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REGULAR SESSION  
SENATE TRANSCRIPT

79th Legislative Day

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PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the gallery please rise? The invocation today will be given by Pastor Chad Pickering of Hope Evangelical Free Church, Springfield, Illinois. Pastor Pickering.

PASTOR CHAD PICKERING:

(Prayer by Pastor Chad Pickering)

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)

Mr. Secretary, Reading and Approval of the Journal.

ACTING SECRETARY KAISER:

Senate Journal of Thursday, February 23rd, 2006.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR LINK)

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

ACTING SECRETARY KAISER:

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

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

House Bills 2150, 4157, 4132, 4161, 4456, 4195, 5375, 5385, 5550.

All passed the House, February 23rd, 2006.

Further Message from the House, Mr. Mahoney, Clerk.

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

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the concurrence of the Senate, to wit:

House Bills 4955, 5370.

All passed the House, February 23rd, 2006.

Have a like Message on House Joint Resolution No. 77.

Passed the House, February 23rd, 2006. It is a substantive resolution, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Introduction of Bills.

ACTING SECRETARY KAISER:

Senate Bill 3171, offered by Senator Radogno.

(Secretary reads title of bill)

Senate Bill 3172, offered by Senator Sandoval.

(Secretary reads title of bill)

Senate Bill 3173, offered by Senator Sandoval.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports Senate Amendment No. 2 to Senate Bill 2236 recommended Do Adopt.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Amendment No. 2 to Senate Bill 2579 recommended Do Adopt.

Senator Ronen, Chairperson of Committee on Health and Human Services, reports Senate Amendment No. 1 to Senate Bill 2170, Senate Amendment No. 2 to Senate Bill 2267, Senate Amendment No. 1 to Senate Bill 2455, Senate Amendment No. 3 to Senate Bill 2578, Senate Amendment No. 1 to Senate Bill 2672, Senate Amendment No. 2 to Senate Bill 2782 and Senate Amendment No. 1 to Senate Bill 2898, all recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 2 to Senate Bill 2445 and Senate Amendment No. 1 to Senate Bill 2477 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Revenue, reports Senate Amendment No. 2 to Senate Bill 2246 and Senate Amendment No. 2 to Senate Bill 2691 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on State

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Government, reports Senate Amendment No. 2 to Senate Bill 2456, Senate Amendment No. 1 to Senate Bill 2674, Senate Amendment No. 1 to Senate Bill 2870 and Senate Amendment No. 1 to Senate Bill 2921, all recommended Do Adopt.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Amendment No. 2 to Senate Bill 2495 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Resolutions.

ACTING SECRETARY KAISER:

Senate Resolution 642, offered by Senator Forby and all Members.

Senate Resolution 643, offered by Senator Forby and all Members.

Senate Resolution 644, offered by Senator Forby and all Members.

Senate Resolution 645, offered by Senator Hunter and all Members.

And Senate Resolution 646 through 659, all {sic} offered by Senator Forby and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Resolution Consent Calendar.

ACTING SECRETARY KAISER:

And Senate Resolution -- Senate Joint Resolution 79 and -- offered by Senator Viverito.

And Senate Joint Resolution No. 80, offered by Senators Harmon and Dahl.

They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Will all Members in the sound of my voice please come to the Floor? We will be doing Senate action. Will all Members please come to the Floor immediately? We will be doing Senate Floor action. Ladies and Gentlemen, we're going to be going to top of page 2. We'll be moving bills from 2nd to 3rd. Be prepared to go. And we will be adopting amendments to those bills. Senate Bill 1835. Senator Dillard. Senator Dillard. Out of the record. Senate Bill 2144. Senator Jacobs. Out of the record. Senate Bill 2170. Senator Garrett. Senator Garrett. Out of the

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record. Senate Bill 2180. Senator Silverstein. Out of the record. Senate Bill 2196. Senator Sandoval. Senator Sandoval. Out of the record. Senate Bill 2198. Senator Dillard. Senator Dillard. Out of the record. Senate Bill 2225. Senator Maloney. Out of the record. Senate Bill 2229. Senator Maloney. Out of the record. Senate Bill 2237. Senator Crotty. Out of the record. Senate Bill 2263. Senator Bomke. Out of the record. Senate Bill 2303. Senator Burzynski. Out of the record. Senate Bill 2326. Senator Garrett. Out of the record. Senate Bill 2349. Senator Collins. Out of the record. Senate Bill 2351. Senator Collins. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2351.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 replaces the underlying bill. And Senate Bill 2351 creates a new scholarship program, which is administered by ISAC and subject to appropriation, to provide a one-time, freshman year only, one-thousand-dollar grant to help pay for tuition and mandatory fees. What the Floor amendment does is that, like the bill, the amendment makes certain high-achieving students eligible for the one thousand in tuition and fee assistance if they are in custody of grandparents and receive public aid. However, the amendment clarifies eligibility criteria and requires that the student be enrolled at an institution of higher education in Illinois. The amendment also makes the grants subject to appropriation, rather than saying that eligible students are entitled to the grants.

PRESIDING OFFICER: (SENATOR LINK)

Seeing -- seeing none, Senator Collins moves for the

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adoption of Amendment 1 to Senate Bill 2351. All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2368. Senator Raoul. Out of the record. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just for purposes of announcement. Senator Petka and Senator Althoff will not be here today due to legislative business. Thank you, sir.

PRESIDING OFFICER: (SENATOR LINK)

The record so will reflect. Now on to page -- top of page 3. Senate Bill 2369. Senator Raoul. Out of the record. Senate Bill 2374. Senator Millner. Out of the record. Senate Bill 2415. Senator Cullerton. Out of the record. Senate Bill 2426. Senator Millner. Out of the record. With leave of the Body, we will return to 2442. Senate Bill 2455. Senator Trotter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2455.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration? With leave of the Body, we will return to -- Senate Bill 2455. Senate Bill 2477. Senator Shadid. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2477.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Shadid.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Shadid, to explain your amendment.

SENATOR SHADID:

Thank you, Mr. President. Amendment No. 1 deletes and replaces the underlying shell bill. Amendment 1 amends the Public Building Commission Act such that the Peoria Public Building Commission will have the temporary authority to enter into construction contracts with Peoria School District 150. I'd appreciate a Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Shadid moves for the adoption of Amendment 1 to Senate Bill 2477. All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2510. Senator Raoul. Out of the record. Senate Bill 2514. Senator Ronen. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2514.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2519. Senator Demuzio. Senator Demuzio. Out of the record. Senate Bill 2558. Senator Silverstein. Senator Silverstein. Out of the record. Senate Bill 2561. Senator Halvorson. Out of the record. Senate Bill 2568. Senator Cullerton. Senator Cullerton. Out of the record. Senate Bill 2570. Senator Garrett. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2570.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)



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Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett, to explain your amendment.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. Really what Floor Amendment No. 1 does is it amends the bill, as introduced, to provide that a purchaser of a condominium unit at a judicial foreclosure sale, except for a mortgagee or a purchaser who acquires title from a mortgagee who takes possession of a condominium unit pursuant to a court order, must pay the proportionate share of the common expenses of the unit which would have become due absent any assessment acceleration during the six months immediately prior to the filing of an action to enforce the collection of assessments.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Garrett moves the adoption of Amendment 1 to Senate Bill 2570. All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2574. Senator Silverstein. Senator Silverstein. Out of the record. Senate Bill 2578. Senator Ronen. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2578.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Sieben. Excuse me, Mr. President, offered by Senator Ronen.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Ronen, to explain your amendment.

