

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

95th Legislative Day

3/30/2006

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PRESIDING OFFICER: (SENATOR DeLEO)

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

RABBI MARKS:

(Prayer by Rabbi Marks)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Maloney, to lead.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

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

ACTING SECRETARY KAISER:

Senate Journals of Thursday, March 2nd; Monday {sic}, March 7th; Tuesday {sic}, March 8th; and Wednesday {sic}, March 9th, 2006.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Senate Journals: Thursday, March 2nd; Monday, March 7th; Tuesday, March 8th; Wednesday, March 9th. Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senators has additions and corrections to offer. And Mr. President, I also move to postpone the..

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HUNTER:

Thank you, Mr. President. I move to postpone the reading and approval of the Journal of Wednesday, March 29th, 2006, pending the arrival -- pending arrival of the printed transcripts.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to -- postpone the reading and approval of the Journal just -- the Journal, pending arrival

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of the printed transcripts. There being no objection, so ordered. Mr. Secretary, Messages from the House, please.

ACTING SECRETARY KAISER:

Message from the House by Mr. Mahoney, Clerk.

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

Senate Bill 2302.

(Secretary reads title of bill)

Along with House Amendment No. 1.

Passed the House, March 28th -- as amended, March 28th, 2006.

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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 385, along with House Amendments 1 and 2.

Passed the House, as amended, March 29th, 2006.

We have like Messages -- we have received like Messages on Senate Bill 951, with House Amendment 1; Senate Bill 2137, with House Amendments 1, 2 and 3; Senate Bill 2195, with House Amendment 1; Senate Bill 2254, with House Amendment 1; Senate Bill 2336, with House Amendment 1; Senate Bill 2356, with House Amendment 1; Senate Bill 2360, with House Amendment No. 1; Senate Bill 2456, with House Amendment 1; Senate Bill 2483, with House Amendment 1; Senate Bill 2554, with House Amendment 1; Senate Bill 2569, with House Amendment 1; Senate Bill 2579, with House Amendment 1; Senate Bill 2631, with House Amendment 1; and Senate Bill 2650, with House Amendments 1 and 2, which all passed the House, as amended, March 29, 2006.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bomke, for what purpose are you seeking recognition, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BOMKE:

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Thank you. With me today are two IGIP individuals, the Illinois Government -- with the Illinois Government Internship Program. With me, Tony Holland and Colleen McGrath. They're from East Moline, from Senator Jacobs' area. If you will please help me welcome them to Springfield, I would appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? And welcome to the Illinois State Senate. Senator Radogno, for what purpose are you seeking recognition, ma'am?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR RADOGNO:

I would like to introduce to the Body my Page for today, Sarah Anderson. She's a sixth grader at Eisenhower Junior High, in Darien.

PRESIDING OFFICER: (SENATOR DeLEO)

Sarah, please rise and be recognized by the Illinois State Senate. Welcome. Senator Dahl, for what purpose are you seeking recognition, sir?

SENATOR DAHL:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR DAHL:

My -- my two Pages today are -- are not in high school any longer, but it took 'em a while to get to be Pages. I have with me today two of my sisters, Darlene Madson and Dorothy Gesme. And their husbands are up in the -- in the gallery. Please...

PRESIDING OFFICER: (SENATOR DeLEO)

Would your -- would your two younger sisters please rise and be recognized? Welcome to the Illinois State Senate. Welcome to Springfield. Senator Demuzio, for what purpose are you seeking recognition, ma'am?

SENATOR DEMUZIO:

Yes. A point of personal privilege. I have the honor to have with me today Elizabeth Byers. She's a student at SIUE in nursing and she has chosen as one of her clinical days to visit

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the State Legislature. I'd like to have Elizabeth stand.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome. Welcome to the Illinois State Senate. Okay. For purposes of an announcement. For purposes of an announcement. All members of the Rules Committee please report to the President's Anteroom. The Rules Committee will meet immediately. All members of the Rules Committee please report to the President's Anteroom. Thank you. Senator Althoff, for what purpose you seeking recognition, ma'am?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR ALTHOFF:

Thank you, sir. Ladies and Gentlemen of the Senate, I have a guest with me, as well, today. I have Gavin Warmbold, who is a freshman at Marengo High School. He's visiting the Senate to learn how we work and how we run government. His parents are also in the President's Gallery on the Democratic side. They are Barbara and Eric. And Eric had, I don't know if you knew it at that particular time, but the great distinction of going to high school with Senator Kirk Dillard. So if we want to find out any secrets, we should talk to you later? Thank you. Can we welcome his son, Gavin?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Would you please rise and be recognized? And welcome to the Illinois State Senate. Senator Peterson, for what purpose are you seeking recognition, sir?

SENATOR PETERSON:

Thank you, Mr. President. For the purposes of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR PETERSON:

I'd like to introduce my Page for the Day, Ken Ther. And his folks are up in the President's gallery. And he is a student at the Lake Zurich Middle School.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests from Lake Zurich please rise and be

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recognized? And welcome to the Illinois Senate. Welcome to Springfield. Senator Millner, for what purpose are you seeking recognition, sir?

SENATOR MILLNER:

Point of personal privilege, Mr...

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR MILLNER:

With me today, I have three Pages. I have...

PRESIDING OFFICER: (SENATOR DeLEO)

Three Pages?

SENATOR MILLNER:

Three. I have Lynsey and Courtney Winters, and I also have Mabel Nevel, and their mother, Mrs. Winters, is up in the -- or, in the gallery up there, Susan Winters. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the gallery please rise and be recognized? And welcome to the Illinois State Senate. And welcome our three lovely Pages. Senator Schoenberg, for what purpose are you seeking recognition, sir? Senator Jeff Schoenberg.

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SCHOENBERG:

I'm especially proud, Mr. President, Ladies and Gentlemen of the Senate, to introduce my Page for today. She's not just any other Page. All the children in my community are special, but there are two children in my community who are even more special, and that's my own children. I'm joined today by my daughter, Michal. This is her first time Paging. Michal is a fourth grader at Dr. Bessie Rhodes Magnet School in -- in the Evanston/Skokie School District. Michal, by the way, is also a member of the student council from that school. So, maybe -- maybe I'm grooming her for something later on. And I'd like you to give her -- all a very warm welcome. And we're joined by my wife, Lynne Sered, and my other son, Nadav, in the gallery. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise and be recognized? Senator, is she a registered Democrat?

SENATOR SCHOENBERG:

As her committeeman, I can say that she is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, for what purpose are you seeking recognition, ma'am?

SENATOR CROTTY:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR CROTTY:

Up in the gallery, over on the Republican side, we have students from the Cardinal Bernardin School from Orland Hills, and I'd like everybody to welcome them.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized by the Illinois Senate? Welcome to Springfield. Mr. Secretary, Committee Reports, please.

ACTING SECRETARY KAISER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 1 to House Bill 4853, Floor Amendment No. 2 to House Bill 5555 and Floor Amendment No. 2 to Senate Bill 848.

Signed by Senator Viverito.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. Secretary. Senator Roskam, for what purpose are you seeking recognition, sir? Senator Peter Roskam.

