impact on facilities, not-for-profits, churches that have these types of -- of conveyances in their structures relative to the registration, licensure and relative to their inspection. So, just be aware of that. That is a part of the original bill, I understand that, but it -- it does create some concerns. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. -- thank you, Mr. President. I want to commend the sponsor for all the hard work that went into this bill. This -- this bill is the work of trying to correct some of the things that were flawed in a -- an original bill that was passed and the fact that this eliminates all the residential equipment from licensing law and it also eliminates the residential fees. It also adds one disability representative to the Elevator Safety Board. That alone is reason to support this bill. There's other things that need to be addressed and -- and we will continue to work on that next year. Also to answer the Senator's question there is -- there -- there are training programs that's outside the union that can be called upon. So, I would encourage everybody to support this bill and for us all to work together to make it even better next year.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank -- thank you, Mr. President and Members of the Senate. I have -- have a couple questions of the sponsor and then maybe a little bit about the bill. First of all, the -- the sponsor has, and -- and I've talked to her a couple of times, tried to do a good job on this bill. It -- I still think it has some -- some real major problems in particular for the smaller -- the smaller -- the smaller people in -- in rural areas, for instance, who do

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some of this in small churches, maybe homes, service clubs, those sorts of things. Maybe -- I have, for instance, an individual in my district who does this who claims that this bill will probably create a situation in which he would lose some forty to fifty percent of the business that he does right now. I can understand that maybe in -- in Chicago or more populated areas where they do a lot more work, where bigger companies that this might be good for them. You know, -- some of the problems that he has, Senator, that -- for instance, he has three people who work with him - three helpers. They have been with him for maybe two years. I think the bill says that they cannot be grandfathered in, unless they go back and become certified. But they can only become certified by working for six years for a union contractor. Is that right? So, it sort of...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Those that -- I mean, the grandfathering is three years. There are, just as the previous speaker had mentioned, there are training programs that these individuals, just like any other contractor across the State, according to the -- to the law that was passed in 2003, they would have to undergo the training.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But I think -- I think you would understand that here are people who have been doing this now for the last two -- couple of years with this individual, now he will probably not be able to employ them. They will have to find a place, maybe in a union contractor someplace who does this and work for them, I'm told now, five years before they can get a certificate. It -- you know, it just seems like we can do a better job with this bill. You know, I -- I've talked to some -- one of the lobbyists who's working on this and he says this is the best we can do and therefore, I've -- we've heard that a lot. We've also heard many times you know, "We'll come back and we'll do this next year." We know that doesn't normally happen. And -- and I -- I think we will be forced to do this - hopefully that will protect some of the smaller people who do this for a living - if we were to

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defeat this bill and then come back and -- and be forced to write a bill that -- that includes them, I think, in a better way. So hopefully, that can be done. I know the sponsor has tried to make good things happen. I just -- I just think it -- we can do a better job. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you. Thank you very much. I'm standing here, not only as the Senator and the sponsor of this bill, but also as one of the co-chairs for JCAR. And my responsibility to this bill is to just clarify and to be able to help implement the rules and the intent of the original legislation. I'm not here to rewrite the bill. But I have said to everyone who has contacted me - and that really is this one gentleman that happens to be a constituent of Senator Luechtefeld's and Representative Bost's, but he -- he really is not -- he's not really for the original bill. I've tried to work out him being -- working on the L.U.L.A.s to allow him to be able to keep his business and that was fine when it passed through the House. But then yesterday I met with him again in my office and he was -- that's when I found out that he had employees that were two years and not three. It's like anything else there -- in legislation there is that line drawn and there's somebody - whether it be a piece of legislation that has income levels - there's always going to be someone just on the other side of that line. I have told him, along with many others, I am -- I am very willing to continue to work on this in the next General Assembly. But today all I'm asking, on behalf of JCAR and -- and the Fire Marshal's Office, is to allow these points that we certainly had gotten letters on from seniors and persons with disabilities and I've corrected that to just allow us to move on with -- with the statute.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? And lights continue to be -- to come on. Senator Shadid.

SENATOR SHADID:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will yield. Senator Shadid.