SENATOR RONEN:

Thank you, Mr. President. This amendment clarifies the purpose of this bill supported by the Epilepsy Foundation, which is that when a doctor prescribes medication and says do not substitute, that it's clear to the pharmacist on -- on that initial prescription and subsequent prescriptions that no substitutions are made without the approval of the doctor and the consent of the patient. This is an agreed-to amendment.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Ronen moves the adoption of Amendment 3 to Senate Bill 2578. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2580. Senator Clayborne. Senator Clayborne. Out of the record. Senate Bill 2608. Senator Haine. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2608.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body... Senate Bill 2615. Senator Shadid. Out of the record. Senate Bill 2616. Senator Dillard. Out of the record. Senate Bill 2617. Senator Dillard. Out of the record. Senate Bill 2619. Senator -- Senator Collins. Out of the record. Senate Bill 2670. Senator Collins. Out of the record. Senate Bill 2672. Senator Clayborne. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2672.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR LINK)

Have there -- have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne, to explain your amendment.

SENATOR CLAYBORNE:

Yes. It's just a technical cleanup amendment.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Clayborne moves for Amendment 1 to Senate Bill 2672. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2674. Senator Demuzio. Senator Demuzio. Out of the record. Senate Bill 2676. Senator Silverstein. Senator Silverstein. Out of the record. With leave of the Body, we will go back to Senate Bill 2688. Senate Bill 2693. Senator Trotter. Out of the record. Senate Bill 2695. Senator Geo-Karis. Senator Geo-Karis. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2695, offered by Senator Geo-Karis.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2695. Senator -- or, Senate Bill 2716. Senator -- John Sullivan. Out of the record. Senate Bill 2730. Senator Viverito. Senator Viverito. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2730.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2737. Senator Maloney. Out of the record. Senate Bill 2748. Senator DeLeo. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2748.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill -- 2777. Senator Althoff. Out of the record. Senate Bill 2778. Senator Sieben. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2778.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben, to explain your amendment.

SENATOR SIEBEN:

Thank you, Mr. President. Senate Floor Amendment No. 1 becomes the bill and creates the Volunteer Emergency Worker Higher Education Protection Act. Passed the committee unanimously. I know of no opposition and -- and I would move for the adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Sieben moves for the adoption of Amendment 1 to Senate Bill 2778. All those in favor will signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

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3rd Reading. Senate Bill 2782. Senator Halvorson. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2782.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Health and Human Services adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any other -- have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to explain your amendment.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 to Senate Bill 2782 amends the Abused and Neglected Long Term Care Facility {sic}. There were some concerns as we passed this bill along, so we've made those concerns -- we listed them, made the few changes, and I'll debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Could we have a little quiet on the Floor? Is there any discussion? Seeing none, Senator Halvorson moves for the adoption of Amendment 2 to Senate Bill 2782. All those in favor will signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2784. Senator Garrett. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2784.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for

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consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett, to explain your amendment.

SENATOR GARRETT:

Yes, thank you, Mr. President. This amendment removes language that would have allowed public school employees to consider time away from work as sick leave if the absence was due to the placement of a foster child.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Garrett moves for the adoption of Amendment 1 to Senate Bill 2784. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2795. Senator Shadid. Senator Shadid. Out of the record. Senate Bill 2798. Senator Bomke. Out of the record. Senate Bill 2810. Senator Forby. Senator Forby. Out of the record. Senate Bill 2829. Senator Lightford. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2829.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford requests that we take it out of the record. Senate Bill 2845. Senator Schoenberg. Out of the record. Senate Bill 2869. Senator Munoz. Senator Munoz. Out of the record. Senate Bill 2870. Senator Sullivan. Mr. Secretary, please read the bill.

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ACTING SECRETARY KAISER:

Senate Bill 2870.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. I apologize and add, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan, to explain the amendment.

SENATOR SULLIVAN:

Thank you, Mr. President. The amendment retains the original bill and adds an additional member to the Statewide -- Interoperability Executive Committee. That additional member is the Director of the Secretary of State Police.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Sullivan moves the adoption of Amendment 1 to Senate Bill 2870. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body, we'll go back to Senate Bill 2884. Senate Bill 2898. Senator Hunter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2898.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. I apologize. Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, to explain your amendment.

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SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation will permit students with proper authorization to possess and potentially self-administer the -- epidermal {sic} injections -- automatic injections for asthma.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Hunter moves that -- Amendment 1 to Senate Bill 2898. All those in favor say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR SULLIVAN:

I'd like the -- my colleagues to recognize some very dear friends of mine who have joined us -- joined me here today, Kenny and Jane Schneider. They're up here in the gallery above me and also their personal escort today is my wife, Joan. She's here as well.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests please rise and the Senate welcome them? Senate Bill 2921. Senator Hunter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2921.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Hunter.



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PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, to explain your amendment.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Floor amendment simply adds that qualified emergency volunteers are deemed employees of the State for purposes of the Court of Claims Act. This is a emergency powers Act. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Hunter moves the adoption of Amendment 1 to Senate Bill 2921. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House -- Senate Bill 2960. Senator Wendell Jones. Senator Wendell Jones. Out of the record. Senate Bill 2962. Senator Petka. Out of the record. Senate Bill 2965. Senator Cullerton. Senator Cullerton. Out of the record. Senate Bill 2967. Senator Bomke. Out of the record. Senate Bill 2969. Senator Burzynski. Out of the record. Senate Bill 2971. Senator Roskam. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2971.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Roskam.

PRESIDING OFFICER: (SENATOR LINK)

Senator Roskam, to explain your amendment.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2971, the underlying bill makes some changes in terms of impersonating a public official and we can discuss

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the bill on 3rd Reading. Amendment No. 1 is a suggestion of Senator Cullerton, which amends the penalty for impersonating a police -- peace officer while engaged in the attempt or commission of a -- forcible felony. Changes it from a Class X to a Class 1 felony and also makes the consecutive sentence provision permissive, and I move the adoption of Amendment No. 1.  
PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Roskam moves for the adoption of Amendment 1 to Senate Bill 2971. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2978. Senator Halvorson. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2978.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2981. Senator Halvorson. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2981.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2983. Senator Hendon. Senator Hendon. Out of the record. Senate Bill 2998. Senator Silverstein. Senator Silverstein. Out of the record. Senate Bill 3016. Senator Dillard. Out of the record. Senate Bill 3037. Senator Silverstein. Out of the record. Senate Bill 3046. Senator Crotty. Senator Crotty. Out of the record. Senate Bill 3053. Senator Trotter. Senator -- out of the record. Senate Bill 3056. Senator Hendon. Out of the record.