SENATOR ROSKAM:

Point of -- thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR ROSKAM:

We've got three special Pages today, along with their moms and dads in the gallery, and it is the -- the famous Reimer boys, from Wheaton, Illinois: Sean, Tim and Gerry. And their mom and

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dad, Dean and Katie Reimer, are up in the President's Gallery.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise and be recognized? And welcome to the Illinois State Senate here in Springfield, Illinois. Okay. Our last person seeking recognition, Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LAUZEN:

I'd like to introduce some guests. I have two Pages for a Day today, Christa Costella, who is a seventh grader at St. Catherine of Siena in Dundee. She is joined by Susan Henson, of Springfield, her birth mom, to Christa, and -- and friends of Christa's parents. Also, Joel Smith is an eighth grader at Yorkville Middle School and his folks and -- are Dave and Melissa Smith, and they're joined by their sisters {sic}, Amy and Ryan. And they're in the gallery up here.

PRESIDING OFFICER: (SENATOR DeLEO)

Our guests please rise and be recognized by the Illinois State Senate. Welcome. Welcome to Springfield. Senator Burzynski, for what purpose are you seeking recognition, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Personal privilege, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BURZYNSKI:

Pleased to have a Page with me here today, Blaine Hash, from Somonauk, Illinois, is here on the Floor with me, and we'd like to have him welcomed. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome -- welcome to the Illinois State Senate. Senator Winkel, for what purpose are you seeking recognition, sir?

SENATOR WINKEL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR WINKEL:

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Very pleased to introduce Jason {sic} (Jacob) Rottinghaus today. He's from Rochester. He's my Page for the Day.

PRESIDING OFFICER: (SENATOR DeLEO)

Jason, welcome to the Illinois State Senate. Welcome to Springfield. Senator Hendon. Senator Hendon, for what purpose are you seeking recognition, sir?

SENATOR HENDON:

Purposes of a very important announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Give the speaker your attention, please. Purposes of an announcement.

SENATOR HENDON:

Mr. President and Members of the Senate, this coming Tuesday, April 4th, is the annual House-Senate softball game. We want to make sure that everyone brings your gear, your bat and be ready to beat the House once again. We are the defending champions, so let's play like champions. We didn't get a chance to practice, but when you go home this weekend if you get the kinks out and move that leg a little bit, run around the block, play with your children, you'll perhaps be ready. And we're going to play Tuesday night, 6 p.m., in Lincoln Park. And I wanted to announce our captains for this year. Kirk Dillard, our first baseman, will be taking Dave Sullivan's place as our captain. We also have honorary captains because it'll be his last game - he served us well - and that's Senator Ed Petka. We know he's going on to judge, to be on the bench. He's honorary captain and Wendell Jones is honorary captain. He's played very well for the team and we're going to beat the House once again. If you need a little practice, go home and get practice this weekend. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. Ladies and Gentlemen, we have -- Senator Shadid will be in the Chair for a very important announcement. We have the Limestone Walters School eighth grade girls volleyball team. Ladies and Gentlemen, Senator Shadid.

SENATOR SHADID:

While we're getting situated, I want to thank you very much for allowing me to present to you the Limestone Walters eighth grade girls volleyball team, who recently won the 2006 Class 8A

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Girls Volleyball Championship Tournament for the second time in a row. The team finished the season with an outstanding record of twenty-seven wins and one loss. Their two-year record is an amazing fifty-four wins and just two losses. And this team is coached -- before I introduce the coach, how about a big hand for this team and for what they've done? I'd like to turn this over to the coach and he'd like to say a few words. Coach. Coach Al Huber. Also, I want to introduce my good friend and my cohort, Senator Risinger, from the same Peoria area. Thank you.

COACH AL HUBER:

(Remarks by Coach Al Huber)

SENATOR SHADID:

Thank you very much for your -- for your attention and good luck to all you folks. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, for what purpose are you seeking recognition?

SENATOR HARMON:

For purposes of an introduction, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please make your introduction, sir.

SENATOR HARMON:

I'm pleased on behalf of the -- the President to -- to introduce a guest sitting in his chair, the Honorable Eugene Marks, the Mayor of Northbrook, Illinois. I hope you all will join...

PRESIDING OFFICER: (SENATOR DeLEO)

Mayor Marks, welcome to Springfield. The Mayor of Northbrook. Leader Halvorson, for what purpose are you seeking recognition, ma'am?

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR HALVORSON:

In the gallery with us today, I have members of my family. I have my cousins, Lisa, Johnny and Nicky Cimini, with Lisa's mom, Dolores, and sister, Cindy, and her son, Michael. I would

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love for the Senate to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized by the Illinois Senate? Please rise. Welcome to Springfield. Senator John Sullivan, for what purpose you seek recognition, sir?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SULLIVAN:

I also have some guests here today. They are not my constituents. They're actually from McLean County, but all -- friends of mine, including some of my relation. The Pestka family is up in the Gallery above me here. The Schmidt family and the Myers family. They're from the Bloomington-Normal area, just north of Bloomington. I'd like the Senate to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests from Bloomington-Normal please rise and be recognized? And welcome to Springfield. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BURZYNSKI:

Thank you. I have a group here behind me in the gallery, which is here today from DeKalb County. The DeKalb County Farm Bureau annually brings students down - eighth grade students - from all of the middle schools and junior highs in the county for a day in Springfield. And they're here today visiting us. They're going to do a mock hearing a little bit later on this morning and I'd like for us to welcome the group from DeKalb with the DeKalb County Farm Bureau right back here behind me. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests from DeKalb please rise and be recognized? Welcome to the Illinois State Senate. Senator Jacobs, what

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purpose you seeking recognition, sir?

SENATOR JACOBS:

Point of personal privilege, Mr....

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR JACOBS:

I have with me today two young people from my district. I have Tony Holland and Colleen McGrath and they are here today with Senator Bomke as part of a mission for the State Fire Marshal. I'd like a -- have a warm welcome for them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Senator Martinez, good morning. What -- for what purposes do you rise, ma'am?

SENATOR MARTINEZ:

For the -- purpose of a personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR MARTINEZ:

Ladies and Gentlemen of the Senate, tomorrow's a very special day in the State of Illinois because our great Sergeant-of-Arms is celebrating her birthday. I would like to say to Anita Robinson, happy birthday on behalf of all of us here.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our Sergeant-at-Arms please be recognized? Stand up and be recognized. A very happy birthday. Senator Clayborne, for what purpose are you seeking recognition, sir?

SENATOR CLAYBORNE:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR CLAYBORNE:

In -- in the President's Gallery, if they'll stand, it's the James Clayborne mentoring group from East St. Louis Senior High School.

PRESIDING OFFICER: (SENATOR DeLEO)

Would the James Clayborne fan club please stand and be recognized? Welcome to the Illinois Senate. Welcome to Springfield. Senator Luechtefeld, for what purpose you seek

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recognition, sir?

SENATOR LUECHTEFELD:

Thank you -- thank you, Mr. President, Members of the Senate. On the Democratic side behind the -- on the -- behind the Democrats on that side is a family from home. They brought their three boys and his name is Kenny Lake and his wife. Brought their three boys and they've also finally had a little girl over there for the fourth one. If they'd please rise, and welcome them, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Would the Lake family please rise and be recognized by the Illinois Senate. Welcome. Ladies and Gentlemen -- Senator Cronin, for what purpose you rise? At some point today, we'll have to start business. I know that's hard.