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SENATOR SHADID:

I just -- Senator, I just need to know -- this is about a person who owns a building with four stories and they've got some business on the main floor and some lofts or apartments up above and he's got one elevator. How much additional cost is it going to be, if any, to that person if this bill passes?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

We -- we have settled that situation and there is no cost. If it's a residential, there is no cost.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

So there's a mingling of residential and business offices in this complex. It's not -- it's not very huge, but if it's got the business offices, does that mean there's going to be more cost?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

The whole intent of the original statute was for safety - elevator safety - and I think that still is the -- the -- the main thrust of this bill. The -- where -- where there were the problems - if it's commercial, where the general public uses that elevator, there will be safety measures still set in statute that will still be for those issues. I think where JCAR, in implementing the rules, had the problem was for those residential chair lifts and elevators that are in somebody's home. If the -- if it's -- that elevator is there primarily for the residents in a home, then there is no fee. If it is a commercial elevator, where the general public comes onto those elevators, then that -- the original bill will take -- take precedent.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

...this. What I'm talking about is an elevator that'll hold about six people. It's a very small elevator and this person is a small business man and he's concerned. He's already voiced his

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concerns to me since we've voted on it -- was it a year ago on this same bill? Whatever. I just don't want to put him under any more expenses than necessary.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

An exemption is also provided for special purpose personnel elevators which are defined as elevators limited in size, capacity and speed that are permanently installed in structures such as, grain elevators, radio antennae, bridge towers, dams. The elevators must only be used to provide vertical transportation of authorized personnel.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion. Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. Senator Crotty, yesterday in committee we had a young man there, a young businessman in southern Illinois that's happens to be in Senator Luechtefeld's district and has three employees. And I think the young man has some great concerns. And I think if we pass this bill today, we're going to find out that we have concerns not only with that young gentleman there, but with people all over the State of Illinois in this -- in this same type of business. You mentioned several times that you -- this was something that had to be done now because of JCAR and I understand that. But the -- the problem that I see with us rushing this through - I think the reason we have to do it now is because tomorrow is the last day of Veto Session. I think if we defeat this bill here today, I see where the Calendar here we have six days of Session in January - which is kind of unusual from this year - and then in February we have fourteen days, and there's nothing that says we can't come back here in January and February and redo this bill and pass a piece of legislation with immediate effective date and send it over to the House and do the very same thing. I don't think there's a rush on this. I -- I think that's -- that's a misstatement. And I think the Senators in this General Assembly better sit back and look at this real careful because I think you're going to be having phone calls in the next week or so when the little businessmen throughout the State of Illinois sees what

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we just did to 'em. Because I don't think this is the only gentleman in southern Illinois that just has three employees that's under three years of qualifications. I think we need to step back and revisit this and not rush into it. Let's let the - the agency come back to JCAR with another set of rules. You can -- you can address it just like you did this time and -- and refer it back to where we -- we come back and pass a good piece of legislation that will benefit everybody in the State of Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I rise in support of the sponsor's legislation. I think when we deal with matters like this in licensure, that deal with workers and contractors, we find that it's a complicated process. However, I think in this situation we have legislation that makes incremental progress in solving and addressing some of the concerns that have been made. Now, we recognize in a process like this that sometimes half a loaf is better than a whole loaf. And I think that's what we have in this situation. We're making progress. We're dealing with some of those issues. We're establishing some legislative intent. And I would encourage Members to vote Yes on this legislation and then support the sponsor when we come back in January and do additional legislation when this coalition meets, trying to resolve some of the more complicated aspects of this type of -- of legislation on licensure for these workers and contractors. So, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty, to close. I'm sorry, Senator Silverstein.

SENATOR SILVERSTEIN:

Thank -- thank you, Mr. President. To the bill -- or to the concurrence motion. As -- I'm also a member of JCAR and I -- I think we're mixing apples and oranges here. What this gentleman -- and I -- I also sit on Licensing. What this gentleman wants to do is amend the underlying bill which we can't do right now. We may do that and I -- I'm sympathetic to him. I think he's got a very good point, but this -- this -- this concurrence goes to something which is mutually exclusive and I think we're getting

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caught up in semantics and everyone is getting confused. Yes, and I think -- I heard -- I've been listening to the debate, we can come back next year, Senator Luechtefeld or someone else can amend it. But this has nothing to do with the underlying bill. We're not touching the underlying bill at this -- at this time. I think that, hopefully, we can readdress this and help this gentleman next year and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty, to close.

