

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

HB0230	Third Reading	4
HB0907	First Reading	3
HB1009	Third Reading	5
HB1368	Third Reading	9
HB3801	Conference	34
HB3801	Vote Intention	35
SB0067	Concurrence	18
SB0092	Concurrence	19
SB0838	Recalled	40
SB0838	Third Reading	41
SB1693	Concurrence	37
SB1943	Concurrence	32
SB1943	Vote Intention	34
SB2111	Concurrence	34
SB2159	First Reading	2
SB2160	First Reading	2
SB2161	First Reading	2
SB2162	First Reading	3
SB2163	First Reading	42
SR0516	Adopted	36
SR0520	Resolution Offered	2
SR0521	Resolution Offered	2
SR0522	Resolution Offered	2
SR0523	Resolution Offered	3
HJR0072	Adopted	43
HJR0072	Resolution Offered	42
Senate to Order-Senator Link		1
Prayer by Dr. Miles Bateman		1
Pledge of Allegiance		1
Journal-Approved		1
Journal-Postponed		1
Senate Stands in Recess/Reconvenes		2
Committee Reports		2
Message from the President		42
Resolutions Consent Calendar-Adopted		42
Message from the House		42
Adjournment		43

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? The invocation today will be given by Dr. Miles Bateman of the Grace Community Baptist Church in Trenton, Illinois. Dr. Bateman.

DR. MILES BATEMAN:

(Prayer by Dr. Miles Bateman)

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of November 2, 2005.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal of -- of November 3rd, 2005, pending approval of the printed -- transcripts.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to postpone the reading and approval of the Journal, pending the approval of the printed transcript. There being no objection, so ordered. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. Purposes of announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SENATOR BURZYNSKI:

Thank you. It looks like our Members are a little slow in coming to the Chamber this morning, so we would request a Republican Caucus immediately, for approximately fifteen minutes. I would encourage our Members to meet in Senator Watson's Office posthaste.

PRESIDING OFFICER: (SENATOR LINK)

That's always in order. The Senate will stand in recess until the hour of 10 a.m. The Senate will come back at the call of the Chair. Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

The Senate will come to order. Madam Secretary, Resolutions.
SECRETARY HAWKER:

Senate Resolution 520, offered by Senator Demuzio and all Members.

And Senate Resolutions 521 and 522, both offered by Senator Haine and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Resolution Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Martinez, Chairperson of the Committee on Pensions and Investments, reports the Motion to Concur with House Amendment No. 3 to Senate Bill 1693 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Revenue, reports Senate Amendment No. 1 to Senate Bill 838 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR LINK)

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)

Senate Bill 2161, offered by Senator Harmon.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

(Secretary reads title of bill)

And Senate Bill 2162, offered by Senator Harmon.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 907, offered by Senator Pankau.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Illinois -- Illinois Information Services requests permission to videotape today's proceedings. Hearing no objection, grant -- permission granted. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 523, offered by Senator del Valle.

It is substantive.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR ALTHOFF:

Thank you, Mr. President. Members of the Senate, on behalf of Senator Jones and myself, we'd like to celebrate the four Republican birthdays for the month of November: Dan Cronin, myself, Dave Luechtefeld, and Senator Jones, who is celebrating today his last birthday in the Senate Chambers. So, can we specifically wish Senator Jones a happy birthday?

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

And just to note that we have donuts and muffins down here in the front, so please help yourself.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Yes, Mr. President, a point of personal privilege. I have with me today in the President's gallery the Trustee of Royal Lakes, Mr. Maurice O'Neil, and the Mayor of Royal Lakes, London Simmons. This is their first visit to the Capitol and their first visit to the Senate. I'd like to give 'em a big hand and welcome 'em to Springfield and to the Illinois General Assembly.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise and we'll give 'em our appreciation. Ladies and Gentlemen, we're going to be going to House Bills 3rd Reading on page 2. House Bill 230. Senator Martinez. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, to discuss.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 230 allows Chicago Teachers' Pension Fund to conduct a divided Medicare -- Medicare referendum to be open to any teacher who was hired prior to March 31st, 1986. The referendum shall be irrevocable, individual election made by teachers to participate in Medicare. Employers will be required to pay the necessary employer contribution and make the necessary salary deduction for teachers who elect to participate in the Medicare, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates she will.

SENATOR RIGHTER:

Senator Martinez, there was testimony in committee -- in Pensions and Investments Committee yesterday about the cost to the system of this legislation. Could you reiterate that for us for everyone here on the Floor?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Senator Martinez.

SENATOR MARTINEZ:

...not hear the question.

PRESIDING OFFICER: (SENATOR LINK)

Could we have quiet in the Chamber? Senator Righter, could you repeat your question?

SENATOR RIGHTER:

Thank you, Mr. President, I will. Senator Martinez, with regard -- there was some testimony yesterday in committee about whether or not there would be any fiscal impact to the Pension Fund on this -- on this bill. Could you reiterate that for us here today so the Members know?

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

...is that they will have no impact upon the total current liabilities of the fund.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I stand in support of the bill. I just thought it was important to get that on the record. This bill did pass out of Pensions and Investments Committee unanimously yesterday.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you. I will ask for favorable roll call.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 230 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 230, having received the required constitutional majority, is declared passed. House Bill 481. Senator Collins. Out of the record. House Bill 1009. Senator DeLeo, do you wish to proceed? Madam Secretary, read the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SECRETARY HAWKER:

House Bill 1009.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo, to explain.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate -- House Bill 1009 amends the -- the retirement annuities to retired Chicago police officers. Currently the three-percent add-on is only those available that were born before January 1st, 1950. This allows 1951, '52, '53 and '54 in that. I told the committee that I would not move this on 3rd Reading until I got numbers from the actuary from the Pension Fund. I received that report yesterday from Gabriel, Roeder, Smith and Company, consultants and actuaries, and their number to the Pension Fund is less, point -- 0.8 to the Pension Fund. So it's very, very minimum - the fiscal impact - and I ask for its favorable adoption, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR RIGHTER:

Thank you. Senator DeLeo, I got up on my feet when I saw the bill was being called, recalling the -- the promise that you made in committee regarding the cost estimate, and you've got something there in your hands. I don't think anyone on this aisle -- this side of the aisle has seen it. You said that the cost is estimated at 0.8? 0.8 what? I don't -- I don't really know what that is.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

It's less than one percent, 0.87.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SENATOR RIGHTER:

I apologize, Senator. I'm not a pension -- expert. Less than one percent of what?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much. What -- when I said the -- the -- the impact on the funding status of this Pension Fund would be 0.87 of the actuary. So it's -- it's the impact to the -- to the Pension Fund. This is for FOP. They've signed off on it, the City of Chicago signed off it, the Pension Fund. So the -- the actual impact is -- actuary accrued is nothing. The liability is less than one percent to this fund.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator. Again, not having a chance -- having a chance to examine it, what -- what is that in dollar terms, Senator? I mean, most of us don't think in percentages. I don't have any idea how big that pension fund is, so giving us a percentage doesn't help us much.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Well, at -- right now there's six billion six hundred and ninety-two million dollars in the fund. So, if you do the math, less than one percent. Six billion six hundred and ninety-two million four hundred and fifty-four thousand dollars are in that actuary as we speak. So, if it's 0.87 for that four-year span, is the liability.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, for your -- for your indulgence. So, it's .87 percent of six billion dollars? So that would be around sixty-million dollars? Is that -- so the pension hit on this bill will be about sixty million dollars. Is that right?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SENATOR DeLEO:

It's a self-funded pension system. If everybody that was eligible in that '51, '52, '53, '54, '55 - 1951 through '55 - would take advantage of this, that would be the -- the possible liability to the fund. It's not going to cost the fund sixty million because we don't know who's going to retire and -- and -- and -- and enjoy this benefit of three percent. So, just making this eligible for those possible police officers.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, on your last question, please.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, statutorily, is there any way that the State's taxpayers can be on the hook for this pension system? Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Absolutely not. It's self-funded pension.

PRESIDING OFFICER: (SENATOR LINK)

Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR RISINGER:

I -- I just want to make sure I'm clear on this. As I read it, we're only talking about people born in 1950, '51, '52, '53, '54 and you said '55, but it says '54 here, but just -- just those years, right, nobody else?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Correct. That's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President. I think this has been debated. We see the numbers. There's no liability to the State. Self-funded tax -- self-funded pension fund and the liability is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

less than one percent. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 1008 {sic} pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 8 Nays, none voting Present. House Bill 1009, having received the required constitutional majority, is declared passed. House Bill 1368. Senator DeLeo, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1368.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo, to explain.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1368 requires that non-home rule municipalities shall ensure that firemen and policemen have distinctively different duties and no way combine their duties. A non-home rule municipality should not administer its fire department or its police department work assignments to others than their respective duties. This only applies to municipalities which created a department of public safety after the year -- January 1st, 1998. Let me just state for the record, this bill is not intended to take away traditional uses of police officers and firefighters. They may still do what they believe needs to be done to migrate a situation. This came up in committee. Police officers, just like members of the general public, could still use a defibrillator, rescue somebody from a burning building, firefighters still can -- assist in traffic control. These were issues that were brought up in -- in -- in the committee. Ladies and Gentlemen of the Senate, this is -- this bill is designed to preserve two separate - and I stress separate - unique professions. Some opponents say -- some of these villages will say this will save money by combining the professions, but it can be caught in reducing of manpower which could actually endanger the lives of our citizens - specialized

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

training for police officers, specialized training for firefighters. Mr. President, I'd be glad to answer any questions of the Body.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau, for what purpose do you rise?

SENATOR PANKAU:

Thank you, Mr. President. First, an inquiry of the Chair. What -- what number of votes does this take to pass? Is it thirty-six?

PRESIDING OFFICER: (SENATOR LINK)

The opinion of the Chair is it does require thirty-six votes. Senator Pankau.

SENATOR PANKAU:

A question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR PANKAU:

There are two communities that are grandfathered in this piece of legislation: Glencoe and Rosemont. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

That's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

So, the only active community with cross -- that is even cross-training, if you want to use that term at this point, is the Village of Bensenville in DuPage County. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

If you say -- if that's your statement, I guess that's possible. I don't know that.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

Are there any other active communities in the State of Illinois that are doing this cross-training at the moment?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

Not that -- not that we're aware of.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. To the bill. I would urge a strong No vote to this bill. This is aimed at one community in DuPage County, but the Illinois Municipal Conference, the Northwest Municipal Conference, the DuPage Mayors and Managers are also strongly opposed to this bill. And the reason they're opposed to it is not because of this one community, but because it takes away options for all communities in the entire State of Illinois, forever. You would have to pass another bill to allow any community to be able to even consider any kind of cross-training, if you call it, to go forward. I urge a strong vote. This takes away options from our municipalities, from our communities, not home rule ones, just non-home rule ones and they tend to be the smallest ones. They tend to be the ones that oftentimes get into the financial difficulties first and need to quote/unquote "look outside the box" for other ways of handling their services. I urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR ROSKAM:

Senator DeLeo, why is Rosemont exempt from this bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

They were established before January 1st, 1998.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Who cares? What's 1998 got to do with anything?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

That was the date that we chose to put in the legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam.

SENATOR ROSKAM:

Okay. Well, thank you for your candor. I think that the response is pretty -- pretty weak. In other words, you're saying there is no rationale whatsoever. There's no reason whatsoever. There's no conceivable distinction between Rosemont and Bensenville that -- I don't know, they may even be adjacent communities; they're certainly within striking distance of one another. But one has sort of one -- one imprimatur in this Senate and the other doesn't. There is no conceivable -- to the bill, Mr. President -- no conceivable difference between Rosemont and Bensenville. One is being singled out to say, "You know what? This is great for a couple communities and it's fantastic," and one is being singled out and says, "You're on the wrong side of some very powerful people in this State," and we're going to say -- we're going to reach in from this Senate Chamber into the Village of Bensenville and say, "You ought not do that," with no rationale whatsoever, no underlying reason. Sponsor hasn't given one. He said, "Well, it's 1998, and it's 1998 because we say it's 1998," and as you know and I know, it's 1998 so that you can grandfather Rosemont in. Well, I think we can do better than that. I got a letter from the City of Wheaton. The village manager who said, "Senator Roskam, it's my understanding that this Illinois Senate is considering House Bill 1368. A portion of this legislation makes it a violation of State statute for a municipality to require" -- that's the key word here, 'require' -- "that a police officer help a firefighter and vice versa at the scene of an emergency. I find this provision to be a significant and unwarranted encroachment on the right of municipalities to determine how local public safety services should be structured." We've seen this before. We've seen where the Senate sponsor will come to the Senate Floor and say for purposes of legislative intent, I hereby declare that this doesn't apply to emergencies. But you know what? Read the plain

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

language of the bill, Senators. The plain language of the bill says that the distinct police and fire duties. A non-home rule municipality shall not assign a fireman to perform the police duties or a policeman to perform firefighting duties; in any way combine the duties of a fireman or a policeman after his or her appointment, et cetera, et cetera, et cetera. What that means is, that in your manual you cannot, as a city, say, "Hey, if there's an emergency, guess what? You've got a uniform on and we don't care what your badge says, we need you to help." Is that what -- is -- is that as good as we can do in a post-9/11 environment? Don't we want people to be cross-trained, or at the very least, give the municipality the ability to make that decision themselves? I say let's cut this political nonsense off. Let's spare these villages from this long arm and this over-reaching. Let's give local municipal public safety officials the ability to do what they need to do in their communities and let's vote No, because there is no distinction. And the Senator, in his closing, cannot make an argument that is -- that distinguishes Bensenville from Rosemont and let's listen carefully if he can. Please vote No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator, as I understand this bill, it would affect only non-home rule municipalities. Home rule municipalities are totally exempt from that -- this bill. If that's the case, why is that?