SENATOR CRONIN:

Point of business interest. I was just going to inquire of the Chair. Will there be any Senate business before the Body this morning? I mean, just curious.

PRESIDING OFFICER: (SENATOR DeLEO)

If -- if those lights quit -- stop lighting up, we could get to the real business of the Illinois Senate. We have two more people seeking recognition and, Ladies and Gentlemen, we do have to get some work done today. As you know, the President earlier in the week announced that if we finish the business of 3rd Readings today, we will not -- be necessary to come here tomorrow. So, I strongly, strongly recommend that all Members be in their seats, get your bill files ready for presentation. We're going to go to Senate Bills -- House Bills 3rd Reading, final passage, in just a couple moments. Senator Bomke, for what purpose you seek recognition, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BOMKE:

I -- I have with me today two Pages for the -- the Day. Lauren Formigoni and Lauren Knepler.

PRESIDING OFFICER: (SENATOR DeLEO)

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Would our Pages please stand and be recognized? And welcome to the Illinois State Senate today. Senator James Clayborne. Senator James Clayborne, what purpose you seek recognition, sir?

SENATOR CLAYBORNE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR CLAYBORNE:

I have Lanard Hogan of Lincoln Magnet School in Springfield, an eighth grader - whose favorite subject is math - as an honorary Page today.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate, sir. To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth of -- in the Messages of the Governor dated February 24th and March 24th, 2006.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor dated February 24th and March 25th -- March 24th, the year 2006. Mr. Secretary, Committee Reports, please.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of February 24th, 2006, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of February 24th, 2006, I will read the salaried appointments of

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which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Secretary of the Department of Financial and Professional Regulation for a term commencing February 21st, 2006 and ending January 15, 2007: Dean Martinez.

To be Director of the Department of Central Management Services for a term commencing February 21st, 2006 and ending January 15th, 2007: Paul Campbell.

To be Secretary of the Department of Transportation for a term commencing February 21st, 2006 and ending January 15th, 2007: Tim Martin.

Mr. President, having read the salaried appointments from the Governor's Message of February 24, 2006, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Hendon, a motion has been filed requesting a separate vote be taken on the Secretary of Transportation appointment. Being supported by those required number of sponsored {sic}, the motion is in order and a separate vote will be taken on -- Secretary Martin. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you for that clarification, Mr. President. We would request a Republican Caucus immediately in Senator Watson's Office. We have a special guest coming in at approximately 11 o'clock.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, how long would you be requesting, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. We have actually asked the Secretary of Transportation to come into our Caucus for a little discussion, and he will be in at 11 o'clock. I would guess that it would be at least 11:30. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I don't know what your ruling is going to be on -- on the request, but can we at least complete the other -- other -- non-controversial persons and then have

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that out of the way?

PRESIDING OFFICER: (SENATOR DeLEO)

The Chair is ready to proceed at this time with the other nominations, the other Messages. We'll withhold the vote on -- because it's been separated, we'll withhold the Secretary of Department of Transportation until after the Republican Caucus. So, with no objection, we'll proceed on the Executive Appointments on the other Message. Okay. Ladies and Gentlemen, in the -- in the matter of the appointment of the other salaried appointees named in the Message of February 24th, is there any discussion? And to clarify for the record, the Secretary of Transportation is not in this Message. That has been -- the question has been divided. So, once again, in the matter of the appointments of the other salaried appointees named in the Message of February 24th, is there any discussion? Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Thank you, Mr. President. Senator Hendon, these are the Governor's appointments? These are people he selected to fill these vacancies, is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

That -- that is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator Hendon, I -- in light of the recent controversy and an article in yesterday's paper where the Governor in the past claimed he didn't know about one of his appointees affiliations, and I -- I understand it was a non-confirmed appointment, but yet reported by the appointee that he did know about background and was fully aware, how confident are you that the Governor has thoroughly looked through the backgrounds of these individuals? Is he -- is he familiar with all these individuals? Is he

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familiar with their backgrounds? I was not in -- privileged to be in the committee. I know that these were unanimously endorsed in the committee, but I must tell you, I have some concern about this Governor's appointments and the divisive nature in which his dealing with these appointments has created not only within this General Assembly, but within the State.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

I am very confident that the Governor has vetted these appointees thoroughly. In fact, two of the appointees are reappointments, that one being Tim Martin and Deanne Benos. So, I am very confident that the Governor has looked over these appointees very closely, as have I and the other members of the committee. All of them were approved nine to nothing today.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

...you. So you're -- you're confident the Governor's interviewed them -- people, himself, that you have looked into it and you don't find anything controversial in their background that would embarrass the people of Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

I have looked at all of these appointees very closely, as have the other members of the committee. We have -- we allowed full discussion on all of them and I am totally confident that there will be nothing, that I can see. I can't see into the future, but hopefully there will be nothing that will embarrass the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, seeing no further discussion, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of February 24th. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 1 voting Nay, 0

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voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Mr. Secretary, Committee Reports, please.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of March 24th, 2006, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of March 24th, 2006, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Assistant Director of the Department of Corrections for a term commencing March 21st, 2006 and ending January 15th, 2007: Deanne Benos.

Mr. President, having read the salaried appointment from the Governor's Message of March 24th, 2006, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion? Senator Dillard, for what purpose you seek recognition, sir?

SENATOR DILLARD:

Thank you. To the appointment. And I voted for her in committee, but I did have one thing that did jump out at me on Ms. Benos. And that is, she was on a Message early in March by the Second Floor to our Chamber and then she was pulled. And then right after the primary election, she was resubmitted on a second Message. So, for those of you who want full disclosure on things, you know, I asked her in committee why she was on a Message and then taken off and put right back on after the primary. She said she wasn't able to, you know, get into the head of the Second Floor. She was just happy to be on the Message and couldn't give me an explanation. But for you

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conspiracy theorists, she was on a Message and then off a Message and reappointed on a separate second Message right after the primary. And if that's a red flag for any of you, so be it. I intend to vote for her. I know her, but I just wanted to point out she was on a Message, off a Message, and that's not the typical way that things are done around here. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, by -- by way of clarity, I believe that there were some questions that we had to ask of her. They were asked and answered and we found her quite appropriate for the reappointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, seeing no further discussion, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of March 24th. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 Ayes, 1 voting Nay, 0 voting Present. A majority of Senators elected having -- a majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Okay. Ladies and Gentlemen, Senator Hendon moves -- Senator Hendon. Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Hendon moves the Senate arise from Executive Session. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion is carried. The Senate has arisen from Executive Session. Ladies and Gentlemen, upon request by the Senate Republican Caucus, the Senate will stand in recess to the call of the Chair. At approximately the hour of 11:30, the Senate will reconvene for final action, Floor action. The Senate will stand in recess to the call of the Chair, approximately the hour of 11:30. The Senate stands in

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recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

The Senate will come to order. Mr. Secretary, Resolutions.

ACTING SECRETARY KAISER:

Senate Resolution 699, offered by Senator Collins and all Members.