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With leave of the Body, we will be returning to page 2. Senate Bill 2170. Senator Garrett. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2170.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett, to explain your amendment.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. Floor Amendment No. 1 amends the Nursing Home Care Act and the Hospital Licensing Act to declare that when a nursing home or hospital orders ambulance service for a patient, such facilities must maintain a written document containing certain information pertaining to the request. The nursing home or hospital must maintain the record for no more than three years following the date of the order for ambulance transportation. Floor Amendment No. 1 amends the Nursing Home Act {sic}, the Emergency Medical Services Systems Act and the Hospital Licensing Act to address the issue of a nursing home vehicle service provider and hospital that attempts to exert undue influence in relation to ambulance services. Floor Amendment No. 1 also amends the Consumer Fraud and Deceptive Practices Act {sic} to outline standards for a notice for emergency or non-emergency transportation of a patient by an ambulance service provider.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Garrett moves the adoption of Amendment 1 to Senate Bill 2170. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Ladies and Gentlemen, we will be going to 3rd Reading on page 13, in the middle of the page where we left off yesterday. This is 3rd Reading. Final action. This is final action. 3rd Reading. Senate Bill 2745. Senator Demuzio. Senator Demuzio. Out of the record. Senate Bill 2762. Senator Hunter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2762.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the committee {sic}. 2762 amends the School Code regarding the daily physical exemption for special education students and it basically clarifies a Public Act that was enacted last year that if a student's -- IEP, which is the individual education program, includes adaptive physical education, the student must receive that adaptive physical education, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2762 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. Mr. -- on that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2762, having received the required constitutional majority, is declared passed. Senate Bill 2770. Senator Pankau. Out of the record. Senate Bill 2796. Senator del Valle. Out of the record. Senate Bill 2807. Senator Clayborne. Senator Clayborne. Out of the record. Senate Bill 2808. Senator Clayborne. Out of the record. Senate Bill 2827. Senator Demuzio. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2827.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Bill 2827 transfers into the Audit Expense Fund funds for the Auditor General. It provides for the transfer of specific amounts from various special funds in the State treasury to the Audit Expense Fund. The Audit Expense Fund is used to pay for auditing expenses, specific funds to be paid for audits for particular State agencies. According to the Office of the Auditor General, every year since '93 the Auditor General's budget has consisted of both a substantive transfer bill and an appropriation bill. I ask for a Yes vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2827 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 53 Ayes, no Nays, none voting Present. Senate Bill 2827, having received the required constitutional majority, is declared passed. Senate Bill 2837. Senator Demuzio. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2837.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, I'd like to hold the bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Out of the record. Senate Bill 2847. Senator Schoenberg. Out of the record. Senate Bill 2865. Senator Harmon. Mr. Secretary -- Senator Harmon seeks leave of the Body to return Senate Bill 2865 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2865. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 2865, permits the installation of automated railroad grade crossing systems. The amendment would simply clarify that any such installation needs to be initiated by local authorities passing an ordinance. I look forward to debating the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Harmon moves for the adoption of Amendment 1 to Senate Bill 2865. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any other further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2871. Senator Harmon. Out of the record. Senate Bill 2872. Out of the record. Senate Bill 2878. Senator Sandoval. Senator Sandoval. Senator Sandoval seeks leave of the Body to return Senate Bill 2878 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 2878. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval, to explain your amendment.

SENATOR SANDOVAL:

Thank you, Mr. President. I defer to explain my amendment for 3rd Reading discussion. Let me retract that, Mr. President. The -- the amendment becomes the bill. The Secretary of State may not renew the vehicle registration of any vehicle owner who fails to comply with emissions testing requirements by 2008 at the latest.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Sandoval

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moves that -- moves the adoption of Amendment 1 to Senate Bill 2878. All those in favor will vote Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body, we will go back to Senate Bill 2882. With leave of the Body, we will go back to Senate Bill 2885. Senate Bill 2887. Senator Cronin. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2887.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. This is a bill that I -- I know you're going to love. It's a bill that seeks to address a problem of vicious dogs. There's a lot of proposals floating around here right now, but I feel that this one is very narrowly drafted and deals with basic responsibilities, responsibility of an owner. Provides that if a dog or other animal, without provocation, attacks or injures, whether directly or proximately, any person who is peaceably conducting himself or herself in any place where he or she may lawfully be, the owner of such dog or other animal is strictly liable. Doesn't matter whether you have a gentle Labrador retriever or a vicious Rottweiler, you'll all be treated the same. There are no criminal penalties in this. This does not affect the three-bite rule that is already in the law. This simply says that you are to be responsible for the dog, and this received unanimous support in committee. There are -- there is a group that's interested in putting an amendment on. They've discussed this with the -- our colleagues in the House and they have agreed that if an amendment is appropriate, that the place to consider it would be in the House. They have no objection to this bill moving to the House and I ask for your favorable consideration. Happy to answer any questions.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Bomke.

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR LINK)

He indicates he will yield.

SENATOR BOMKE:

Senator Cronin, if -- if I have a dog, and incidentally I do not have a dog, but if I had a dog and my dog bit you, under current law, would I not be liable for your injuries?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

Yes, you would.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bomke.

SENATOR BOMKE:

Why do we -- why do we need the -- the strict liability, the absolute liability? If I'm already liable for the injuries, why would -- why do we need to make it strict liability?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

There is strict liability already; however, there is case law that reaches out and seeks -- seems to ask the legislature for some direction. There are cases where a dog may not bite somebody, but they jump at somebody and the person falls back, smashes their head in the front door, cut glass, seventy-six stitches in their head. There's no question that the dog was the cause of that, but the dog didn't actually bite that person. And so, in that case, because it was the proximate cause of the person's injury, we felt that strict liability was appropriate.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bomke.

SENATOR BOMKE:

Let -- let me -- let me explain my concerns. It's becoming an ever-increasing problem with those of you who have dogs and certain breeds of dogs, where homeowner companies will not write insurance for people who have certain breeds of dogs. And I know



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in committee, and I happened to be behind Senator Cronin when he presented this bill, and he mentioned that, you know, the first bite is free. Well, in the insurance world, that's true to some degree. If my dog bites someone, I'm responsible for the injuries of that person, but the insurance company will non-renew or ask that insured to remove the dog from the house. My concern, Senator Cronin, is if we pass this legislation making it absolute liability, strict liability on the -- the first time, then insurance companies are going to refuse to write anyone that has a dog in the house, regardless of the breed.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR HARMON:

Senator Cronin, in your introductory remarks, you mentioned the possibility or probability of -- of an amendment to the bill. It's my understanding that you have been in conversations with both the ASPCA and the trial lawyers on an amendment clarifying the liability for animal shelters. Just for the record, is it your intention that in the House that you will work with those parties to reach an agreeable amendment?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

You know, when it's in the House, of course, it will be controlled by the House sponsor. My position, and I shared it with the Chairman of the committee, is that I would make a good-faith effort to try to negotiate and work and to accommodate the concerns. So the -- the answer is, yes, I would try, but to the extent that I can control what the House sponsor does, I -- I don't think I could responsibly answer any other way.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan.

SENATOR SULLIVAN:

Question of the sponsor.

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PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR SULLIVAN:

Senator, do you now have to prove negligence on the part of a -- an attack on a -- by a dog?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

No. I think it -- it's -- we -- we lay it out and we have crystallized the language, I think, as -- as -- as clearly and as succinctly as we possibly can. It simply says a dog, without provocation, attacks or injures, whether directly or proximately, any person who is peaceably conducting himself in any place where he or she may lawfully be. So, anything about an intruder or a child or somebody -- or, provoking a dog, we really put a lot of thought into this and I think it's about as clean and as narrow as you could possibly draft it. There's bills out here that seek to criminalize. There's bills that seek to do many other -- take other approaches. They try to designate which dogs are more vicious than others. This seems to be the most reasonable and simplest approach. You just got to be responsible for your dog. That's all it says.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan.

SENATOR SULLIVAN:

So, even -- even if the dog had never shown any previous signs of being aggressive? Let me give you an example, I -- I had a -- a Lab dog. Was eight years old. I'd had it since it was a pup. It -- it bit somebody. I don't know what happened. We weren't there when it happened, but the dog had never shown any -- any hostility towards anybody. Of course, we had the dog put to sleep immediately for that very reason. But tell me what this does that would have changed that situation there.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

The only real difference here -- I mean, you would be liable in any event. The only meaningful difference here is that we're talking about proximate cause. And it's a response to cases that

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we've read and we could share with you. But right now, if your dog, without provocation, without any prior incident, bites another, you're still going to be -- you're going to be liable. And this is civil damages. There's no -- there's no pain and suffering. There's no punitive. We're just talking about paying people's hospital bill, which I'm sure you'd want to do.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan.

SENATOR SULLIVAN:

So now -- is it not true now that you have to prove negligence? With your legislation, you do not have to prove it? Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

I don't believe that you ever had to prove negligence in the past. I -- I -- all we're -- yeah, I guess, the short answer would be yes, but it's -- it's -- but your question is based on an assumption that I don't agree with.