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo.

SENATOR DeLEO:

In the wonderful wisdom of that other Chamber, that was what they decided to get this bill passed and they took out home rule in the House version.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SENATOR RIGHTER:

Thank you, Mr. President. To the bill. Ladies and Gentlemen, the translation of that statement that the sponsor just made is, Chicago didn't want to be in the bill, so they carved themselves out. Those of you who are thinking about voting for this bill because you believe it's right to tell the municipalities in this State what they can and can't do with regards to the content of this bill, have to ask yourselves this question: Is a firefighter's training and safety and security any less important in a non-home -- or a home rule municipality than a non-home rule municipality? Are the people in the small communities in this State any less able to make those decisions than the people in the big communities in this State? There is no justification whatsoever for the distinction between home rule and non-home rule. I don't represent any home rule communities in my district. The sponsor doesn't represent any non-home rule communities in his district. For those of you who represent any, even one, non-home rule municipality, if you believe this is right for the firefighters in your district, vote No, vote No and make it cover the entire State. If you believe that this needs to be done to protect those firefighters, vote No and protect 'em all, not just the ones who work in the small communities.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

To the bill, Mr. President. I just wanted to stand in opposition. And I -- I do so with some reluctance because of my respect for the sponsor, but I -- this bill would have an impact on some of the communities that I represent and it's a bad bill for a lot reasons. But frankly, I'm pleased that the Village of Rosemont is exempt from the impact of the bill. I believe that Bensenville, Wheaton, and all other non-home rule communities across the State ought to be exempt, as well, therefore the bill ought not to be before us. These issues should be resolved in collective bargaining. This is a huge mandate. It's going to cost a lot of money. I don't see anybody here talking about an appropriation to pay for this. It's a bad idea. It's a bad policy. Everyone should vote No.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President. First of all, Senator Righter, I'd like just to explain something. I know this is hard for you to believe, but I don't only represent the City of Chicago; I represent suburbs and some non-home rule communities. I didn't know if you know that: Harwood Heights, Illinois; Norridge, Illinois; Niles, Illinois. Senator DeLeo used to represent Elmwood Park, Illinois; Oak Park, Illinois. So, I'm not only a Chicago legislator; I represent suburban communities also. I also, like many Members of this Chamber, answer to the calls of many mayors, not only the Mayor of the City of Chicago, the suburban mayors. And I understand what happens when you have a bill like this - you get calls from your local mayors. That's number one. Number two, how this became a Bensenville bill and the village manager in calling and getting everybody riled. This had nothing to do with the Village of Bensenville. If I hear one more time about O'Hare Airport and Bensenville, it's wrong, it's wrong. It was brought into the context under a -- this bill was brought by the Associated Fire Fighters of Illinois. And let me just say about, Senator Roskam, about cross-training and -- I don't want my veterinarian delivering my children. I don't want my veterinarian being a pediatrician. I like single, individualized training. Police and fire. We've talked about this in committee. When I dial 9-1-1 and there's a fire in my home, I don't want three -- three police officers pulling up with a fire extinguisher. I want trained -- trained firemen. I want trained paramedics. Senator Kimberly Lightford talked about an incident just recently and her own personal tragedy. Her niece was caught in a treadmill. Her foot was being chewed up and the police came because they were crossed-trained. They didn't know what to do and -- get this woman out of a -- out of the treadmill. Her foot being crushed in -- in a treadmill. So, I think some of these -- these statements today -- and I understand why you did it. I understand that your mayors called you and said, "We -- we want to have this option," but I want public safety for the people of this State and when we have public safety, that's public safety of firemen, that's public safety of police officers. You know, the Associated Fire Fighters, the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Fraternal Order of Police support this bill. Tens of thousands of professionals, firefighters, police officers through the State of Illinois, all support this. Please, go to your towns, go to your villages and ask your fire department and ask your police officers do they want a consolidation and there isn't one town that will tell you that. Mr. President, I ask for an affirmative roll call on House Bill 1368.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 1368 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 -- on that question, there are 38 Ayes, 17 Nays, none voting Present. House Bill 1368, having received the required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you -- thank you, Mr. President, Members of the Senate.

PRESIDING OFFICER: (SENATOR LINK)

Excuse me, Senator Luechtefeld. Can we have some quiet in the Chamber, please? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Behind the Republican in the gallery here are a group of young men who won the Class A Boys Championship in soccer this year. They're from Gibault High School in Waterloo, Illinois. Would hope that you give them a very -- a very nice welcome this morning. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Will our champions please stand so we can recognize them? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR ALTHOFF:

Thank you, Mr. President. I'll take this opportunity, as well. Members of the Senate, I have with me a very important guest. He is a school teacher from Woodstock, Illinois, High

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

School and teaches Environmental Sciences classes. Can we welcome Bill Donato?

PRESIDING OFFICER: (SENATOR LINK)

Would our guest please rise and the Senate recognize him? Senator Radogno, for what purpose do you rise?

SENATOR RADOGNO:

Personal privilege. Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR RADOGNO:

While we're on the order of introductions, I'd like to introduce my helper today, Scott Yarnik, who is from Staunton, Illinois, and he is in the third grade and is visiting with us today.

PRESIDING OFFICER: (SENATOR LINK)

Will our guest rise and the Senate... Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR FORBY:

As you know today that if we get done today, we get to go home and probably won't come back till January. We got a person here today, this is her last day. So, we need to say hi to her and tell her how good a work she's done for us here. One thing about her that you can always expect about her: You can look at her. She always wears these great big long earrings. For some reason I never seen -- I always look up there and get a big smile and she smiles with this big grin. It's Tracy at the Well. Today is Tracy's last day. Let's give her a big hand.