SENATOR CROTTY:

Thank you very much. As the previous speaker had mentioned and I was going to mention those things, but we do need this in order to enforce the current statute. For the disabled, we've exempted residential. Otherwise, if we do not pass this, then they would have to still work under the commercial codes. I also want to mention that, as we know, there were a lot of opponents to this bill. Over the summer we have still one opponent and that was the gentleman that came in to speak to his employees. The proponents are JCAR, Local 2 International Union of Elevator Contractors, AFL-CIO, Associated Builders and Contractors, Coalition of Elevator Safety, Elevator Industry Work Preservation Fund, Illinois Association of Medical Equipment Services, Illinois Healthcare Association, Illinois Occupational Therapy Association, Coalition of Citizens with Disabilities in Illinois, Springfield Center for Independent Living, Illinois Department of Human Services. So for all of those reasons, I ask that you support this concurrence.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. Senator Rutherford, your light was lit. We both know -- Senator Rutherford, your light was lit. I was looking to come to you. You indicated to me that you did not want to be recognized. Senator Rutherford, we cannot have a person close on their bill and a Senator whose -- I was coming to, you know, I looked, we -- we made eye contact. I was coming to you, you said, no, and now she's closed. It's simply not fair. You can make your point of order -- make your -- you can make your point of order after the vote is taken. This is final action. The question is -- and I will come to you, sir. The question is, shall the Senate concur in House Amendments No. 1 to

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Senate Bill 331. 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 42 voting Ayes, 16 voting Nay, and none voting Present. The Senate concurs to House Amendments No. 1 to Senate Bill 331 and the bill, having required the -- required Constitutional Majority, is declared passed. The Chair recognizes Senator Rutherford.

SENATOR RUTHERFORD:

Mr. -- Mr. President, thank you. I did have my light on and I was going to speak because I did not believe that the total representation of the Joint Committee on Administrative Rules was what was being presented in the way that it was. The debate continued, I said, "You know, that's fine. I'm going to shut my light off because it's a very good and thorough debate." When I caught eye contact with you, Mr. President, that's correct. But what I do not believe was appropriate by the sponsor, and that's why I wanted to make it clear before the vote, is that when she had suggested that the Joint Committee on Administrative Rules has endorsed this piece of legislation, that is not correct. I have served on the Joint Committee perhaps as long as any member in -- on the Committee and have been very participatory in this effort to make the right thing happen. I understand this bill was going to pass, but I believe it is inaccurate, inappropriate for a Member to stand forward and say that a specific committee, on to which I am a member of, has embraced this legislation. That is not correct, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator, and I certainly appreciate your honesty in admitting that we did make the eye contact because I respect every Member here and your -- your right to speak. We're going to Senate Bill 676. On the Order of Concurrence. Senator Hunter, do you wish to proceed? Mr. Secretary, will you please read the motion?

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments No. 1 and 2 to Senate Bill 676.

Signed by Senator Hunter.

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Hunter, to explain your motion.

SENATOR HUNTER:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment 2 deletes all and becomes the bill and basically it extends the TIF in -- in Woodhull, Illinois that was adopted by ordinance on February 2nd, 1988 {sic} (1998), from twenty-three years to thirty-five years. Woodhull is in the process of entering into phase two of its development plan and its developers would feel more comfortable if the TIF was extended to an additional twelve years. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Risinger.

SENATOR RISINGER:

Mr. President, I stand in support of this bill. Woodhull is in my district and I -- I -- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 676. 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 53 voting Aye, 3 voting Nay, and none voting Present. The Senate concurs in House Amendments No. 1 and No. 2 to Senate Bill 676 and the bill, having received the required constitutional majority, is declared pass. On the Order of Concurrence is Senate Bill 1208. Senator Viverito. Mr. Secretary, read the bill -- the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1208.