It is a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolution Consent Calendar. Will all Members within the sound of my voice please come to the Senate Chambers? We will be starting business shortly. Senator Shadid, for what purpose do you rise? Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Personal privilege, Madam Chairman.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR SHADID:

This gives me great pleasure to -- would the Thompson family please stand up? Now, don't get alarmed when they all stand up - there'll be eighteen of 'em. I want to tell you a little story about the Thompson family. Joining us in the gallery today are constituents of mine, Steve and Mo Thompson. Steve is the Executive Director of Easter Seals Center in Peoria. And they're the proud parents of eighteen children, four biological and fourteen by adoption. The Thompson's live in rural Tremont in an old farmhouse on three acres of ground. Currently thirteen of their eighteen children are still at home. They have one daughter that is married, three students in college and a son in the U.S. Navy. Children still at home range in age from three to eighteen. Four of the Thompson children were adopted from the Central Illinois area, while ten were adopted from southern Brazil. The first -- sibling group of five from Brazil came home in September of 2001, and the second sibling group of five was adopted into the Thompson family just this past December. In fact, the latest Thompsons just received their certificates of U.S. Citizenship by mail last -- month along with a --

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congratulatory letter from President Bush. So they are citizens of our great country. People often wonder what life is like in the Thompson household. In a word, organized. But also a lot of love and a lot of fun. The Thompson's have two washers, two dryers, do fifty loads of laundry a week and buy sixteen gallons of milk every ten days. They have three water heaters, two water softeners, two dishwashers and a six-burner cooktop stove with two ovens. And they drive a fifteen-passenger van. Today they are studying Illinois government and they're touring the Capitol. After lunch they're going to be visiting the great Abraham Lincoln Presidential Library. Would you please give us a great welcome for the Thompson family?

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. And thank you so much for everything that you do. You definitely need to be commended. Thank you so much for all that you do. Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RISINGER:

Madam President, Members of this Body, Senator Shadid and I get excited about sports in the Peoria area. We -- you saw the girls volleyball team that was here earlier. But in the -- in the balcony behind me is the Richwoods Basketball Team, the High School Basketball Team. They won second in the Class AA Tournament this year. They had a record of twenty-six wins and seven losses. Their coach, Mike Ellis, is up there. I wish you would help me in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MALONEY:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR MALONEY:

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I would like to introduce constituents of mine, friends of Senator Crotty and Senator Viverito's, Tony and Deanna Rosich, who are up in the gallery.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR VIVERITO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR VIVERITO:

I just wanted to say that Mr. and Mrs. Rosich, up in the balcony there, have -- have been dear, dear friends of mine for so many years. And Tony was the top policeman on Rush Street for over thirty-five years. He is really an exemplary {sic} police officer - Tony Rosich.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR HENDON:

Thank you, Madam President. I move that the Senate resolve itself into Executive Session for the purposes of acting on the appointment set forth in the Message from the Governor dated February 24th, 2006.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointment set forth in the Message from the Governor dated February 24th, 2006. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of February 24, 2006, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

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Madam President, with respect to the Governor's Message of February 24th, 2006, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Secretary of the Department of Transportation for a term commencing February 11 -- February 21st, 2006 and ending January 15th, 2007: Tim Martin.

Madam President, having read the salaried appointment from the Governor's Message of February 24, 2006, I now seek leave to consider the appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

In the matter of the appointment of Tim Martin to be Secretary of the Department of Transportation, is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I guess I'll start us off. Today's Chicago Sun-Times editorial says it shouldn't take a Rhodes Scholar to account for spending. And we very much appreciate Secretary Martin coming into our caucus for about forty-five minutes today to talk about some of the more unusual audit findings, and actually some of the strongest audit findings that many of us have ever seen against the Department in State government, although Central Management Services is no slacker either when it comes to these types of audit findings. But when you have findings that say that four in ten procurements reviewed didn't give the lowest price purposer an -- an artistic or professional contract, or that six in ten procurements failed to give any information about subcontractors and you have hidden subcontractors, and eighty percent of all of the recent procurements with respect to the work that's being done on the Dan Ryan Expressway in terms of public information allowed vendors to initiate work without a formal written agreement - you've got a lot of problems. And I want to say to -- to Secretary Martin, I like Tim and I respect Tim. And this is not about necessarily him, the person, but more of an overall pattern of concerns we have about the administration of the Illinois Department of Transportation. A couple weeks ago an Assistant Secretary of Transportation was here and I believe we voted on a

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partisan basis against him, because he said that there would be, quote, "a mass exodus of Republicans if Governor Blagojevich were reelected in the fall." And I think we sent a message to another decent guy and -- on an individual personal basis, Assistant Secretary of -- of Transportation Dave Phelps. So, it's not personal. It's about a bigger trend here that's very alarming about IDOT. But when we talked about Representative -- former Representative Phelps, who's now the Assistant IDOT Secretary, there were a couple of comments made that all Departments of Transportation are political. And I did want to just correct, because I went and did a little research since we talked about Representative Phelps. And just if anybody ever looks at these transcripts, when Jim Thompson was the Governor, he had a Democrat -- a Democrat Secretary of Transportation for the first half of his fourteen years as Governor. In fact, Jim Thompson kept Dan Walker's Democrat Secretary of Transportation. I spoke to former Secretary of Transportation Kirk Brown, who was the Secretary under both Jim Edgar and George Ryan as Governor. And Kirk Brown never voted in primaries. So, we have a -- a history and to the victors go the spoils. I don't have a problem that there are Democrats running the Department of Transportation, but I did want to point out that under the previous three Republican Governors, we had a Democratic Secretary of Transportation, and under Governors Edgar and Ryan, the Secretary who was there was essentially apolitical. But these audit findings have caused, and I think you'll hear from some others, Madam President, some great consternation by -- by the Republican Members. And we commend Secretary Martin for coming in to see us. He -- he met with me or talked to me right after committee and I -- and I -- and I appreciate Tim's candor in coming to -- to see us and to coming into our caucus. But when the Auditor General of Illinois has turned over to federal authorities information about the way in which contracts are handled, whether you're spray washing the inside of salt domes or you're doing public relations work on the Dan Ryan Expressway, it gives many of us -- many of us pause. And for that reason, I think, Madam President, you're going to see some of us who are not exactly going to jump on, at this time, the Secretary's reconfirmation some fifteen months later than it probably should be. And just to close, you know, I watch

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television and I see that our Governor has nice television ads for a capital program that he wants and I'm for a capital program. My Leader, Senator Watson's for a capital program. We're some one week from adjournment, but I've got to tell you, when you have an Illinois Department of Transportation that's under heavy-duty questioning by the Democrat Auditor General of Illinois, your former Chief of Staff here, it doesn't bode well for the Governor passing a capital program in the next seven days to have his Illinois Department of Transportation be under such a -- a fog when it comes to audit findings and moreover, I've got to tell you, you know, if he really wanted -- the Governor really wanted to have a capital program passed, he should have got his Secretary of Transportation locked in about fourteen or fifteen months ago, so that we would have some known continuity there and an improved level of trust. So, you know, it's not about Tim personally. But I think you're going to see some of us over here maybe withhold our absolute positive votes on him today. It's more about the global way that the Illinois Department of Transportation, at a time we want a major capital bill, is being run. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. I appreciate the opportunity to speak on this issue. We had a -- this morning, of course, Executive Appointments met and -- and after the meeting some of us sat down and we were discussing about the process and what was going on and -- and the questions that were asked during the -- the hearing and some of the comments, and in light of the audit that was made available last Tuesday, there was just some real concerns of the fact that we thought that the Secretary should have been at the Executive Appointments Committee to answer questions and concerns those members may have had. Unfortunately, he was not there and I don't know if he was asked to be there or not, but he -- he was not present and -- and that just -- waved more flags for us. I mean, it's -- this is unfortunate. So, what we -- what I did was, I called the -- Secretary Martin and asked him to come in and make himself available to our caucus and to ask -- answer some questions that