PRESIDING OFFICER: (SENATOR LINK)

Will the Senate please recognize Tracy? Senator John Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR LINK)

State your point.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SENATOR SULLIVAN:

I have a Page with me today, as well. This young man beside me. Stand up, Sean, if you would. Sean Miller. He's from a little town south of Effingham called Dieterich. Am I saying that right? And his parents are here with us, as well, up in the gallery, Linda and Jack, up above me. I'd like you to welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests please rise so the Senate can welcome 'em? Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR JACOBS:

I have with me today, Miss Christine {sic} (Christina) Greiner and her beautiful mother, Pam, who are from my district and Christine attends the same grade school that my son, Elliott, does. So, I'd like you to give her a very warm welcome.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests please rise and the Senate welcome them? Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR GEO-KARIS:

Well, I want to wish everyone a Happy Thanksgiving, a safe return to their homes and I look forward to seeing you in January and I just want everyone to have a healthy and safe and happy time. So, have a good Thanksgiving and have a wonderful Christmas and, God willing, we'll meet again in January.

PRESIDING OFFICER: (SENATOR LINK)

Thank you, Senator, and likewise to you. Will all the Members, please, on the page -- top of page 6, Secretary's Desk for Concurrences. Senate Bill 67. Senator Halvorson, do wish to proceed? Madam Secretary, read the bill -- the motion.

SECRETARY HAWKER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

I move -- I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 67.

Motion filed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to explain your motion.

SENATOR HALVORSON:

Thank you, Mr. President. Senate Bill 67, as amended by House Amendment No. 1, amends the Environmental Protection Act to simply make three clarify -- clarifications that -- to the Governor's Illinois Removes Illegal Dumps bill, last spring. The three clarifications are they clarify the terms of owner and operator; clarifies that the Illinois EPA may deny or revoke an interim authorization for a CCDD, which is the clean construction and demolition debris; and it also makes a technical clarification to provide that no permit or interim authorization shall be required for any person who is not subject to the EPA Act.

PRESIDING OFFICER: (SENATOR LINK)

Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

To the bill. The -- the Senator presented the changes as presented. It came out of committee by all green votes, so we would urge an Aye vote on this side of the aisle and to all our colleagues.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall Senate concur with House Amendment 1 to Senate Bill 67. Those in favor will signify by voting Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 3 voting Present. Senate Bill -- the Senate concurs with House Amendment 1 to Senate Bill 67, and this bill, having received the required constitutional majority, is declared passed. Senate Bill 92. Senator Cullerton, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 6 to Senate Bill 92.

Motion filed by Senator Cullerton.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your motion.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill creates a separate Department of Juvenile Justice, separating the juvenile department from the adult department in the Department of Corrections. We actually voted on this issue back in May on House Bill 180, which passed with 42 votes. At that time AFSCME was -- had concerns with the bill. They opposed the bill when it went over to the House and during the course of the summer, there were numerous meetings and a working group to try to address the concerns that AFSCME had and it came back in the form of an amendment to Senate Bill 92 and, by AFSCME's account, is a much improved bill, even though they still oppose it. The mission for this new department is to provide treatment and services through a comprehensive continuum of individualized educational/vocational life skills to enable you to avoid delinquent futures and become productive, fulfilled citizens. By creating this separate department, it would have the authority to nix programs and services within the juvenile justice continuum and emphasize prevention and diversion programs, conditional release programs with the educational, vocational and mental health services where appropriate. Now the important point to remember is that there will be a clean break with the Department of Corrections. John Filan testified in favor of the bill yesterday and indicated that there will not be any increase to the State in providing these services, but the services that will be provided will be done in a manner that will be much more effective. There are -- there are eight juvenile facilities that will be in this new department and all current contract rights and benefits for the staff are -- are also moved to the new department. The new staff that is hired who deal directly and regularly with youth will have a college degree with -- a specialization in criminal justice, education, psychology or other appropriate skills. This, however, at the request of AFSCME is done by grandfathering in current staff. The whole point of this bill is to correct a situation that's occurred at the Department of Corrections. The -- the adult side of Corrections, which has forty-four thousand inmates, compared to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

only fifteen hundred youth - these youth are really treated like adult prisoners. As a result, we have a very high, forty-seven percent, recidivism rate of juvenile offenders, in spite of the fact that we have -- we have poured additional money into the system. You know, back in 1999, we had twenty-one hundred juveniles in the facility -- twenty-two hundred in the facility, now we only have sixteen hundred. So, it's a twenty-seven percent reduction in the number of youths that are incarcerated, but the recidivism rate has gone up from thirty-two to forty-six percent and the amount of money that we've poured into the system has increased from a hundred and nineteen million to a hundred and thirty-one million. So, we're spending more money on fewer youth, but we're not getting the -- the benefits of it. The Department of Corrections, themselves, are in favor of it. They've -- the reality is, as they've said, is that when juvenile corrections is housed with adult corrections, it results in a trend towards what's called the "adultification" of juvenile justice. There are numerous folks in favor -- organizations in favor of this -- this bill. The State's Attorneys Association, the law enforcement, Chiefs of Police, the bar associations, the civic federations, the -- the Chapter of American Association of Pediatrics. All of -- every youth organization in the State that -- that exists is in favor of the legislation, as well as editorials from the Tribune, the Sun-Times, the Daily Southtown, State Journal-Register, Peoria Journal Star. All over the State, people have supported this. Now, there is one opponent and that would be AFSCME. AFSCME was present at all these meetings that we had over the summer. This bill, again, attempted to address their concerns. They were concerned about the degree requirements, up -- upping the degree requirements for people to have a college degree. So we responded by the current staff being grandparented {sic}. They're concerned about privatization. We have a law called the Private Correctional Facility Moratorium Act. It's specifically referenced in this bill. There's no change with regard to that in this bill. Their concern -- they were concerned about transfer rights, about seniority, about recall rights, and so we put in the bill the rights of State employees and the State and its agency under the Personnel Code and applicable collective bargaining agreements

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

and retirement plans are not affected by this Article. How much clearer can you make it? So, it's going to be an improvement. There's going to be an improvement without having to spend more money. I must say that the administration was concerned initially that we were going to have a -- a growth in a new department. What's going to happen with this department is there's going to be a lower recidivism rate, there's going to be fewer juveniles coming back to the system and we can do a better job with the money that we're spending. There's no increase in administration; there's just a better way of spending the money that we've directed to this -- this department. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