Signed by Senator Viverito.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

Yes. Thank you, Mr. President and Members of the Senate. Grants the City of Oakbrook Terrace a quick-take rights for a period of twelve months after the effective date for their acquisition of certain property for the purpose of a water main

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construction. I'll ask -- for a favorable vote. If there's any questions, I'd be happy to answer 'em.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you -- thank you very much, Mr. President. I rise in support of this concurrence motion. It has an impact on the district that I represent. This amendment is intended to correct a scrivener's error in the legal description of property to be acquired by the City of Oakbrook Terrace through eminent domain using quick-take power. On January 15th, '05, the General Assembly adopted Public -- Public Act 82-280, Section 7-103.117, added by Public Act 93-1065, Section 25, authorizing quick-take power for the acquisition of a thirty-foot wide strip of land for construction of a water main. The city was finalizing work in preparation for condemnation and discovered that the legal description phrasing known as "meets and bounds" by surveyors who is deficient and in need of amendment in order to support a condemnation complaint. The amendment would rephrase the meets and bounds description and would restart the twelve-month window for implementing quick-take -- acquisition. No new land is involved in the amendment. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito, to close.

SENATOR VIVERITO:

Thank you very much, Senator Cronin. And what basically this is in the bottom line from a commonsense guy, just a legal error in the description. So, thank you for your interpretation, Mr. Attorney.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1208. 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 47 voting Aye, 8 voting Nay, and 0 voting Present. The Senate concurs in House Amendments No. 1 to Senate Bill 1208 and the bill, having received the required constitutional majority, is declared

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passed. Senate Bill 1213. Senator Raoul. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1213.

Filed by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Could we get the board straight? We're on 1213. Just a moment. Senator Raoul, to explain your motion.

SENATOR RAOUL:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 1213 simplifies a land exchange previously approved by the Senate. That was previously a three-way land exchange between the State of Illinois, City of Chicago and Central Station Development Corporation. House Amendment No. 1 simply takes the City of Chicago out of the transaction and makes it a direct exchange between the State of Illinois and Central Station Development Corporation. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment -- I'm sorry. Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I just wanted to indicate I have a conflict of interest in this bill and will be voting Present. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

It will be solely noted -- duly noted. This is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 1213. 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 54 voting Aye, 2 voting Nay, 1 voting Present. The Senate concurs in House Amendments No. 1 to Senate Bill 1213 and the bill, having received the required constitutional majority, is declared pass. Senate Bill 1843. Senator Dillard, do you wish to proceed? Mr. Secretary, read the bill, please.

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ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1843.

Offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill would allow the Capital Development Board to bid a renovation project on the Capitol Building here using a single primary contractor and allowing that contractor to select his or her own subcontractors. The Capital Development Board and the Secretary of the Senate have acknowledged that this is a unique project on this historical building and the best way to manage our schedule in the General Assembly is to allow this type of activity to take place. We did a similar exemption two years ago for the construction of the emergency operation center for the Illinois Emergency Management Agency and, again, it's the uniqueness of the General Assembly's schedule. We've checked with the Secretary of the Senate and they are for this and I'd move we concur.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1843. Those in favor will 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 55 voting Aye, 2 voting Nay, and none voting Present. The Senate concurs in House Amendments No. 1 to Senate Bill 1843. And the bill, having received the required constitutional majority, is declared passed. Senator Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

On page 2 of the Calendar, we're going to go to House Bills 3rd Reading. The first bill we have is House Bill 466. Senator Raoul. Senator Raoul requests that -- to seek of leave of the Body to return Senate -- House Bill 466 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 466. Senator -- Mr. -- Secretary, are there any amendments approved

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for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, to explain your amendment.

SENATOR RAOUL:

Thank you -- thank you, Mr. President. Floor Amendment No. 3 deletes all and becomes the bill. I'll explain the bill in detail on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul moves for the adoption of Amendment 1 to -- Amendment 3 to House Bill 466. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments to be approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 4, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, to explain the amendment.