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unfortunately probably could have been asked at the meeting this morning, and had -- had those members been given the opportunity, we may not be at this particular point in time now. But we are and that's what -- that's what it is. The Secretary came into our caucus. He was very candid, very forthright with -- with the -- the questions and -- and the manner in which he answered and -- and I have a great deal of respect for someone who -- who would do that and -- and he -- and that's what he did. Now, the problem, of course, is there was some twenty-three findings in this audit, and of course, as some know, the audit is a delayed process. It's -- it's not like an up-to-date issue. It's -- it's time previous. But this audit was entirely under the watch of -- of Secretary Martin. So, all twenty-three findings were attributable to -- to his -- his term. And -- and I just think that it -- because of that there are just too many concerns out there. This just happened Tuesday, and I -- I felt like we should have some answers. So, personally I'd like to see if there is an investigation, and we understand that the Auditor General has turned over information to the proper authorities, and if that being the case, let's let this investigation play out before we -- confirm someone. I think it's a questionable message we send to confirm an individual under this cloud. And I just appreciate the opportunity, Madam President, to be able to express my concerns and it's -- it's unfortunate because I do have high regard for Tim Martin. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Just to set the record straight, Leader Watson, no request and it was admitted in -- in the committee that no written request, no verbal request was made of -- of me or Vice Chairman DeLeo, or Co-Chair Geo-Karis to have Mr. Martin appear. If a request was made, we would have had him appear. It is not right to suggest that we denied the members of Executive Appointments anything, because we did not. No request was made. If you want someone to -- appear, make the request.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Cronin.

SENATOR CRONIN:

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Thank you -- thank you very much, Madam President. I rise to -- to express my hesitation or my withholding of support for Tim Martin, who is a -- who is a -- a friendly and a -- a well-intentioned fellow, who's in a very, very difficult spot. This vote, my vote is not about Tim Martin. This vote and my vote is an expression of my view of this administration, of this Governor's administration. You know, the audit that we're talking about and has been published in the paper is really, simply, just a consequence of what's been going on over at IDOT for a number of years now. What we're seeing in the paper now with the investigations and with allegations of -- of corruption and fraud, and so on and so forth, is really -- was set in motion a couple of years ago. You know, IDOT was a proud agency for many years with professionals and engineers, but the agency has gone through some dramatic changes, courtesy of this Governor. The employee count is way, way down. Departments cannot perform their duties there. They are -- are -- are understaffed. And you know what? For most people, and I know that the Governor likes to appeal to most people, he'll say that that's good because, you know, he's cutting back. He's cutting back State government, cutting back employees. But you know what's at stake here? It's public safety that's at stake. You know, a few years ago we -- and we've seen it in the paper, unfortunately a very tragic event that has led to a downfall of our previous Governor, we saw a rather serious allegation and a -- and a -- which has proven to be true about a license for -- for -- for a bribe, a scandal in the Secretary of State. Who would have ever thought that that act would have led to a tragedy out on the highway? Ladies and Gentlemen here, my colleagues, I'm telling you, what's happening at IDOT is going to lead to something. It's a tragedy waiting to happen. And how do I express my concern? How do I express my opposition to what this administration is doing to this once proud agency that did good things with professionalism? How do we do it? Well, I got to tell you, I can't vote for Tim Martin. He's -- he's a gentleman. I've worked with him. He's done good work at the Chicago Board of Education, but he's in an impossible position. He can't tell you that. He won't tell you that. It's the Governor that's put him in that impossible position. So, in order to voice my opposition to the way that

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agency is being run and now we are seeing the investigations that is the consequence of the leadership and the management that starts at the top, I can't vote Yes. I can't. And so I urge -- urge my colleagues, send a message to this Governor and this administration and vote No or Present.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson, I apologize for not going back to you, so if you please would address the issue.

SENATOR WATSON:

Yes. Thank you. I guess a more response to -- I guess to one of the previous speakers. We -- and we accept some responsibility for that -- this -- this whole issue. There's no doubt about that. And if a request would have been proper, then maybe that's what we should have done, but the issue is that the audit came out on Tuesday, Senator, and -- and if I'm chairman of that committee, I'd want this gentleman in here to talk about the audit. Be -- be at least available to answer questions. If I was chairman that's what would have happened. But we do understand and we accept some responsibility for this, but that doesn't make it right to be moving ahead with this at this time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. I rise to explain to the Body why I intend to vote No on this appointment. And it's a very simple reason and all of you are going to be in the same situation I'm in. And that is, when we go back home, we're going to have to tell our constituents how we justify voting for someone overseeing an agency that recently had one of the worst audit findings possible and it's been referred to State and federal investigators. And then come to find out that much of that material is already in the hands of investigators because they're under investigation for other previous irregularities. I think it's very difficult to explain that to the average person on the street, why we have confidence in an agency run in a manner that invites these kinds of investigations. And secondly, we have talked a lot about a potential capital program. I think that confirming someone that is in the midst of these investigations is going to make it more difficult to come

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together on that, because it's difficult to justify entrusting three billion dollars to an agency that has the kinds of problems that have come under the watch of this Secretary. And, in fact, the Secretary readily admits these investigations are occurring over things that -- that have occurred under his watch. So, it'd -- would make sense to me at least to wait and see how the investigations play out before this individual be confirmed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Briefly, Madam President, by way of response, a previous speaker -- mentioned the license for bribes scandal, and if I'm reading the papers right and following the current trial, that happened under a previous administration. I happen to like the gentleman that's on trial so I won't go any further, but we know that happened under a previous administration. So, to put it out there as if -- as if it happened under Governor Blagojevich administration is just not fair. And I thought the primary was over, but I guess it's not. As far as the capital program, if you're going to put some votes on it, you were going to put some votes on it. I asked that question this morning of people who -- who brought that issue up. I said, "Okay. If we call Martin back are you going to vote for the capital program?" The answer is no. You're not going to vote for the capital program anyway, because the Governor's name is Blagojevich and he happens to be Democrat. And I am the chairman of the committee. I am very proud of that fact, but if President Jones was not President, I'm certain I would not be chairman of that committee. So, we won the election. He appointed me and I'm trying to run the committee to the best of my ability and I've always run it fair for everyone. I urge a Yes vote for Martin for Secretary of Transportation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Just to clarify, I was not referring to the license for bribe scandal. I was referring to the issue with the salt domes which is under investigation that did, in fact, happen on this Secretary's watch. So there are a