PRESIDING OFFICER: (SENATOR LINK)

One final question. Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Just -- just for my colleagues here in the Senate, as Senator Cronin indicated earlier, this bill did pass out of the Ag and Conservation Committee. It passed out -- my understanding is that the bill was going to need some additional work, that it would come back to committee, that we would be looking at the bill again. The -- the concerns that were raised in committee, Senator Cronin has tried to address that. He has said that they're going to work on it in the House. I, personally, am not going to support this bill and I just want my colleagues to note that, when they saw that it passed out of committee. I think that this is a -- is a far reach. We're going much further than we are right now and I have some very grave concerns with the bill. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

Question for the sponsor.

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PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR SILVERSTEIN:

Two short questions: One, how are you going to -- legally, how are you going to define direct or -- or proximate provocation? How is that going to be determined? I mean, I'm just -- for legislative intent. How are you going to determine that?

PRESIDING OFFICER: (SENATOR LINK)

Before you answer, Senator Cronin. Can we have some quiet here? This is 3rd Reading. Please quiet so we can hear the debate. Senator Cronin.

SENATOR CRONIN:

Well, directly would be physical contact. There's actually a -- a clamping of the teeth or charging and a jumping and a contact. Proximate would be, as the example I used earlier, and you know well from your, you know, extensive studies of the law, that if it is -- if it's the cause, if -- if -- if -- it may not have -- may not have touched the person, but had that dog not lunged at the person, the person wouldn't have fallen down three flights of stairs and broken their neck.

PRESIDING OFFICER: (SENATOR LINK)

Senator Silverstein.

SENATOR SILVERSTEIN:

Just one question. Then he can answer, and I'll sit down. I -- I'm just concerned about the word "without provocation". I think that's a very -- that's going to be a very -- subjective term -- which you can address. But let me ask you the hypothetical question, let's say I have... Okay, let me ask you a hypothetical question, let's say I have a dog and I hire my neighbor to walk the dog and there's -- there's a bite or something. I'm not there. I don't know what happened. I'm -- under this, I'm still liable even though the -- the -- my agent, so to speak, might have done, you know, something to cause that. Is that -- so I just want to -- if you can clarify that or that's -- that's where it's going to go. I would be liable - the owner.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin.

SENATOR CRONIN:

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Well, I think agency principles would probably have some influence in -- in how that would be determined, but "without provocation" is already terms that are used in the law. That's already there. It's already part -- it's in the statute and those are terms that are used in the cases. So, there is an understanding and a working, you know, knowledge of what constitutes "without provocation".

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Briefly, Mr. President, Ladies and Gentlemen of the Senate, to the bill, which I didn't intend to say anything about, and Senator Cronin can respond to it. As I understand this bill, and this has happened to me, if we're all going to use anecdotes, when I had young children, they would be walking the public way and a dog on the loose would go after them. Under this Senator's bill -- or, me walking on the public way. The public way is the public way where every other citizen, including myself and their children, have a right to be. To be attacked by an animal, in my opinion, is intolerable on the public way. And his bill, as I understand it, eliminates the burden to prove that this particular dog is vicious or what -- whatever. It's the responsibility of the owners of these animals to keep them under leash or off the street. The public way is reserved for children and adults walking the public way. That's the essence of it. And as I understand his bill, it just makes it safer for little ones and their mothers and klutz fathers like me to walk the public way. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin, to close, if Senator Haine just didn't for you.

SENATOR CRONIN:

Thank you very much, Mr. President. You know, there's a lot of bills out there and a lot of people struggling with how to address this issue and, you know, there's a number of paths you could take. You know, you could try to distinguish one breed from the next, which I think is really difficult and -- and fraught with all sorts of problems. You could try to criminalize, but, you -- you know, I think that's a problem

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because you got to prove, you know, that -- mens rea and how -- you know, that's hard to do with -- there's an animal involved. I think this is sort of a basic responsibility that the dog owners -- if you own a dog in this day and age, you just have to be responsible for it, that's all. And some of the interest groups -- there's a shelter organization that wants to put an amendment on it. Happy to accommodate them, but I don't -- I personally don't think it's necessary. And if they want to put an amendment on it, what about the private dog breeders? What about the -- the farmers? What about, you know, I don't know, all these other organizations? Insurance companies? They're all going to want to come in and change it. And so I think the beauty of this proposal is that it is crystal clear without any exceptions, everybody's responsible for their dog. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2887 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 28 Ayes, 7 Nays, 13 voting Present. Senate Bill 2887, having not received the required constitutional majority, is declared failed. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

Like to ask that the bill be placed on Postponed Consideration so we can put all the interest group exceptions on it, then it'll be meaningless.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cronin requests that Senate Bill 2887 be -- placed on Postponed Consideration. The bill has been placed on Postponed Consideration. Senate Bill 2913. Senator Trotter. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2913.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

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Thank you very much, Mr. President, Members of the Senate. Senate Bill 2913 amends the Abandoned Newborn Infant Protection Act. What we've done here -- and most of us -- all of us, by this time, know what the Act principally does. What we've done in this bill is extended the period in which a child can be relinquished from seventy-two hours to -- to seven days. And I'm amenable to any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Burzynski. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR RIGHTER:

Senator Trotter, you and I discussed this bill, I think, a little bit in committee about the importance of increasing the age -- that's what we're talking about here, right? Can you -- can I -- can you elaborate a little further for the Members on our side of the aisle, please, about why you believe that's important that we do that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

Certainly, Senator. DCFS has looked at this compiled data in looking at the -- the amount of children or the -- the number of children that have been abandoned and in what time span. They believe that by extending this from seventy-two hours to seven days that we'll be able to capture a -- a different cohort of individuals who took them more than the seventy-two hours to make up their minds if they, in fact, felt that they can handle dealing with a newborn infant.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: I stand in support of Senator Trotter's bill. Any time you deal with an issue like this, it -- it can be sensitive and it can be difficult, but the bottom line is the evidence that we have before us demonstrates

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that if this bill passes, and we're willing to extend that protection to up to seven days, we can save more lives and that's the bottom line here. I would urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2913 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, no Nays, none voting Present. Senate Bill 2913, having received the required constitutional majority, is declared passed. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR HARMON:

On Senate Bill 2887, Senator Cronin's bill, it was my intent to vote Present. My voting buttons were not functioning properly and I would ask that the record reflect my intention.

PRESIDING OFFICER: (SENATOR LINK)

It so shall reflect. Senate Bill 2954. Senator Cullerton. Senator Cullerton seeks leave of the Body to return Senate Bill 2954 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 2954. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. Speaker {sic} and Members of the Senate. This is a bill which reenacts current provisions of the Criminal Code that were struck down by the Supreme Court due to a Act that violated the single subject clause of the Constitution. So, this is a bill that had already been the law and we're just reenacting it. It has to do with -- relating to bringing contraband into a penal institution. Ask for its adoption.

PRESIDING OFFICER: (SENATOR LINK)



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Is there any discussion? Seeing none, Senator Cullerton moves for the adoption of Senate Amendment 1 to Senate Bill 2954. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further -- Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2955. Senator Harmon. Out of the record. Senate Bill 2959. Senator Martinez. Out of the record. Senate Bill 2968. Senator Cronin. Out of the record. Senate Bill 2980. Senator Cullerton. Out of the record. Senate Bill 3036. Senator Syverson. Senator Syverson seeks leave of the Body to return Senate Bill 3036 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 3036. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson, to explain your amendment.