SENATOR RAOUL:

Floor Amendment No. 4 is a technical amendment to deal with concerns raised by the Illinois Retail Merchants Association with regards to the tax holiday amount in -- in lieu of reducing taxes from 6.25 to 1.25. It reduces it to one percent. In addition, it also deals with another concern reached by -- raised by the Retail Merchants with regards to -- with regards to how to define -- how to distinguish what's going to be used for residential use. We changed the language to "designed for residential use" rather than "for residential use".

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR RIGHTER:

Senator Raoul, do we have an idea of the estimated fiscal impact of creating this tax credit?

PRESIDING OFFICER: (SENATOR LINK)

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Senator Raoul.

SENATOR RAOUL:

Yeah, I was -- I was going to discuss the fiscal impact of the entire bill on 3rd Reading if that's...

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen, for what purpose do you rise? Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, Mr. President, in support of the bill.

PRESIDING OFFICER: (SENATOR LINK)

We're on the amendment.

SENATOR DEMUZIO:

Oh, I'm sorry. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul moves for the adoption of Amendment 4 to House Bill 466. All those in favor will signify by saying 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, 3rd Reading. Now on the Order of 3rd Reading, House Bill 466. Senator Raoul, you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 466.

(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 466, as amended, deals with the concern that many of us were talking about earlier today when we were talking about one of the executive appointments and it's -- it's -- a factor that was raised during that debate is that inevitably energy costs will be increasing at -- at a -- at a very high rate this winter. It's been estimated that energy costs will increase

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up to seventy percent. What House Bill 466 suggests to do is to have a multi-prong attempt to assist in the conservation of energy and the payment of -- energy costs for both residents and businesses of the State of Illinois. One of the approaches of House Bill 466 is to deal with providing additional LIHEAP funding. As -- as currently exists, LIHEAP recipients pay a gas revenue tax -- as well as energy assistance charges that goes into the General Revenue Fund. House Bill 466 proposes to, that within the next year, take the amount paid by LIHEAP recipients and reinvest that into the LIHEAP fund to create access to energy assistance for up to eighteen thousand more families in the State of Illinois. Secondly, House Bill 466 has a Power For Jobs Program that would provide a tax credit of up to ten percent on businesses' energy bill. The businesses that would be able to take advantage of this would be businesses identified by the Department of Commerce and Economic Opportunity. The criteria that will be used is looking at businesses that are considering closing, downsizing, or downsizing an existing operation in Illinois, relocating or businesses who may be considering relocating to the State of Illinois. Finally, House Bill 466 proposes a tax holiday on energy-efficient products which would reduce the tax during a period between January 1, 2006, to January 31, 2006, from 6.25 to one percent. The impact -- the projected fiscal impact of the tax holiday would be about 5.2 million dollars. The -- the transfer of LIHEAP tax would be about 9.2 million dollars. And the projected fiscal impact for the Power For Jobs Program is one million dollars.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. Now I get to address the bill, correct? Thank you. This is -- I'd like to express my support for House Bill 466. As many of you know, as Senator Raoul has -- has indicated, this particular bill has -- has three prongs to it. And as he has indicated that this particular winter is going to be very -- we -- we feel that there will be a -- an increase in energy costs and this is something that we want to be able to address. We know that LIHEAP dollars are very scarce at this particular time as has been indicated as

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individuals have called our offices and have indicated that as they've tried to come up with additional dollars for their heating and electrical costs and other problems that they are having out here, those LIHEAP dollars are not available. So again, I'd like to just say that this particular bill will be sending a message from this Chamber and from the General Assembly that we do care for our individuals and our constituents that are going to be having trouble meeting those additional dollars. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

To the bill. Thank you very much, Mr. President. I would just like to commend and thank Senator Raoul for incorporating some of the ideas that were suggested in Senate Amendment No. 1 that was sponsored by approximately ten or twelve of the Senators from this side of the aisle. I think that it's very important. By the end of November, beginning of December, we're going to be deluged, I believe, with calls when they -- when our constituents try to pay their bills. So, I commend you and I appreciate your helping -- incorporating some of the ideas that were suggested.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Thank you so much, Mr. President. To the bill. I would just like to commend the sponsor, Senator Raoul and Demuzio, for their hard work on this piece of legislation, for also being able to work both sides of the aisle. This particular matter, the LIHEAP, is so important to all of us and all of our constituents. To come up with a way that more monies can be placed within those particular funds to add almost eighteen thousand more people to that particular program is an admirable one. And I just rise in strong support of this piece of legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

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SENATOR ALTHOFF:

Senator Raoul, I, too, support this legislation. I think it's a wonderful initiative, but just for point of clarification, can you note for me the fiscal impact to local municipalities, with the reduction from one and a quarter to one percent, please?