I move -- move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

There are nine speakers. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I rise in support of this very important piece of legislation. As Senator Cullerton pointed out, over half of the juvenile offenders in Illinois will go back into the system within three years. Obviously, this system doesn't work and it is really a -- a disgrace. The good thing about children, or youths, is they can be rehabilitated and studies have shown they can be rehabilitated much better than adult prisoners. The juveniles make up only three percent of the Department of Corrections and they're really an afterthought for the Department, as sad as that is. The Will County Sheriff, somebody that I respect, has said that our juvenile correction system in Illinois has become, quote, "A breeding ground for future criminals rather than a system aimed at rehabilitating youths," and I think it's important to listen to our professionals. Am I worried about more bureaucracy? Sure I am, but I'm not as worried about the actual cost because the cost of doing nothing in terms of ruining human lives of our young people and the cost of housing these people as adults far outweigh what a few extra bureaucrats might cost. Forty other states recognize that you don't mix kids in with the hardened adult criminal

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

population. Missouri, our neighbor to the southwest, is the model example here. Their recidivism rate is eight percent. Ours is fifty percent. When the Department of Corrections was started thirty years ago, it had seven thousand adult prisoners. We're up over six hundred percent and today there are forty-four thousand adults in our corrections system and, as Senator Cullerton pointed out, only sixteen hundred juveniles. The kids simply get lost and we are creating hardened criminals. And this bill is a major bill. States like Texas and Ohio that are comparable to Illinois have done well, as is our neighbor, Missouri. This bill will save money, but most importantly, it will save lives and I believe we should give it an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Can we please keep the noise down? Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR JACOBS:

Senator, where does the hundred and twenty-four million dollars come from?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Well, we have -- the Department of Corrections has a budget right now and we've determined that that amount of money is being spent on the juvenile division now and that will be transferred over to this new department. So it comes from the appropriation of the Department of Corrections, but only those services which are now being provided to -- to the juveniles. So there will be no negative impact on the amount of money as a result of this bill to the adult division of the Department of Corrections.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs, please have your light on. Senator Jacobs.

SENATOR JACOBS:

Thank you, sir. If you could -- if you could, please, explain to me in a quick sentence what -- why -- why is AFSCME

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

opposed to this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Well, initially they were opposed to the bill because they were concerned about the language as to whether or not some of their people would lose their jobs, and since that wasn't the goal of the legislation, we have clarified through the amendment that was passed in the House that people who have degree requirements upgraded are grandfathered in, that there's no concern about privatization, that the transfer rights and the seniority rights and the recall rights are all protected, and yet they're still opposed to it. So it's very difficult for me to respond at this point in time to their -- to their objections since we've specifically put in the bill answers to their concerns.

PRESIDING OFFICER: (SENATOR LINK)

Senator del Valle, for what purpose do you rise?

SENATOR DEL VALLE:

Thank you, Mr. President. I want to thank the sponsors, and we have the -- House sponsor here on the Floor with us. I want to thank them for the work that they have done on this bill and I -- I just want to make a couple of points. The first one, regarding AFSCME, the sponsors have done a tremendous job of addressing every concern that was raised by AFSCME, including the one that Senator Cullerton just referred to, ensuring that no worker is going to lose his or her job. We do have provisions in this bill to make sure that new hires have certain credentials and that certain training takes place and these are the kinds of things that are long overdue. You know, I come from a district where, I'm sorry to have to say, we have quite a few kids who end up in the system, in a system where they're put in with adults. Now, the fact of the matter is that in the State of Illinois, we aren't correcting anything in the Department of Corrections. What we're doing is incarcerating. We are warehousing individuals, because in actuality, we don't have the resources to be able to rehab and to help these individuals. In the City of Chicago, there are two little re-entry centers serving just a handful of parolees. Our districts are adversely affected by the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

inability of the Department of Corrections to service these inmates, to help them get back on their feet when they're let out of jail. What we have here is a proposal to do something that is long, long overdue in the State of Illinois. It's one of those proposals where you have to stop and ask yourself: Why didn't we do this a long, long time ago? We are spending more money for juvenile offenders, but if we put the money in the right place and we program it the way it should be done and we restructure this new component, I think the recidivism rate is going to go down and I think we're going to then see the effects of that back in our communities in the form of less gang violence, less drug activity and less juvenile crime and that is a positive for the State of Illinois and in the long run will save us dollars, instead of costing us more dollars. So, I say to AFSCME - they're the ones that were the main concern here - I say to them that they're safe. They're secure and I ask them to join us in restructuring this new component and developing this new component that is going to make our communities safer and it's going to give these young people an opportunity to make their lives right in life. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank -- thank you, Mr. President. To the bill. A statement that was just made, I -- I want to clarify. Don't think he meant to say that juveniles are thrown in with adults. The fact remains, they are not; they are segregated from the adults. And, in fact, I understand that they are kept in air-conditioned cells and single cells -- unlike those of the adult offenders. If we were funding the current system at the level that needs to be done, we wouldn't have the -- the problem with the recidivism rate that we currently have - if we were providing the counselors, the teachers, the vocational education programs, the counseling for substance abuse, which has been cut drastically over the last number of years. And, in fact, I have information that would indicate, in the last three years, we've seen a decrease in educators by thirty-three percent; librarians by fifty percent; psychologists, twenty-five percent; and fifty-percent decrease in both social work and leisure specialists. My

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

argument is, creating another bureaucracy is not going to resolve the problem. By putting the money in the current system will. I would urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Thank you, Mr. -- thank you, Mr. President. To the bill. You know, I -- I spoke on this bill a little bit in committee yesterday and one of the things that I pointed out that I want to point out to the full Body is there's a reason why we have in our court system a juvenile court and adult court. And in adult court and juvenile court, in juvenile court with regards to the delinquency cases and in adult court with regards to what we call criminal cases, the criminal offenses are the same, but the focus is different because the subjects are different and have different unique needs and -- and juveniles can -- can be rehabilitated in most cases better than some more experienced adult offenders. You know, I've been around here for about a year now and there is -- there's certainly politics that comes into our decision making and sometimes we just have to ask, certain types of politics aside, to do the right thing and we have to stop looking at corrections and prisons as economic engines. We have to start -- stop looking at prison industrial complex. We have to stop juxtaposing jobs and protecting jobs against doing the right things for juveniles and reducing -- recidivism. I've -- over the last year, I -- I don't think anybody can say that my voting record has been one that's been insensitive to protecting the rights of workers, but when we talk about corrections and when we talk about, specifically, juvenile corrections, it's not about the jobs. It's about the juveniles and it's about reducing recidivism and rehabilitating. I strongly urge a Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Petka, for what purpose do you rise?