SENATOR SYVERSON:

Thank you very -- thank you very much, Mr. President. This is just some cleanup language that was asked by, I think, Dell -- Dell Computers to put onto this legislation. Non-controversial and ask for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Syverson moves for the adoption of Amendment 1 to Senate Bill 3036. All those in favor will vote -- Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 3062. Senator Haine. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 3062.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a small bill. It just extends the repeal date of the Structural Pest Control Act. That's all it does. It's -- the Department and the Control -- Pest Control Association would like to have this extended so they can continue to eliminate any unauthorized bugs from our State House and public buildings.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3062 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 Ayes, no Nays, none voting Present. Senate Bill 3062, having received the required constitutional majority, is declared passed. Senate Bill 3086. Senator Garrett. Out of the record. With leave of the Body, we will return to Senate Bill 3088. We will now go back to page 7, at the top of the order. Senate Bill 392. Senator DeLeo. Senator DeLeo. Out of the record. Senate Bill 618. Senator Crotty. Out of the record. Senate Bill 789. Senator DeLeo. Out of the record. Senate Bill 819. Senator Haine. Out of the record. Senate Bill 820. Senator Hendon. Out of the record. Senate Bill 821. Senator Trotter. Out of the record. Senate Bill 841. Out of the record. Senate Bill 843. Senator Maloney. Out of the record. Senate Bill 854. Senator Sandoval. Out of the record. Senate Bill 855. Senator Shadid. Out of the record. Senate Bill 880. Senator Garrett. Out of the record. With leave of the Body, Senate Bill 894. Senator Clayborne. Out of the record. Senate Bill 951. Senator Schoenberg. Out of the record. Senate Bill 999. Senator Schoenberg. Out of the record. Senate Bill 1085. Senator Martinez. Out of the record. Senate Bill 1086. Senator Sullivan. Out of the record. Senate Bill -- Senate Bill 1183. Senator Crotty. Out of the record. Senate Bill 1214. Senator Halvorson. Out of the record. Senate Bill 1547. Senator Trotter. Out of the record. Senate Bill

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1839. Senator Meeks. Out of the record. Senate Bill 1991.  
Senator Clayborne. Out of the record. Senate Bill 2123.  
Senator Harmon. Out of the record. Senate Bill 2130. Senator  
Watson. Senator Watson seeks leave of the Body to return Senate  
Bill 2130 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 2130. Madam Secretary, are there any  
amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR LINK)

Leader Watson, to explain your amendment.

SENATOR WATSON:

Yes, thank you very much, Mr. President. This was a  
amendment that was agreed to by the committee that authorizes the  
Secretary of State to issue a new Support Our Troops license  
plate, and the proceeds from this will go towards charitable  
assistance for our troops and their families.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Watson moves  
for the adoption of Amendment 1 to Senate Bill 2130. All those  
in favor will say Aye. Opposed, Nay. The Ayes have it. Are  
there -- the amendment is adopted. Are there any further Floor  
amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2137. Senator Halvorson. Out of  
the record. Senate Bill 2162. Senator Harmon. Senator Harmon  
seeks leave of the Body to return Senate Bill 2162 to the Order  
of 2nd Reading for the purpose of amendment. Hearing no  
objection, leave is granted. On the Order of 2nd Reading is  
Senate Bill 2162. Madam Secretary, are there any amendments  
approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 2162, would prohibit a rapist from seeking custody of the child produced by that rape without the consent of the mother. The amendment simply contemplates situations in which the mother is unavailable or not able to make decisions and expands that consent to her guardian or to the guardian of the child. I look forward to debating the full bill on 3rd amendment -- on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Harmon moves for the adoption of Amendment 1 to Senate Bill 2162. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2191. Senator Collins. Senator Collins seeks leave of the Body to return Senate Bill 2191 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, the Senate Bill 2191. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 2 becomes the bill and it -- and what it actually seeks to do, to incorporate specific financial literacy concepts into the required consumer education curriculum. And it urges the State Board of Education to add to the Illinois Learning Standards principles of personal insurance policies and simple contracts. Finally, the amendment also creates a State Financial Literacy Fund and allows districts to create their own financial literacy funds.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Collins moves

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for the adoption of amendment -- Floor Amendment 2 to Senate Bill 2191. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body, we will return to 2233. Senate Bill 2236. Senator Demuzio seeks leave of the Body to return Senate Bill 2236 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, the Senate Bill 2236. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. Senate Bill 2236 amends the various Acts regarding the renewable fuel. Floor Amendment No. 2 retains the underlying bill making some -- technical corrections. It also establishes various programs that encourage the development and use of renewable fuel.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Demuzio moves the adoption of Amendment 2 to Senate Bill 2236. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2241. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2241.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill would bring Illinois into the twenty-first century with respect to the real estate transfer tax in the Property Code. And it requires the Department of Revenue to establish a system to allow a recorder or registrar of titles of a county to purchase the revenue stamps electronically from the Department. Other big states, like Ohio and California, have done this. And importantly, this is really the first step to a paperless recording system. It's the wave of the future and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To the bill: For the Members on this side of the aisle, the bill did pass out of the Revenue Committee unanimously and I'd urge you to support Senator Dillard.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR PANKAU:

Senator Dillard, does your bill require the Department of Revenue to create an electronic stamp, thus eliminating the paper revenue stamp currently used by the recorder?

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Yes, it does. This bill will allow the Department of Revenue to work with the recorders and create an electronic revenue stamp, thus eliminating the paper revenue stamp.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard, to close.

SENATOR DILLARD:

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Thank you, Mr. President. I think you are a cosponsor somewhere on this bill, along with a number of your Democratic colleagues, like Senator Shadid from the Peoria area. It's the wave of the future. It's an initiative of a variety of recorders, including my own in DuPage County, and we should get with Ohio, California and other big states in getting into the electronic age. And I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2241 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 53 Ayes, no Nays, none voting Present. Senate Bill 2241, having received the required constitutional majority, is declared passed. Senate Bill 2243. Senator Cullerton. Out of the record. With leave of the Body, we'll come back to 2246. Senate Bill 2254. Senator Sandoval. Senate Bill 2257. Senator Crotty. Senate Bill 2262. Senator Forby. Out of the record. Senate Bill 2267. Senator Ronen. Out of the record. Senate Bill 2277. Senator Cullerton. Out of the record. Senate Bill 2284. Senator Cullerton. Out of the record. Senate Bill 2285. Senator Clayborne. Out of the record. Senate Bill 2290. Senator Martinez. Out of the record. Senate Bill 2297. Senator Ronen. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. -- thank you, Mr. President, Members of the Senate. I want to thank, first of all, Senator Demuzio and Senator Crotty for helping me with this bill in committee. I appreciate your support and I would appreciate your votes, too, as well. Okay. This bill just merely -- the -- the Clinical Psychologist Licensing Act sunsets and this bill extends from January 1st, 2007, to January 1st, 2017. I don't think there's any opposition. Be happy to answer questions.

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PRESIDING OFFICER: (SENATOR LINK)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill: This passed out of committee unanimously, but I just want to alert the -- the people on our side of the aisle, especially, that there is a fine increase here going from five thousand dollars to ten thousand dollars for the violations.

PRESIDING OFFICER: (SENATOR LINK)

Senator Ronen, to close.

SENATOR RONEN:

Thank you very much. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2297 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 Ayes, no Nays, none voting Present. Senate Bill 2297, having received the required constitutional majority, is declared passed. Senate Bill 2302. Senator Haine. Out of the record. Senate Bill 2310. Senator Cullerton. Out of the record. Senate Bill 2320. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 2320 is an initiative that is being advanced by the Department of Corrections that will allow the Department to award good -- good conduct credit to inmates upon their completion of their GED. It encourages, as they feel, those inmates who did not graduate from high school to earn their GED, further determining their rehabilitation. And I ask for its passage.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2320 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have



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all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 2320, having received the required constitutional majority, is declared passed. Senate Bill 2325. Senator Jacobs. Out of the record. Senate Bill 2330. Senator Jacobs. Out of the record. Senate Bill 2333. Leader Watson. Out of the record. Senate Bill 2339. Senator del Valle. Senator del Valle. Out of the record. Senate Bill 2360. Senator Clayborne. Madam Secretary, please read the bill.  
SECRETARY HAWKER:

Senate Bill 2360.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. Thank you, Mr. President. Senate Bill 2360 creates the Mississippi River Coordinating Council, which develops a council of thirteen people to review programs established by the State and federal agencies, work with -- local communities to increase awareness and to address the capabilities of watershed, water resource concerns. The council also will make recommendations to the Governor and State agencies regarding additional funding sources and encourage local communities to develop water management plans to address stormwater, erosion, flooding and pollution problems.