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couple investigations going on relative to this individual. And regarding the issue of the voting for the capital program, I think we've said repeatedly that we are very much interested in the capital program, but you can't just go forward when the foundation isn't done right, when you don't have a revenue stream, when you don't have confidence in the people administering this money. So, that would be an incorrect statement as well, that we wouldn't vote for it anyway.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman. You know, I think that we're doing a disservice to Tim Martin. The fact is, is I'm unaware of him being charged with any kind of corruption crime. I believe this is probably mismanagement. Now, if you want to hold him accountable for that, that's your business. But it seems to me, at this point, we're smearing a good man. If someone on the other side of the aisle has any inkling of corruption, I would like to know it, because I would be very concerned about that myself.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Thank you, Madam President. I rise in opposition to the motion. I join my colleagues, with regret. I, first of all, want to thank Secretary Martin for joining us in a very short order in our caucus and providing us with whatever information he could. But, you know, I don't think it's a coincidence that Auditor General Holland issued this report this week. And this isn't just like the other reports we've heard from the Auditor General, where the Governor's claimed to save seven hundred million dollars and hasn't or claimed to create jobs and hasn't. As far as I know, this is the first report where the Auditor General has felt it goes so egregiously that he's had to refer it to the federal investigators. Ladies and Gentlemen, we owe it to the taxpayers of this State to withhold this -- to withhold this nomination, to withhold this selection. You have in front of you the opportunity to view an Auditor General's report - mind you, a Democrat, a Democrat who found fault with the Blagojevich

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administration time after time, but in this Department he found enough fault to refer it to the feds. Now, this isn't the first federal investigation of the Blagojevich administration. We all know that. This is just merely the last. But it's one we have to respond to. And a vote for this is a vote against the taxpayers. It's against the people. This isn't a vote against Tim Martin. This is a vote for the taxpayers. Voting No is for the taxpayers, for the people of Illinois, standing up for we know what is right. This should be held and delayed until the investigation takes place, an investigation into the Blagojevich administration that must take place. And, Senator Hendon, if you want to go to a capital project, which you brought up, we're more than happy to discuss a capital project with the Governor. In fact, our Leader, Frank Watson, has asked for the Governor to call him numerous times. But as you know and I know, the Governor would rather seek reelection and he'd rather go to the newspapers and he'd rather be on the front pages of the paper and the front pages -- in front of the 6 o'clock news, rather than being here in Springfield working with the Legislature. I mean, let's be serious. This Governor doesn't want a capital project. He wants a reelection issue. And if he really wants to help the people of Illinois, he ought to get down to Springfield away from Chicago and do the people's work.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon, to close.

SENATOR HENDON:

Well, first of all, let me clear something up. I did not say the candidate for Treasurer said -- brought up the hire for -- the license for bribe scandal. I'm certain she would not want to bring up the license for bribe scandal, because it was under a Republican administration and a close personal associate of many on that side of the aisle. It was another Senator that -- that brought that issue up, not the candidate. In addition, I hope Governor Blagojevich would -- would run hard for reelection. I hope he wins reelection. He did rather well in the primary, not like some who are attacking him now. We -- we need to get away from partisan politics and quit putting that in the -- in the issue. I did not bring up the capital program. The capital program was brought up in committee by an esteemed Member of that

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side of the aisle. I simply responded to it. You know you're not going to vote for it regardless, because it is an election year. So at least let the people of Illinois know the truth. This is -- this is just purely pure politics. If it was under a Republican administration -- and I was here. I don't remember one time any of you spoke up at all, and Senator DeLeo pointed something out to me. When Governor Ryan was going through his problems, we never got up on this Floor and talked about any kind of investigation. It's a big difference between an investigation and an indictment, and -- or what you saw today from that side of the aisle, a confession of -- of guilt. If -- if there's an investigation, let the process cover itself out. I urge an Aye vote for Tim Martin.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, does the Senate advise and consent to the appointment just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 18 Nays, 8 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment of Tim Martin as Secretary of the Department of Transportation. Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon moves that the Senate arise -- Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. I'd request a verification on the last roll call, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, that's always in order. Senator Roskam has requested a verification. Will all Members be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY KAISER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Forby, Garrett,

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Geo-Karis, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Link, Maloney, Martinez, Meeks, Munoz, Raoul, Ronen, Sandoval, Schoenberg, Shadid, Silverstein, Sullivan, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

Madam -- Madam President, wasn't the roll call closed? Wasn't -- this -- this motion was not made in a timely fashion for a verification and I don't think it was in a -- in a -- in a timely fashion. I ask the Parliamentarian. I think the roll call was closed. I think we're -- we've already moved on to another issue and I think...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator, I will check with you. Hold one moment. We will check the rules. Senator Roskam -- oh! Senator DeLeo, we had not started other business yet. So, your question was out of order. Senator Roskam, do you question the presence of any Member voting in the affirmative?

SENATOR ROSKAM:

Looks like we're all here and I was going to ask about -- no, I won't even do that. No, ma'am. Everybody's here. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

On a verified roll call, there are 31 Yeas, 18 Nays, 8 voting Present. So, a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment of Tim Martin as Secretary of the Department of Transportation. Senator Hendon.

SENATOR HENDON:

The -- the -- I move that the Senate rise from Executive Session, again.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

PRESIDING OFFICER: (SENATOR HENDON)

Mr. Secretary, Resolutions.

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ACTING SECRETARY KAISER:

Senate Resolution 700, offered by Senator Demuzio.

It is substantive.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, for what purpose do you seek recognition, sir?

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your inquiry.

SENATOR RIGHTER:

Thank you. On page 18 of the Calendar under the title of Motions to -- Discharge Committee, I filed a motion to discharge directly to the Floor House Bill 4532. The reason I'm raising this matter again, Mr. President, two days ago, I believe when -- when Senator DeLeo was in the Chair, I made this inquiry and didn't hear back. Yesterday, I made a similar inquiry, I believe, of Senator del Valle and didn't hear back. So, now I'm coming to the guy who I know has got the real juice on this. And I want to know when we're going to move to this order of business. It's been on the Calendar since Tuesday. I filed the motion according to your rules last Friday. If you're not familiar with this, 'cause I think, you know, there's a lot of bills flowing around, people may not understand the importance of this. This bill would establish a zone of privacy around funeral services. Mr. President, this bill is a bill that's been prompted by protests at military funerals for deceased veterans. I'd like a roll call on it, Mr. President, please.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, I understand your passion on this matter and we will get back with you. I would appreciate if you could take the answers that you got from Senator del Valle and Senator DeLeo and apply them to your same question right now. And that would suffice. So we will get back with you on -- at a later date - we are not out of Session yet - to deal with this matter. Senator Righter, for a second time.