SENATOR PETKA:

Thank you, Mr. President. And to the bill. There are few things that are more sad in life than being in a courtroom when a young offender appears for sentencing, especially when that young offender has committed some of the most indescribable and

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

horrific acts that the heart -- heart and mind can contemplate. There are some of -- that are in this Chamber that have been in situations, either as defense attorneys or, in my case, as a prosecutor, where we've seen young people who, at very early ages, fifteen/sixteen years old, already have wasted lives. The legislation in question is a product of a lot of hard work, and I certainly want to compliment the sponsor. This is something that I know that he feels very, very strongly about and I believe that what he is doing is -- is something that has shown a modicum of success in other states. It has appeared to work. But I'd like to address a question that is more fundamental actually than the separation of the Department of Corrections into two separate divisions, because I believe - and strongly believe this - that placing more educated -- people with college degrees who -- who have specializations in criminal justice, education, psychology, sociology, social work or closely related specializations and bringing 'em close to wayward youth is certainly positive - it certainly cannot be a negative - but to really and truly believe that this is going to effect a change in the behavior of anyone, I think, is accepting a foolish proposition. For those of you who may -- may go to church on Sunday or Saturday and actually listen to what is stated, the whole of the core of our being involves a very simple proposition, that we are in need ourselves of rehabilitation. Before we can ever have a rehabilitation anywhere, we have to have a change of mind and a change of heart and that's not going to come about because someone tells another individual that, hey, if you do things a certain way, this is what's going to happen. Many of the individuals, and I just will provide anecdotal evidence, when I prosecuted for thirteen years, had a moral compass that was simply not pointing in the correct manner. Unless we take a step and a bold step, as some of the papers have stated, going beyond what is in this bill and having regulations and rules and -- and possibilities opening up -- opened up at the Department of Corrections in -- in both divisions where we can work upon the -- the spiritual aspect and give people a true purpose to know that there is something beyond the life that they live in, we truly labor in vain and are building a foundation on sand. Senator Cullerton, anything that you can do after this bill is passed, and I believe that it will,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

that will encourage in the Department of Corrections, in both divisions, especially though in the juvenile division, that rational, sane approach to a -- a spiritual reawakening will do every bit as much, and in my opinion, more than all of the staffing requirements and all the education requirements that are currently -- found in this bill. So with that, again, Senator Cullerton, thanks for -- all the hard work in connection with this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

To the -- to the bill, Mr. President. I wanted to thank Senator Cullerton for the hard work he's done on the bill and to my State Representative, the House sponsor, Representative Collins. They all worked hard on this bill to get it done. We understand that the AFSCME had some problems with some of the issues as it relates to the bill, but this is the right thing to do. We should always separate the children from the adults. They can be influenced by them and we don't need that kind of thing because you end up with throw-away kids. You put 'em in the system and -- and we lose them - losing generation after generation; they get younger and younger. And this is the right thing to do at this time. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator John Jones, for what purpose do you rise?

SENATOR J. JONES:

Thank you, Mr. President. To the bill. You know, my seatmate here referred to several things, the shortages that we have in the Department right now in providing the services for the juveniles, and I totally agree with him. But the big thing that concerns me here is that we're creating a whole new agency and we all know - even though some people have testified in committee yesterday from the Governor's Office that this won't cost any more money - we all know that new directors are going to be hired, new assistant directors, and the list goes on and on, and this is not going to go towards recidivism. This is going to go to high salaries for some individuals. I think it's wrong that we're doing this today. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Senator Ronen, for what purpose do you rise?

SENATOR RONEN:

To the bill, Mr. President. I rise in strong support of this measure. I want to compliment the sponsor in the Senate and in the House for their hard work and this is really the way the legislative process is supposed to work. This bill represents years of work with the private groups, with public groups, with both sides of the aisle, people working together with their only purpose in trying to do what's best for juveniles in this State, and I think the bill that is being presented today represents that best compromise. Those people who would be defenders of the status quo would have us believe that the only thing you need to do to treat juveniles differently is to air-condition their cell and put them in a single cell. Well, we all know that it takes more than that and it takes special kinds of services and approaches to make sure that these young people who get involved in the criminal justice system do not spend their whole life there. I applaud this measure and I hope everybody will -- will join me in voting Aye.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President. And question of the sponsor and also some comments.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR LUECHTEFELD:

First of all, I -- I probably have the largest juvenile facility in the State in my district, in Murphysboro. I've been there to talk to those young people on a couple of occasions. You know, I understand that every person on that side of the aisle, or even this side of the aisle, that has gotten up to spoke in favor of this is trying to do something worthwhile and good. You know, it is always easy to say, "Let's -- let's do something for the kids." Remember, we did something for the kids last week, I believe. It's going to make everything okay with the insurance. But that sells, and -- and I understand that, and -- and most of you are very sincere about wanting to help that situation. My concern is this: First of all, I don't think

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

there's any question about the fact that this will cost a lot more money before it's done. There will be a lot of money poured into this department. It will be a new department. I think you can do exactly what you want to do, exactly what you want to do, if you keep the juvenile department in the Department of Corrections and simply make the changes that you'd like to make. That is possible. It is possible. But that is not something that obviously you want to do. I can tell you that in the end -- and for instance...

PRESIDING OFFICER: (SENATOR LINK)

Excuse me, Senator Luechtefeld. You said you wanted a question of the sponsor. Would you give the question, please?

SENATOR LUECHTEFELD:

Would you like that first or last, Senator?

PRESIDING OFFICER: (SENATOR LINK)

You indicated first that you wanted a question of the sponsor.

SENATOR LUECHTEFELD:

I -- I guess I would -- my question of the sponsor is this, if you were to do what you want to do with this new department in the Department of Corrections, wouldn't you have the same results?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

I would quote from the Department of Corrections' director and the juvenile division director. The director said, "I think starting over with a stand-alone system for juveniles would be the best way to make the necessary changes." And the juvenile division director said, "Where juvenile corrections is housed with adult corrections, it's resulted in a trend toward what's called the 'adultification' of juvenile justice. You need a whole new theory, a whole new fresh approach to rehabilitating children, just like they do real close to you over in Missouri, where they have an eight-percent recidivist rate as opposed to our forty-six percent recidivist rate."