PRESIDING OFFICER: (SENATOR LINK)

Senator Shadid.

SENATOR SHADID:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR SHADID:

Senator Clayborne, I'm curious as to whether this will cover my little hometown in Clinton, Iowa, which is on the Mississippi River. Does that include -- if it does, I could support this.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

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We only have authority over the Mississippi River as it is in Illinois.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2360 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 Ayes, no Nays, none voting Present. Senate Bill 2360, having received the constitutional majority, is declared passed. Senate Bill 2376. Senator Sandoval. Out of the record. Senate Bill 2391. Senator Haine. Senator Haine seeks leave of the Body to return Senate Bill 2391 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 2391. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, to explain your amendment.

SENATOR HAINE:

It's -- it's a -- Floor Amendment No. 2, which is what I presume we're taking up today, is merely making a grammatical correction to make the paragraph make sense. The other amendment was already adopted, Mr. -- Mr. President. But this Floor amendment merely is a grammatical change.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine moves for the adoption of Amendment 2 to Senate Bill 2391. All those in favor will vote Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2394. Senator Cullerton. Out of the record. Senate Bill 2395. Senator Wilhelmi. Out of the record. Senate Bill 2397. Senator Halvorson. Senator Halvorson seeks leave of the Body to return Senate Bill 2397 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is

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Senate Bill 2397. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, to explain your amendment.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 to 2397 basically adds a few things, such as the definition of State nonpartisan civic organizations. This is basically a bill to allow the League of Women Voters to add some pollwatchers to the individual polls on Election Day.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Halvorson moves for the adoption of Amendment 2 to Senate Bill 2397. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2400. Senator Cullerton. Out of the record. Senate Bill 2405. Senator Cullerton. Out of the record. Senate Bill 2412. Senator Clayborne. Out of the record. Senate Bill 2436. Senator Crotty. Out of the record. Senate Bill 2445. Senator Cullerton seeks leave of the Body to - - to return Senate Bill 2445 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2445. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The bill deals with allowing for a liquor license to be issued in the City of Chicago. The bill, as passed out of committee, required the principal of the school and the alderman of the ward to have a

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written approval. The Board of Education asked that we change that from the principal of the school to the general superintendent of schools. So that's all the amendment does, and ask for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton moves for the adoption of Amendment 2 to Senate Bill 2445. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 2446. Senator Forby. Out of the record. Senate Bill 2456. Senator Althoff. Out of the record. Senate Bill 2465. Senator Cullerton. Out of the record. Senate Bill 2469. Senator Crotty. Out of the record. Senate Bill 2475. Senator Cullerton. Out of the record. Senate Bill 2483. Senator Hunter. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2483.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2483 establishes the Illinois State Diabetes Commission in the State Department of Human Services and outlines its membership and describes its functions and duties and it repeals this Act on January 1, 2010. It also adds an effective date of -- of November 11, {sic} (1) 2006. The purpose of the Commission will be to gather information, develop a strategy, prevent and control and treat diabetes in the State of Illinois. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senate Bill 2483 passed out of the Health and Human Services Committee unanimously. And I rise

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in support of the legislation. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2483 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 50 Ayes, no Nays, none voting Present. Senate Bill 2483, having received the required constitutional majority, is declared passed. Senate Bill 2489. Senator Halvorson. Out of the record. With leave of the Body, we'll go back to Senate Bill 2495. Senate Bill 2513. Senator Sullivan. Senator Sullivan. Out of the record. Senate Bill 2515. Senator Ronen. Out of -- out of the record. With leave of the Body, we'll go to the bottom of page 12. Senate Bill 2555. Senate Bill 2555. Senator Dillard. Out of the record. Senate Bill 2579. Senator Collins. Senator Collins. Out of the record. Senate Bill 2626. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2626.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2626, it's regarding the Medicaid reimbursement to nursing homes. This bill mandates that the Department of Healthcare and Family Services reimburse a facility for care that's provided to a Medicaid recipient from the date that the recipient is transferred from a hospital to the facility, even if the nursing home has not received the appropriate forms required by federal law by the transfer date. And this is the over one prescreening application that is in discussion. I -- this is personal. I was taking my grandmother to a nursing home in Hillside, Illinois, to the Renaissance. She did not receive a post-screening from the hospital. She did not have this information. They accepted her anyway, which is what they'll do instead of turning away sick patients. Yet, they're not receiving the funding for taking care of Medicaid recipients.

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So, I thought this would be only appropriate that we take a look at this issue now. The gentleman in charge at the Renaissance did come, testify in committee, share with Members the concern that he had, and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senate Bill 2626 passed out of the Health and Human Services Committee unanimously. It's our understanding that the legislation doesn't relieve the nursing homes of any of the necessary paperwork they have to do. It does relieve them from the burden of having to carry the water for the State when they're not doing their paperwork, and based on that understanding, I appreciate the Senator's work and urge its passage.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 2626 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 2626, having received the required constitutional majority, is declared passed. Senator Halvorson in the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett, on Senate Bill 2639. Senator Harmon. 2650. Senator Harmon. 2654. Senator Crotty. 2664. Senator Crotty seeks leave of the Body to return Senate Bill 2664 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2664. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty, to explain your amendment.

SENATOR CROTTY:

Thank you very much. Floor Amendment No. 1 to Senate Bill 2664 allows sanitary districts to skip over an open space to annex areas on the other side, regardless of whether the space is

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owned by a park district, Department of Natural Resources, a forest preserve, public agency or a not-for-profit corporation. The sanitary district cannot annex the vacant land. It can just assume the property next to the land that's considered contiguous. This is -- already exists with open space lands. This amendment just permits for not-for-profit-owned parks or open space lands and DNR.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Crotty moves the adoption of Amendment No. 1 to Senate Bill 2664. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on 2680. Senator Munoz seeks leave of the Body to return Senate Bill 2680 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2680. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz, to explain your amendment.

SENATOR MUNOZ:

Thank you, Madam President. Floor Amendment 1 retains Senate Bill 2680 and clarifies that the restriction on the use of terms, including police, law enforcement, et cetera, does not apply to private or public colleges or universities or units of government. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Munoz moves the adoption of Amendment No. 1 to Senate Bill 2680. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator del Valle, on 2684. Senator Link, on 2691. Senator Link seeks leave of the Body to return Senate Bill 2691 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2691. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. This amendment just restores the six-month period from the original bill -- bill which counties must adopt to -- ordinance to adopt provisions of alternate general homestead exemption and it also states the amendatory Act of the 94th General Assembly.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 2 to Senate Bill 2691. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Wilhelmi, on 2709. Senator Wilhelmi, on 2713. Senator Wilhelmi seeks leave of the Body to return Senate Bill 2713 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2713. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

It looks like Senator Link is going to let Senator Wilhelmi explain the amendment.