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

Thank you, Senator, for the question. The fiscal impact is estimated -- for that quarter percent, is estimated to be three hundred thousand dollars across the board, statewide.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, to close.

SENATOR RAOUL:

Having -- thank you, Mr. President. Having received all those commendations, I'll just shut up and urge a Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 466 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. It is now. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, there are 59 Ayes, no Nays, none Present. House Bill 466, having received the required Constitutional Majority, is declared passed. House Bill -- out of the record. On page 6 of the Calendar on the Order of Secretary's Desk, Resolutions. House Joint Resolution 52. Senator Lightford. Do you -- Madam Secretary, please read the Resolution.

SECRETARY HAWKER:

Senate Joint Resolution 52, offered by Senator Lightford. There are no committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Are there any Floor amendments, Madam Secretary?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, to explain your amendment.

SENATOR LIGHTFORD

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 52 addresses the waiver

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requests from the Illinois State Board of Education and all of the schools across the State. There were a number of -- thirty-eight received on this year. We've decided to deny two of those requests. One would be from Clay City for a renewal of -- of its waivers of the daily P.E. requirement. This school district has been requesting renewals every year since 2001 and has not provided information requested by the State Board of Education in regards to meeting the Illinois Learning Standards for Physical Education. And the second waiver we'd like to deny would be from Beach Park. They're requesting an extension on the period for which substitute teachers may teach in the same school district. And I share the concern with the State Board on this issue, that students could end up with substitute teachers teaching them the subjects they're not eligible to teach in, for a full year. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR CRONIN:

Thank you -- thank you, Mr. President. I rise in support of this resolution, although one of the school districts in my district is opposed to it. The practice of the Senate has always been that we work with our counterparts in the House and we come to a consensus. And that's what we've done here. This is our commitment to local control. The overwhelming majority of requests that are made to the State Board are granted. On rare occasion, we intervene and deny. So, I rise in support. I -- I commend my colleague, Senator Lightford, and Representative Pihos and others in the House and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford moves for the adoption of Amendment 1 to Senate Joint Resolution 52. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there -- Madam Secretary, are there any other Floor amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, on the resolution.

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SENATOR LIGHTFORD:

Thank you. Mr. President, Ladies and Gentlemen of the Senate. Both myself and Senator Cronin spoke just a moment ago about the waiver. Again, there were thirty-eight requests. We only are denying two requests staying in -- consistent with the Illinois State Board of Education. And it's my hope that both of these schools address the issue. I'd be happy to answer additional questions or I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford moves for the adoption of House Joint -- or Senate Joint Resolution 52. All those in -- this resolution -- regarding school waivers requires a record vote. Those in favor of the Resolution 52 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 Ayes, 1 Nay, 1 voting Present. Resolution is adopted. Ladies and Gentlemen, we're going to page 9. Motions in Writing to Override -- Specific Recommendations. House Bill 2525. Senator Harmon. Do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move that House Bill 2525 do pass, notwithstanding the specific recommendations of the Governor.

Motion filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain.

SENATOR HARMON:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. The motion to override the Governor's amendatory veto on House Bill 2525 was before the Senate yesterday. There was some confusion as to the intent and the consequences of the Governor's amendatory veto. I believe we've been able to clarify those in conversations in the interim. I'd be happy to take additional questions if there are any, but otherwise would urge your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

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of the Senate. You know this is a fantastic process in that we're able to really deliberate and consider and look at italics on our -- on our analysis and so forth. And in my conversations with Senator Harmon, it has been revealed to me the merits of this bill and I would urge us to stand with the Senator and vote for the override. I urge us to stand with him in favor of the motion. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady. For what purpose do you rise?