SENATOR RIGHTER:

Thank you. And I -- I appreciate, Mr. President, and I'm sure we'll hear more about the concern for how much time that

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we're taking today, and of course, had the roll calls been granted two days ago or yesterday, we wouldn't be talking about this here today. The answers I got -- Mr. President, I need your help. The answers I got yesterday and the day before: Well, we'll get back to you sometime and before the end of Session. It's a simple motion. It was filed in accordance with your rules. If we just put it up on the board and voted on the motion, Mr. President, we could dispose of this matter in thirty seconds and I think that would put everyone at ease.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, I thank you for your inquiry on this matter, and we will get back with you. We will not do it right now, but we will get back with you later. Okay. We're going to go to the Order of 3rd Reading. House Bills 3rd Reading. Top of page 11. If you would please turn to that page, I would appreciate it. WICS requests permission to videotape, broadcast. Is -- permission granted? Permission is granted. Top of page 11 is House Bills 3rd Reading. I urge all of you, if you want your bill called, you need to get it called right now, because we're going to roll through it. On the Order of 3rd Reading, House Bill 448. President Jones. House Bill 874. Senator DeLeo. Senator DeLeo seeks leave of the Body to return House Bill 874 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 874. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you very much, Ladies and Gentlemen -- Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 was -- came out in debate in the committee. The Illinois Municipal League requested this. It creates an option for municipalities regarding a fee increase to operating a vending machine. It -- as introduced, this bill states the amount of increase shall not exceed the greater amount of the fee of the multiplier of five percent. Floor Amendment No. 1 states the fee increase shall not

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exceed the greater amount of twenty-five dollars or any of the options previously listed on the fee agreement. I ask for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator DeLeo seeks adoption of Amendment No. 1 to House Bill 874. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 874. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 874.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank -- thank you, once again, Mr. President. House Bill 874 limits the amount a license fee can be increased for the ownership or operation of vending machines, municipalities with population under one million. As I said, I agreed to hold this on 2nd Reading till IML worked out the language. This amendment correct the oversight, enables municipalities with no current fee to establish a fee for owning or operating a vending machine. I ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator, does House Bill 874 put a limitation on fees and you held the bill on 2nd Reading to accommodate the Municipal League and now there's no -- opposition. Is that right?

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PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Partial right. I held it on 2nd Reading for the IML to work out that amendment, but it does -- it does -- it does put a cap on -- on the fees.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Is it one of those bills, Senator, that puts a cap on the fees that's a real cap? Like is it to cap a restraining influence on what currently could be in place? Or is there some other definition of a cap?

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

There is a definition. There's a multiplier index in there, too, by five percent.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

So under current law, there is no cap whatsoever and this bill puts a cap in that's a multiplier. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Yes, sir. That's correct.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 874 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, 2 voting Nay, none voting Present. House Bill 874, having received the required constitutional majority, is declared passed. House Bill 1261. President Jones. House Bill 1299. Senator Martinez. Mr. Secretary, Senator Martinez seeks leave of the Body to return House Bill 1299 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the

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Order of 2nd Reading is House Bill 1299. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 5, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. I'll be happy to discuss the amendment on -- on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Martinez moves the adoption of Amendment No. 5 to House Bill 1299. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and amendment is adopted. Are there any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1299. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. We have been working on this bill. The amendment clarifies that civil liability for harming the victim of a sex trade act -- applies to intentional abusing as defined in Domestic Violence Act or intentionally causing bodily harm as identified in the Criminal Code. Amendment No. 5 also provides that a person or entity that provides goods or services to general public is not liable under the Act unless they market or provide their services primarily to receive extra compensation from or exercise control over a person or entity that is liable under the Act to a victim of the sex trade. We have been working on this bill. I brought this to you last year. We have been working with everyone concerned over the

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last year. This Session I have not moved the bill forward, trying to answer all the questions and actually address the concerns with some of these amendments. Like you see, we're on Amendment No. 5. This is a bill that will help victims of the sex trade be able to receive some kind of compensation, but it is pretty much tied into a lot of the current laws that now exist and I'd be happy to answer any questions. Again -- go ahead.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: I rise in strong support of this legislation. I'd like to commend the sponsor for all of her hard work and all of the time that she's put into this legislation. No living creature should be -- or, should be subject to abuse and no one should be denied access to civil justice. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. To the bill: I sat on the Judiciary Committee over the time that this bill has been considered and I spent a lot of time with the advocates on this bill. I voted No in committee and -- and I'm going to vote No on -- here on the Floor, not because I'm opposed to the intent of this bill and who it is intended to protect, but because I'm afraid that this bill, one, can create an opportunity for - as Senator Roskam mentioned in committee - for pimps to actually take advantage of this and make more money, as well as philosophically. I -- I'm opposed to creating a special cause of action for people engaged in crime when most of the -- most, if not all of the situations that would be covered by this Act, recovery -- civil recovery can already be accessed under existing common and statutory law. So, for those reasons, I -- I'm opposed to this bill. However, I am supportive of the intent of the sponsor and intent of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate.

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I rise in opposition to this piece of legislation. I believe that the intent of the legislation, which is -- which initially was to ensure that individuals who were forced into prostitution might recover, is an idea that may have some merit. However, the bill as drafted, in my opinion, does something that in -- really is not -- it's a major overhaul in -- in the sense of the way that we view victimization. In essence, what this legislation does is make prostitution under all circumstances and prostitutes victims. The fact of the matter is that the real victim in -- in this type of a situation is neither the pimp, the john, nor the prostitute, but the real victim is the wronged spouse. If you are to make legislation that truly will be equitable to all parties concerned, you would -- you would place in a cause of action that permits spouses -- wronged spouses to maintain a cause of action against the prostitute and -- and against the -- the pimps. So, for -- and for reasons that were outlined by Senator Raoul, I -- I oppose the legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Righter.

SENATOR RIGHTER:

Senator Martinez, I've got some questions here. I think there were some questions raised in committee about what you hope or what you intend some of the terms to mean in this legislation and I want to walk through those if we could very carefully, and make sure that everyone's clear on what you're going at. The first -- the word "intentionally" as it appears in the legislation, does that apply to both the word "abuses" and "causes bodily harm", in subsection (b)(2) of subsection {sic} 15?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Senator Righter. The -- yes, the bodily harm must be intentional. Abuse must be intentional.

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Righter.

SENATOR RIGHTER:

Thank you. The second question I have, Senator, is if a person or entity can be liable for what you -- what is quotes in the bill, maintaining the victim in any sex trade act, close quote, would that apply to somebody who is the caretaker for a child who is the victim of child pornography or child prostitution even if they had no knowledge of the abuse.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

The intent of the phrase "recruits, profits from, or maintains" is to focus on the people or businesses that are involved in profiting from the victim's sex trade activities. In no part of the bill of House Bill 2099 {sic} is intended to impose liability on someone who generally has no knowledge of -- about sex trade activities that may be happening.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you -- thank you, Mr. President. Third question, Senator, is if a person can be liable for knowingly marketing or providing its goods or services primarily to persons or entities liable under this Act, can this apply to a restaurant, tavern, hotel -- or hotel owner, whose clientele is overwhelmingly known to be pimps or prostitutes, but is not otherwise supporting any illegal activities?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

That -- thank you, Senator. That has never been the intent of this bill. The focus of that part of House Bill 2299 {sic} is not that the businesses that for no particular reason happen to have pimps as customers. This amendment was added to make it clear that the focus is on the businesses that goes out of its way to market itself specifically to pimps or that -- or that changes what is done specifically to help pimps.

PRESIDING OFFICER: (SENATOR HENDON)

House Bill 1299. 1299. Senator Righter.