SENATOR WILHELMI:



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Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

Floor Amendment No. 1 to Senate Bill 2713 increases the number of members on the Waukegan Port District Board from five members to seven members. The Governor still appoints three members and the mayor would now be able to appoint four, rather than two members. And I would ask for the adoption of Floor Amendment No. 1 to Senate Bill 2713.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Wilhelmi -- moves the adoption of Amendment No. 1 to Senate Bill 2713. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Ladies and Gentlemen, with leave of the Body, we will be returning to the order of -- the top of the order so that we could help Terry Link move along all his bills. So, the first bill is going to be on page 8. Senate Bill 2233. Senator Link seeks leave of the Body to return Senate Bill 2233 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2233. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. Basically, all this does is remove the portion of the bill that holds a person engaged in activities associated with the -- automotive collision repair as covered in the Automotive Collision Repair Act and that a person shall comply with the provision of the Act.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 1 to Senate Bill 2233. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Our next bill will be Senate Bill 2246. Senator Link seeks leave of the Body to return Senate Bill 2246 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2246. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. This -- this is to answer concerns that were brought up in committee, and basically what this would do is that the consideration for a person, a released individual, to receive this income tax deduction or the companies that would be hiring this person the released individual must have actually been incarcerated.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Link moves the adoption of Amendment No. 2 to Senate Bill 2246. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. So our next one will be on page 11. Senate Bill 2495. Senator Link seeks leave of the Body to return Senate Bill 2495 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is -- granted. On the Order of 2nd Reading is Senate Bill 2495. Madam Secretary, are

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there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. This is -- basically keeps the same bill. What it does is that it -- it would disallow the sweeps from this bill with the exception of other purposes that the Audit {sic} General would be able to take out the purposes for auditing as they've done in the past.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 2 to Senate Bill 2495. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Our next bill will be on page 14. Senate Bill 2882. Senator -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill -- pardon me, 2882.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This is an initiative of the Governor's that would establish class size reduction pilot program for the early elementary -- grades, kindergarten through third. It is a part of his -- FY 2007 Education Initiative and will have a ten-million-dollar appropriation to implement this plan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President. I just -- rise to

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offer a couple of thoughts. This is, you know, it's -- it's the Governor. I mean, it's -- it's -- it's clever; it's popular. There are not a lot of details. It can't -- we can't really afford it. You know, I -- I -- there's a quote I'd like to share with you, if I may, and I know there is a corresponding appropriation bill for this -- this plan, but I want you to think about all the other plans and all the other unhappy people there are out there that we can't help when you look at this bill, and whether or not you vote for it. Here's a quote I'd like to share with you, quote, "If any of us propose new spending - whether it's the Governor, Members of the legislature, constitutional officers, or anyone else - we should identify how we're going to pay for it. Is there a dedicated revenue source? Is there a corresponding cut? Where is the money going to come from?" unquote. That's from the Governor. That was in his budget address from last year. You know, this is gamesmanship and, you know, I -- nobody doesn't want to have classes reduced, but what does this do for all the duties and obligations we have in State government here today? And are we raising expectations for people and we can't fulfill the expectations? And where is this money going to go? How is it going to be distributed? Whose districts is it going to end up in? I just really think there's a lot questions here and at this moment in time, I -- I -- I can't in my heart support it. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise in support of this legislation. There's too many overcrowding of classrooms, affecting most -- mostly schools that are on the early academic failing watch list, and I commend the Governor for initiating a pilot program that can begin to address the overcrowdedness of rooms and to make a direct correlation that children who are struggling in schools that are being labeled as failing schools, correlate that with the fact that there's too many children in a classroom per student/child population. So, again, I commend the Governor. This is something that we need to support. It's a pilot program. I believe he's -- you know, he can have priorities and goals and --

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and I'm glad he's placed them in education. So, I'd ask that you all would allow to -- for him to initiate this pilot program and vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President, Members of the Senate. You know, I -- I don't think you can argue about the goal of what the Governor's trying to do and what you're trying to do with that bill, but I've heard the -- the comment over and over and over already this year dealing with new programs. You know, hey, these -- these -- these are good programs. This is where we ought to go. I -- my problem with my schools, and I know they are with your schools, too, is they can't afford to do what they're doing right now. They are -- they are broke. They're in deficit financing and not just -- not just the schools, but our nursing homes, our hospitals, our doctors, are not being paid - our pharmacists - on time. And then we -- and then we justify new programs, and this is not the only one. There are a lot of other ones that this Governor wants to do, and -- and, again, I - - I know that you -- you're in a different position than I am, and -- and he's put you on some bad votes. But sooner or later we have to kind of say, let's pay our bills, and I think this is one of those. So, again, that's not going to change a whole lot of votes, but at least that's the way I feel about it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Link, I certainly parrot Senator Luechtefeld's comments that it's -- it's difficult to argue with what I think could be characterized as the broad goal of this legislation. As someone who represents thirty-four downstate school districts, many of which, and I think we can all say this about at least some of the districts in our Senate districts, have serious financial problems. Can you give me an idea of what I should go

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tell my constituents about where this money is going to go? Do you have any idea where this money will go?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Well, first of all, Senator Righter, this is a pilot program. This is a program of which we're going to study. I mean, the idea of this is to come up with a solution of figuring out what we can do. It's based off of mirroring of the Tennessee program and finding out what we can do. This is a first-year - one-year program. And what we're going to -- do is, like in any other study, we're going to try to see what we can do as far as the -- the teaching, the reduction, will it -- what effects will it have, and how it will work. So, I mean, as far as where it's going to go, it's going to go out throughout the whole State. We have, you know, eight hundred and some school districts throughout the whole State. So, it's going to be -- you know, I will look for it in my district. I'm sure you're going to look for it in your district. There's thirty -- there's fifty-nine districts in the State of Illinois. I -- I would hope and fight that it goes in all fifty-nine districts. Somewhat, that we have this pilot program - which it is, it's a pilot program, it's a study - that it would go in all fifty-nine districts of the State of Illinois and that we would see what the broad perspective throughout the whole State is.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Well, Senator, I appreciate that it's a pilot program and, in fact, I think that kind of help makes my point for me. If we're going to do this, and this is the first step, let's make sure that the first step's the right step and the program goes in the right direction. So, I guess, let me ask this a different way. Is there anything in the bill that says where the money's going to go? I mean, before, at least it used to be, when -- when we were going to vote on the budget, the State Board of Education would try to give us an idea of how much money was going to come to each of our school districts. None of the Members here have any information

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whatsoever about whether or not their district, anywhere in their district, is going to see a dime of this. So, can you tell me - unless I'm missing something in the bill - is there anything specifically in the bill, Senator, that gives any guidance or direction about where the money will go?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