SENATOR BRADY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR BRADY:

Senator Harmon, could you elaborate on what we were confused about?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

I'm not -- I'm not sure that I can elaborate about what you were confused about, but there seems...

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady, would you restate your question?

SENATOR BRADY:

I will, I will. Could you elaborate on what you clarified?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, if you wish to answer the question.

SENATOR HARMON:

I'm not sure what it was that I said to Senator Roskam that clarified it for him, but I'm delighted that it did.

PRESIDING OFFICER: (SENATOR LINK)

Is there any other further discussion? Seeing none, Senator Harmon moves that House Bill 2525 pass, -- notwithstanding a specific recommendation of the Governor. The question is, -- all -- 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 51 Ayes, 6 Nays, none voting Present. The bill -- House -- House Bill 2525, having received the required three-

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fifths majority, is declared passed, notwithstanding a veto of the Governor. Now on page 8, Motions in Writing, Override Total Vetoes. House Bill 3651. Senator Roskam. Madam Secretary, please read the bill.

SECRETARY HAWKER:

I move that Senate Bill -- pardon me, that House Bill 3651 do pass, the veto of the Governor to the contrary notwithstanding.

Motion filed by Senator Roskam.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam, to explain.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You'll recall in our brief discussion yesterday, this was a bill, an initiative of the Naperville -- of Naperville Township. They've essentially pointed out, for all of us that have road districts, that the underlying tax structure that the -- the statutes upon which the tax governance levy system is built, is flawed. This addresses that. It's not a tax increase by any stretch of the -- imagination. It is simply a tax clarification and I would urge -- urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Mr. President. I rise in support of the Senator's motion. It is in the order of a tax validation matter. I'm sure we've all had incidents in our own district where we've needed to go back and do some clarification like this. I had one and my recollection is it suffered a very similar fate to your -- your motion, Senator. So, I urge my colleagues to -- to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR HAINE:

How long -- how many times are we going to vote on this

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bill, Senator?

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Until we get it right, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Well, Mr. President, I would recommend an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Thank you so much, Mr. President. My Senate mentor, the one that I look up to in the Senate, the person whose path that I follow, the individual that I want to be like one day, Ricky Ricardo Hendon, said that we should never let a Peter Roskam bill on the Floor without at least asking at least one question. And so, Senator Roskam, is this a tax increase?

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Thank you -- thank you for that question, Senator. And maybe we can get a live feed from this into your church on Sunday morning, I think that might be helpful. But -- but as you as my witness, this is not a tax increase, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks.

SENATOR MEEKS:

Thank you so much. And, Senator Hendon, did I -- did I do all right? Thank you. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito.

SENATOR VIVERITO:

I rise in favor of this particular bill. And obviously, it --it clarification I think the Senator did a good job on it. It is not a tax increase and the Township Officials of Illinois desperately hope that this will pass and hope that everybody will give it some consideration.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Roskam, I think, to close. The question is, shall Senate Bill -- or House Bill 3651, notwithstanding the total veto of the Governor, 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 52 Ayes, 4 Nays, 1 voting Present. House Bill 3651, having received the required three-fifths majority is declared passed, notwithstanding a veto of the Governor. We will be standing at ease for a moment, but I'm going to ask every Senator to be in their seat because what we're going to be doing is the camera is going to be calibrating your seat so that we can get the most glamorous shot of you when you're speaking. So, if you would please be in your seat so that the camera will come around and make sure that we get the appropriate shot of you at all time. So, please be in your seat. Thank you. We -- we will be calling you by name and at that time we will calibrate your shot at that time, so make sure you have your best smile up. Senator Roskam, for what purpose do you rise? You look great already.

SENATOR ROSKAM:

Thank -- thank -- thank you, Mr. President. A point of order and I know, I've been deputized to speak on behalf of all fifty-nine Senators. We are looking for mercy and not justice on these photos, so please be good to us.

PRESIDING OFFICER: (SENATOR LINK)

I don't think there's that much work that that camera could do to make it all that much mercy.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

The Senate will come to order. Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2159, offered by Senator Sandoval.

(Secretary reads title of bill)

Senate Bill 2160, offered by Senator Clayborne.