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Senator, is the Governor's Office for this bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Initially, the Governor's Office was very concerned about the bill because they didn't want to have a new bureaucracy grow and cost more money. So, we met with John Filan and reassured him, to the point that he testified in favor of the bill, there's no additional bureaucracy and there's not going to be any additional cost. It's a redirection in where we spend the money. And as I pointed out earlier, we've increased dramatically the actual money that goes towards the juvenile division, but it hasn't been spent properly.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, Senator, first of all, the two people that you quoted both work for the Governor, and if the Governor's Office is now for this bill, there's no way they will -- they will say anything different than what they said. You know, my contention is that we can do what you want to do if we do it within the Department of Corrections -- we -- and I can tell you this, you will -- if you spend the kind of money you're going to be spending, the -- the return of those -- those people back to the system will obviously drop off whether you do it in a new department or this Department, and I understand that this is probably going to fly out of here. I -- I just do not believe that in a time where we can't afford to pay for Corrections right now -- they are short-handed, they -- they're even to the point where it is a security problem and -- and a danger problem at those facilities and now we want to start a new program and, I guarantee you, we'll throw a lot more money at that program, which will not allow us to maybe do the things we need to do in the Corrections and a lot of other departments in this State. We can't afford to do what we're doing now and we're going to start a new program. I -- I -- I think it's the wrong way to go and I understand that you -- you mean well, but I think you can do what you want to do within the Department of Corrections. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. You know, we -- I forgot to mention we did have testimony in committee from a judge, George Timberlake, who's the Chief Judge of the Second Circuit, down in Mt. Vernon, and he testified, I thought very powerfully, that his whole philosophy changed as a judge. He used to have the attitude of -- of, you know, when juveniles would come before him, just lock 'em up, throw away the key, and he said, when he -- kept on seeing them come back, that the system wasn't working. I know there's concerns about -- about money. This is perhaps a little role reversal, but we're not asking for more money. In 1999, we spent thirty-six thousand dollars per juvenile. Today we're spending sixty-four thousand. It's up seventy-nine percent and yet we have a recidivist rate that's forty-six percent compared to a state next to us who's the model for the nation, Missouri, which has a separate department, which is at eight percent. That's why this will work. It doesn't cost more money. It's the whole method by which the money is spent, and I know that AFSCME has indicated that they're concerned about special ed programs being cut and vocational ed programs being cut and counseling and substance abuse treatment programs being cut. Under this provision, under a new direction with a new department, those areas will not be cut, without spending more money. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall Senate concur with House Amendment 1 and 6 to Senate Bill 92. All those in favor will be voting Aye. Those will be -- opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 16 Nays, 1 voting Present. The Senate concurs with House Amendments 1 and 6 to Senate Bill 92. The bill, having received the required constitutional majority, is declared passed. Senate Bill 1943. Senator Pankau, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1943.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Motion filed by Senator Pankau.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau, to explain your motion.

SENATOR PANKAU:

Thank you -- thank you, Mr. President. I move to concur with House Amendments 1 and 2. House Amendment 2 then becomes the bill and it's based on the Patrick Leahy bill that we passed earlier this spring. Unfortunately, when the time came and went, the Governor actually signed the bill after July 1st, which means it would -- does not go into effect until January 1st. This -- this amendment makes it an immediate effective date, also requires thirty-six votes, but it also puts it in effect. There are some cases where people are waiting to prosecute and they want to do it right away. They don't want to have to wait till January. There's no opposition to this whatsoever and it was a timing problem. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1943. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate concurs with House Amendments 1 and 2 to Senate Bill 1943. The bill, having received the required constitutional majority, is declared passed. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR SCHOENBERG:

Today Representative Hamos and I have been joined by one of our constituents at the Capitol, a bright senior at New Trier High School. His name is Ben Panier. He's from Wilmette and I'd like you all to give him a warm Senate welcome.

PRESIDING OFFICER: (SENATOR LINK)

Will our guest rise and the Senate welcome him? Senator Viverito, for what purpose do you rise?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

SENATOR VIVERITO:

Mr. President, I voted 1943. I hit the button Yes and it didn't record it. I hope you will record me.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect.

SENATOR VIVERITO:

Thank you, thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senate Bill 2111. Senator Silverstein, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2111.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein, to explain your motion.

SENATOR SILVERSTEIN:

Thank -- thank you, Mr. President. I wish to concur with the House. What -- what the amendment does, it changes the effective date from January 1st, 2006, to July 1st, 2006.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall Senate concur with House Amendment 1 to Senate Bill 2111. 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 Ayes, no Nays, none voting Present. The Senate concurs on House Amendment 1 to Senate Bill 2111. The bill, having received the required constitutional majority, is declared passed. Conference Committee Reports on the bottom of page 6. House Bill 3801. Senator Collins, do you wish to proceed? Madam Secretary, do we have the file on the Conference Committee Report on House Bill 3801?

SECRETARY HAWKER:

Yes, Mr. President. First Conference Committee Report on House Bill 3801.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, the bill requires medical schools located in Illinois to require matriculants, an individual who is admitted as a student to a medical school, to submit to a fingerprint criminal history check. It also provides that information collected through the criminal background check may be considered by the medical school in determining whether to permanently admit the matriculant. The other -- the other requirement or guideline -- the medical schools may charge a fee to recoup the costs of the background check and the legislation also grants civil immunity for the admission decision of medical schools that follow the procedures. SIU School of Medicine and the University of Illinois School of Medicine are proponents. The State Medical Society and the Illinois State Police are neutral, but we will be addressing their concerns with a trailer bill in the spring. The Illinois State Medical Society wanted -- they agree with the concept of the legislation. They just wanted total immunity and right now the bill is -- they have immunity except for wanton and willful negligence in the -- in the follow-up of the law. So I'm open to any questions that my Members might have -- colleagues might have.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 3801. 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 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 3801. And the bill, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes. Mr. President, on that last vote, I did not get recorded as an Aye and I'd like to be so recorded.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. We're going to the page -- Ladies and Gentlemen, we'll be going to the bottom of page 5, Secretary's Desk, Resolutions. Senate Resolution 264. Senator Sandoval, do you wish to proceed? Out of the record. Senate

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Resolution 516. Senator Forby, do you wish to proceed? Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 516, offered by Senator Forby.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. Senate Resolution 516 is a bipartisan resolution that I've worked on, Senator Watson's worked on. What this resolution does - it's good for education, it's good for jobs, it's good for senior citizens. I have a coal mine in my district that's wanting to put a power plant in and there is going to be a court hearing on it and what we would like to do is expedite it, keep it moving, keep it on, because as everybody knows when you get an air permit in the State of Illinois, it takes about two years to get this permit. So, if this permit runs out, then the company's got to wait probably another two years to come up with a permit. And we've just had a coal mine in Williamson County that they've contracted to get the coal from. In Senator Watson's district, there is a utility company that decided they would take all the power. So this is going to be good for everybody. What we want to do is just -- just keep the -- keep the court case moving on so we can do it in a timely manner and go on with this issue.