No, there's not, but I -- I got to tell you this, Senator Righter, I -- I -- you've been around here as long as I have been around here, and you know what? We've all voted on things that we didn't know where the money was exactly going to. And we took trust in the State Board of Education. We took trust in boards that have been appointed and approved by the Senate. And that's what I'm doing right now. And I'll tell you what, I will stand up here and tell you, I'll be more than happy to recommend that they'll be going into your district. I -- I'd love to see 'em go in your district, as I would live to see 'em go in the other fifty-eight districts in this State. I think they should go in and get a perspective of all fifty-nine districts in this State to find out exactly the feelings in what every part of this State is like.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the bill: Senator Link, I appreciate your forthrightness in your answers. I guess coming from a downstate perspective, I can tell you that, particularly in the last few years, my confidence in the State's education bureaucracy is shaky, at best. I mean, I appreciate Senator Link's stronghold on that confidence. Mine, I don't -- I don't have that kind of confidence. I would just caution, particularly downstate legislators, with regards to a vote on this bill and whether or not you think that your constituents are going to see any of this ten million dollars. There's nothing, nothing in the bill that tells us that this money is going to be -- equitably distributed among the State school district. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I do apologize for rising a second time. However, I want the Body to notate that this program is for only schools that are on the State early academic warning list and on the academic watch list. If you have no schools in your district under this status, chances are grants will not be eligible to you. I'm being told that isn't true, but that's what's in the comments here. So, in lieu of that -- in lieu of that, I did want to expand on some comments that a previous speaker made in saying that this was a bad vote, that the Governor has put us on bad votes. I believe that this is a good vote. I believe that this is a vote to encourage children that are in the third grade, so by the time they're in the seventh grade, we will know whether or not a class reduction size is needed in our State. And I know that previous Governors had their initiatives, their pet projects, things that they were working on, and I'd like for us to give this Governor the same consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. To -- to the bill, itself: I just want to speak very quickly about this. I will be brief. But there are a couple of different things. First of all, if you don't have, even if you qualify for the grant, there are no rules in place right now to say what order these grants are going to be given out in. Also, if you don't have classroom size, you're being penalized. You're going to see ten millions -- ten million dollars taken out of the school funding mechanism that we have to go to this particular program, rather than perhaps being able to be utilized in our regular school funding. We talk about rules, and it's going to take rules to implement this program. So far, we've seen about three new programs like this now. We had an ALL KIDS program which is supposed to go into effect July 1, which we haven't seen the rules for yet. We've got universal preschool, which everybody says, trust me, you're going to see everything in the rules. We haven't seen that yet. And obviously we don't have a bill yet. And now we've got this one that says, trust me,



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trust the State Board of - no offense to you, Senator - trust the State Board of Ed. You'll see the rules and it'll be done fairly. Well, folks, I don't have that element of trust, either. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. To the bill: I've had the great privilege of my life of being married to a classroom teacher for some thirty-seven years. My oldest daughter is an elementary teacher up in the suburbs. And they've worked in the elementary and primary grades and they know quite well the importance of class size and the -- impact it has on student performance. And I think if I talk to them or I talk to the other teachers in my district, the thing that they would say to me is the last thing we need is another study or another pilot project to prove the value and the benefit of reduced class size. It's just not necessary. The research, the study, it's all been demonstrated that students perform better in smaller classes. And I think what the teachers in northwest Illinois would tell me is, if you've got ten million dollars, put it in the State aid formula. Put the money in our schools and we can hire more teachers so we can reduce class size. If you've got ten million dollars, fund our pensions -- properly, but don't spend another ten million dollars on some kind of a study or a pilot project to confirm what we already know, is that students benefit very well from reduced class size. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there further discussion? Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. I rise in strong support of this bill and for clearly the reason that Senator Sieben said is that we know reduced class size works and that's what this bill does, it's saying, let's start out in a few districts on a pilot basis to -- to implement the -- this proven, proven fact that smaller classes help children learn. This is modeled after programs in Tennessee and in other -- in North Carolina and other states where they've found that this works. We're not doing another study. We're saying let's use the results of other

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studies and let's help our kids. This is a good concept. There is money in the budget, a line item for this. There is no reason for us not to move ahead when all educational experts and all the advocates who reviewed this said this is a great idea. And you know what? It could really have an impact on helping kids learn. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill: You know, there's plenty of examples in the past where we have put in regional requirements in pilot programs. Pilot programs are a great idea. Pilot programs let us put our foot in the water, test it out, tinker around with it a little bit. And you give pilot programs essentially to people that in the past have demonstrate trustworthiness with pilot programs. What we're being asked today, however, is to give ten million dollars, carte blanche, no strings attached, to a Governor who's demonstrated a pretty aggressive streak, shall we say, over the past couple of months and couple of years. Let's look at the Illinois Commerce Commission, because what we're being told is trust in the people that are going to be making the decisions. Well, I'll tell you, this is how it -- it works. When the people that are making the decisions that are not in line with the second floor, you know what happens? They get a phone call, they get a letter and they basically say, hey, the coach is pulling you out of the pool, 'cause you're not swimming the way he wants you to swim. So if there is a -- if -- if there is any sort of naive notion that a Yes vote on this is going to mean an unmitigated and even distribution of this, just like a gentle crop dusting, all across Illinois, wake up and smell the coffee. It's not going to happen. What's going to happen is this is a Governor who's demonstrated a -- political exquisiteness that sort of takes my breath away to say, oh, we're going in there, we're going in there, we're going in there, we're going in there and we're going in there. And if the folks on the State Board of Education give him any pushback, whatsoever, they are simply subject to pressure from the Governor's Office and subject to replacement, like the type of thing we've seen on the Illinois Commerce Commission. I

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think a far better thing would be to say, look, distribute the money evenly. Do it by region. We're going to have "X" amount for the City of Chicago, we're going to have "X" amount for the collar counties and we're going to have "X" amount for downstate. But to give this to folks that have -- to folks on the second floor that have -- that have -- tend to abuse these things in the past, I think is a real bad idea, particularly those of us who don't come from the -- the same geographic scope as the Governor. I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Crotty.

SENATOR CROTTY:

Thank you very much. I wasn't going to stand and speak after Senator Lightford did the first time because she mentioned about school districts that she knows of. I happen to have a school district in my district. I don't know whether or not they'll be able to be one of the school districts that will get this grant. But the one thing that I've found in being in Springfield for ten years, is we certainly do pull and tug on the strings of education. We've put them on watch lists, whether it be academic or financial. My school district happens to be on both. And when I met with them during our one-week break about a month ago, they -- they were looking for some sort of an answer or how we could help them once they -- once they get on these lists. We never really do put anything forward in order to help those districts make those changes. So, right now it's an elementary district and one of the highest -- highest tax rated districts that used to be in the State and my understanding is, it's now in the country, and it's Park Forest. And they -- it's an elementary district that now have thirty-five-plus kids in their classroom, because in order to get off the financial watch list, they ended up having to make so many cuts that now they're on an academic watch list. So, I -- I know I suffer with a school district like that and I'm sure that some of you do, too. And whether it be my school district or any of yours, it's the kids in the classrooms that -- that are -- are at the mercy of us. So, I would hope that we could all look past a lot of this and realize that this is our opportunity to really reach out and help some of the school districts in this State that need it,

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moreover the kids in those classrooms. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to close.

SENATOR LINK:

Madam President, I'm going to pull this out of the record right now for a reason. Obviously, it's Friday and the other side wants to get home and they don't want to worry about the kids of the State of Illinois. So, I'm going to pull it out of the record for today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Turn to page -- with leave of the Body, we will be going to page 12. Bottom of page 12, on Senate Bill 2579. Senator Collins seeks leave of the Body to return Senate Bill 2579 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2579. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment No. 2 to Senate Bill 2579 is a technical amendment. Originally the bill creates a new income tax checkoff for energy assistance. What Amendment 2 -- or, Floor Amendment 2 does, is it asks that voluntary donations from individuals are added and a reference to the Department of Commerce and Community Affairs is changed to the Department of Healthcare and Family Services. And this was at the request of the Department of Healthcare and Family Services.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Collins moves the adoption of Amendment No. 2 to Senate Bill 2579. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments, Madam President.

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PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 4298, 4301, 4398, 4446, 4832, 4986, 5220, 5300, 5349, 5386.

All passed the House, February 24th, 2006.

PRESIDING OFFICER: (SENATOR HALVORSON)

Introduction of Bills. Actually, I take that back. Madam Secretary, Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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, and 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 106.

(Secretary reads HJR No. 106)

Adopted by the House, February 24th, 2006.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito moves to suspend the rules for the purpose of immediate consideration and adoption of House Joint Resolution 106. Those in favor will say Aye. Opposed, Nay. The Ayes have

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it, and the rules are suspended. Senator Viverito now moves for the adoption of House Joint Resolution 106. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Pursuant to House Joint Resolution 106, the Senate stands adjourned until Monday, February 27th, 2006, at 2 p.m. The Senate stands adjourned.