(Secretary reads title of bill)

And Senate Bill 2161, offered by Senator Harmon.

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(Secretary reads title of bill)

3rd Reading of the bills. My apologies, that's 1st Reading of those bills.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 517, offered by Senator Rauschenberger.

Senate Resolution 518, offered by Senator Forby.

They're both substantive.

And Senate Resolution 519, offered by Senator Forby and all Members.

That last resolution, 519, is a death resolution.

PRESIDING OFFICER: (SENATOR LINK)

Resolution Consent Calendar. 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 92, together with House Amendments 1 and 6.

Passed the House, as amended, November 3, 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 67, together with House Amendment 1.
Passed the House, as amended, November 3, 2005.

We have received like Messages on Senate Bill 1693, together with House Amendment 1 {sic} (3); and Senate Bill 1879, together with House Amendment 3, which passed the House, as amended, November 3, 2005.

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 with the following title, to wit:

Senate Bill 204, together with House Amendments 1 and 2.

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Passed the House, as amended, November 3, 2005.

And we have a like Message on 2111, together with House Amendment 1, which passed the House, as amended, November 3, 2005.

PRESIDING OFFICER: (SENATOR LINK)

Rules Committee will meet immediately in the President's Anteroom. Rules Committee will meet immediately in the President's Anteroom. Immediately. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Senate Bill 2140; refer to Environment and Energy Committee - Motion to Concur with House Amendment 1 to Senate Bill 67 and Senate Resolution 516; refer to Executive Committee - Floor Amendment No. 1 to Senate Bill 595; refer to Judiciary Committee - Motion to Concur with House Amendments 1 and 6 to Senate Bill 92, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1943, Motion to Concur with House Amendment 1 to Senate Bill 2111, and Conference Committee Report No. 1 to House Bill 3801; refer to Pensions and Investments Committee - Motion to Concur with House Amendment 3 to Senate Bill 1693; and refer to Revenue Committee Floor Amendment 1 to Senate Bill 838.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton. For what purpose do you rise?

SENATOR CULLERTON:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR CULLERTON:

The Judiciary Committee will meet one hour from now at 5:17 in Room 212. One hour from now, Judiciary Committee in Room 212.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, for what purpose do you rise?

SENATOR MARTINEZ:

For the purpose of an announcement. The Senate Pensions and Investment Committee will meet tomorrow at 8:30 in the morning in Room 400.

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94th GENERAL ASSEMBLY
REGULAR SESSION
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PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

To make an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR HARMON:

The Senate Revenue Committee will meet tomorrow morning, Friday, at 9 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR LINK)

Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Senator -- President, Ladies and Gentlemen of the Senate, I move to waive the posting requirement so that Senate Resolution 516 can be heard on the Senate Committee on Environment and Energy on November 3rd, 205 {sic} (2005).

PRESIDING OFFICER: (SENATOR LINK)

Senator Forby moves to waive all posting requirements so that Senate Resolution 516 can be heard in the Senate Committee on Energy and Environment today. All in favor will say Aye. Opposed, Nay. The Ayes have it. The motion is adopted. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Point of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR HENDON:

Energy and Environment Committee will meet today, 5:45 p.m., in Room 212.

PRESIDING OFFICER: (SENATOR LINK)

The Senate will stand in recess to the call of the Chair. After committees the Senate will reconvene to receive Committee Reports and other matters not requiring Floor action. There will be no -- will be no Floor action until the Senate reconvenes tomorrow at 9:30 a.m. The -- the Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR LINK)

Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senators Cullerton and Dillard, Co-chairpersons of the Committee on Judiciary, report House Bill 3801 -- First Conference Committee Report on House Bill 3801 and Motions to Concur with House Amendments 1 and 6 to Senate Bill 92, House Amendments 1 and 2 to Senate Bill 1943, and House Amendment 1 to Senate Bill 2111, all recommended Do Adopt.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Resolution 516 Be Adopted and a Motion to Concur with House Amendment No. 1 to Senate Bill 67 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR LINK)

There being no further business to come before the Senate, the Senate will stand adjourned until the hour of 9:30 a.m., November 4th, 2005. The Senate stands adjourned.