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR J. JONES:

Thank you, Mr. President. To the resolution. I -- I stand in strong support of Senator Forby's resolution here. This is something that's -- we've been trying to get worked out in his district, which is right close to mine, for a new mine and, you know, it's kind of hung up, it seems like, and I think this will just maybe send a message that we'd like the process speeded up a little bit, and I would encourage everybody to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

Leader Watson, for what purpose do you rise?

SENATOR WATSON:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Yes, thank you very much. Just to support Senator Forby in his efforts. We, in -- in our area of the State, this is a huge issue for us. Part of the whole economic development and opportunity in our region is going to be in the area of the coal industry, and we had a conference call with most of the elected officials from the area and the Southwestern Electric Cooperative, who have entered into a contract with this -- with this proposed coal mine, and part of the problem that they're having, of course, is -- is the hang-up with the bureaucracy and the time that it's taking to get this matter resolved. So, we're asking for an -- expedited hearings and expedited effort to try to get this -- these permits approved. So, it's very important for all of us who -- who have the coal reserves that could be utilized for energy of the future and certainly jobs for today. So this is a big issue for us. Urge your support.

PRESIDING OFFICER: (SENATOR LINK)

Senator Forby moves the adoption of Senate Resolution 516. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Ladies and Gentlemen, we'll be going to the Supplemental Calendar that was distributed. Supplemental Calendar No. 1, Secretary's Desk, Concurrence. Senate Bill 1693. Senator Link. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 1693.

Motion filed by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. House Amendment 3 provides that there's a doubling of the employees' contribution from the original language from half a percent to one percent. Provides for a five-year moratorium on the SLEP pension legislation, unless agreed to. Allows counties the one-time option of amortization the cost of this bill for thirty, thirty-five or forty years, based upon the individual preference. Eliminates the tax cap exemption that was proposed in Amendment 1. I'll be

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RISINGER:

Yes, my county's -- county administrators have contacted me. This is going to be a cost increase to the counties that may result into a property tax increase. So, I want to make sure that I have a -- a clear understanding of what is in the bill. It's my understanding that this bill will raise the percentage for each year of service up to 2.5 percent. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

That is correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

I also understand that they can convert ten years of service that was not as -- as deputy sheriff as if they -- a possibility, if they worked as a secretary to a school or whatever, they can buy that time and that could become at the 2.5-percent interest rate, is that correct -- or, service rate, is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

I also understand that in the bill the maximum pension rate will go from seventy-five percent to eighty percent.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Point out to the Body that this is a -- an increase to the counties and for those that are concerned about it, it can revert to a property tax increase to pay the bill for this, and so I'm opposed to the bill and I will be voting No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. Senator Link, I've got just -- I've got some of the same people contacting me as -- as are Senator Risinger and I just want to find the points that are positive changes that you've made into this. One of them is the employee's doubling their contribution. There's a five-year moratorium on future negotiations on this unless an agreed bill process or an agreed process is there. A third point is there's a thirty-year amortization with regards to the potential contribution, and there was a fourth and a fifth. The fourth one had something to do with elimination on tax caps. Could you explain that and could you give me what the fifth point was?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Well, there was only four points. You were right, no fifth point, but that was eliminate the tax cap exemption that was proposed in Amendment 1 in the House.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford. Senator Rutherford.

SENATOR RUTHERFORD:

So, if a county wanted to go forward, they are exempt from the tax cap?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

That is correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Link, do you wish

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

to close?

SENATOR LINK:

Yes. I just want to say, as amended, the Metro Counties, DuPage County, the Illinois Association of County Board Members and Commissioners are neutral on this legislation. So they understand this bill too. I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

This is final action and the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 1693. 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, 3 voting Nay, none voting Present. And the Senate concurs in House Amendment No. 3 to Senate Bill 1693, and the bill, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR LINK)

Ladies and Gentlemen, we're going to go to the bottom of page 2 -- or top of page 2, I'm sorry. Senate Bills 3rd Reading. Senate Bill 595. Senator Garrett. Out of the record. Senate Bill 638. Senator Garrett. Out of the record. We'll skip over Senate Bill 700. Senate Bill 809. Senator Martinez. Out of the record. Senate Bill 838. Senator Crotty. Senator Crotty wishes to -- seeks leave Body -- of the Body to return Senate Bill 838 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 838. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin, to explain the amendment.

SENATOR CRONIN:

Thank you very -- thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This amendment affects the Village of Lombard in the district that I represent and it seeks to extend a TIF district from twenty-three to thirty-five years. It has the support of the community. Ask -- I ask for a favorable vote.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Harmon, for what purpose do you rise? Senator -- Senator Cronin moves for the adoption of Amendment 1 to Senate Bill 838. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Now on the Order of 3rd Reading, Senate Bill 838. Senator Crotty, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 838.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty yields to Senator Ronen {sic} on Senate Bill 838. Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill is very important to the community that I represent, the Village of Lombard. It gives them a tool that they may or may not use, but it's a tool to redevelop some property, property that's fairly significant, has received a lot of attention, and I -- it's necessary to accomplish a development of that property and so I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

To the bill, Mr. President. Senator Cronin's amendment came through the Senate Revenue Committee without objection. I urge colleagues on this side of the aisle to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 838 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 54 Ayes, 2 Nays, none voting Present. Senate Bill 838, having received the required constitutional majority, is declared passed. Madam

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2163, offered by Senator Crotty.

(Secretary reads title of bill)

3rd -- 1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, dated November 4, 2005.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish January 9, 2007, as the 3rd Reading deadline for all bills in the Senate that currently have a December 31, 2005, 3rd Reading deadline.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR LINK)

We will now proceed to the Order of Resolution Consent Calendar. With leave of the Body, all the resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries. The resolutions are adopted. Madam Secretary, 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 adopted the following House Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 72.

(Secretary reads HJR No. 72)

Adopted by the House, November 4, 2005.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson moves to suspend the rules for the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

11/4/2005

purposes of immediate consideration and adoption of House Joint Resolution 72. All those in favor will say Aye. Opposed, Nay. The Ayes have it and the rules are suspended. Senator Halvorson now moves the adoption of House Resolution {sic} 72. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Pursuant to House -- Joint Resolution 72, the Senate stands adjourned until Wednesday, January 4th, 2006, in Perfunctory Session, and -- and then again on January 11th, 2006. The Senate stands adjourned.