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SENATOR RIGHTER:

Thank you, Mr. President. I appreciate your indulgence. Fourth question I have for you, Senator, is if a person can be liable -- I'm sorry. If a person can be liable who supervises or exercises control over persons or entities, who are liable under this Act? I mean, can this apply to somebody outside of a business or employment context?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

No, Senator. The phrase "supervise or exercise control" appears in the context of subsection (c). That subsection focuses only on businesses and is not meant to apply in any other way.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, to wrap it up. One final -- thank you.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, if a person can be liable for, quote, knowingly receiving a higher level of compensation from persons or entities liable under this Act, would this apply to, for example, the DJ or the bartender of a strip club who has strong reason to suspect that prostitution activities are occurring somewhere in the facility?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

No, the focus, again, on House Bill 1299 is the people or businesses that are actively involved in keeping the victims in the sex trade.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Well, it's family day here at the Illinois Senate apparently. Let me just speak briefly to the bill. You know, we all sort of have categories. Senator Petka and I will -- will -- will categorize bills and actually I've learned this from Senator Petka. His first category he will say is a category one bill: Good sponsor, good bill. That's category one. Category two is good sponsor, bad bill. Category three is bad sponsor, good

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bill. And category four is bad sponsor, bad bill. And we all filter down in our various incarnations and this is a category two bill: Good sponsor, bad bill. Senator, is there a reason that there is five different amendments that have come before the Senate on this? Because every time the advocates - and God bless 'em, Senator Martinez gives 'em eye contact in a moment of weakness and there's nobody more charming in the Senate than her - but every time they come to the Senate and they come to the Senate Judiciary Committee, and we consider this and we ask these questions. The best questions in the -- Senate Judiciary Committee this past week came from two Senators, Senator Raoul and Senator Clayborne. Senator Raoul spoke for himself a couple minutes ago. Senator Clayborne really asked a very simple question, because if you think about all the people that are being harmed, there is a group that -- that's -- that is conspicuously absent from this. And the -- and the advocates have heard of this particular group from the day that this bill was introduced and they first came to the Senate Judiciary Committee. And you know who Senator Clayborne stood up for? He said, "How about the neighbors? Where's the neighbor's cause of action?" When the pimps and the prostitutes -- despoil a neighborhood, where is their cause of action in Senate -- or, in House Bill 1299? Where is the ability of some little old lady in a rough neighborhood whose property value has gone down, where is her ability to go before these -- these folks and say, you've spoiled my neighborhood, we've asked you to leave and instead of leaving all you've done is cursed us? That's who Senator Clayborne stood up for. Senator Petka stood up a couple of minutes ago and said you can't do this within the context of recognizing harm on this issue without recognizing an aggrieved spouse. That's really who's injured. You know, with all due respect to the Senators that have spoken, I think that this is -- this is a bad bill, and here's why: There is nothing in this bill -- during the -- the question and answer period a couple of minutes ago that -- that was kind of designed and written by advocates to -- to make us feel as if this was all about protecting children, that was really not quite the whole picture. This is not limited. This is not about children who are manipulated into -- into the sex trade. This allows people who

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are complicit in the sex trade from going after one another. The question that I raised on the -- in the Senate Judiciary Committee, which was never answered by the advocates, was this, if someone is in place and let's say they're the number one person in this -- in this -- in this pyramid, they recruit number two. Number two, who is a bad actor, decides to sue number one and number two is now free to compete aggressively in this business. Doesn't this, as you think about this, and hear about this, and you're actually discussing this, doesn't this seem odd and peculiar? Doesn't this feel like the weird suit that you put on and it doesn't feel right under the arms and it's a little bit too short and everybody's walking around saying, "Oh. You look fabulous." It's the loser suit, Senators, at the end of the season that they're trying to push on you. This is not a good idea. This needs Amendments 5, 6, 7, 8, 9, and maybe at Amendment 10...

PRESIDING OFFICER: (SENATOR HENDON)

Senator, I know you're kind of wound up.

SENATOR ROSKAM:

...this is going to be ready. So, Senator Hendon, I know that you wear good suits, Mr. President. And the blue ones, the red ones, the green ones and the yellow ones, we love 'em all. And I sit with you in the Rules Committee and I know they fit well, but this is not a suit that's ready to walk the streets on. So, join with Senator Hendon, join with me and vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Where is the Associated Press when we need 'em? Senator Garrett.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. To the bill: I'm not an attorney and I've heard a lot from the attorneys today about this particular bill. But I think we have to go to the heart of the matter and the heart of the matter is that there are women who are being used in what we've heard, not just in Illinois, but at the national level for slave trade, for prostitution and they are being abused. Their lives are being ruined. This bill, House Bill 1299, gives them the right to go after their abusers and that is fundamentally what they should be doing. It is the only hope we have of eliminating this inexcusable violation from

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continuing to occur. I applaud the bill's sponsor. It's a tough bill. There's no question. It is a good bill and we must move forward to make sure that this bill gets passed. We can, as lawyers, disagree on all of the amendments, but the fundamental basis for this is correct. We have to stop it. We have to give these people their rights and we have to make sure that we do everything we can in the State of Illinois to stop this slave trade and these unbelievably awful occurrences that are happening primarily to women.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I rise in support of the bill, but have one question for the purpose of legislative intent. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Martinez, in Amendment No. 5, you have very nicely defined those persons against whom a cause of action can be brought. There are three categories: number one, one who recruits, profits from, or maintains the victim in any sex trade act; number two, one who intentionally abuses or causes bodily harm to the victim in any sex trade act; and number three, one who knowingly advertises or publishes advertisements for the purposes of recruitment into the sex trade activity. It is implied, but not explicit, that number three would be directly limited to one who published an advertisement that recruited the victim into the sex trade, but someone could also argue that it creates a blanket cause of action for any victim of the sex trade to go after anyone who has published an advertisement. I just wanted to make sure for the purpose of legislative intent that it is your intent that number three be limited to anyone who has advertised or published advertisements that resulted in the recruitment of the victim into the sex trade.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

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That is correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you -- thank you, Members. And I know this is a tough bill. When we talk about sixty-two percent of young women under the age of eighteen have been brought into the sex trade and sometimes, you know, survival is -- is hard. We have a lot of the survivors that came in and we sat down and we talked, and I know they've talked to some of you here, and some of them are living good productive lives now. But the most important, there's a lot of young, young girls out there right now that see an ad advertising for dancing or whatever the case may be, and they're homeless. And I think we have to look at what's really going on in the surface of what this bill really is about. This bill is about making sure that we can help those women or even young men, too, that are the most vulnerable. It's a bill that will help ensure that something -- that they can come back and get compensated for all the damage that has been done in their lives. There's a lot of psychological things that are going on now in some of their lives. And I think that compensation is a way. It's not the perfect bill, but I think that the intent -- my intent has always been to look at this as who we are trying to help here and that is the victim. When I -- when Senator Clayborne had brought up in committee some of the issues about the prostitutes that -- that hang out in front of people's homes and I told the Senator that I will be happy to work on legislation with him in the future regarding making sure the homeowners are protected as far as illegal prostitution or any kind of illegal activities in front of their homes. We have the law enforcement there to help that case. But if we need to continue to pursue this, I am more than willing to help legislate things in the future that will also help the homeowners. This bill is about helping the victims, the young victims that really need our help here in the Senate, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 1299 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Take the record. On that question, there are 45 voting Aye, 9 voting Nay, 1 voting Present. House Bill 1299, having received the required constitutional majority, is declared passed. Senator Martinez.

SENATOR MARTINEZ:

I was so busy looking at the board and I forgot to vote on my own bill, so I want to be recorded Yes. That was the excitement of all. Thank you, everyone.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Senator Wilhelmi, for what purpose do you seek recognition, sir?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR WILHELMI:

Thank you, sir. Today in the gallery, in the President's Gallery behind you, Mr. President, we have Professor Ron Dodd from the University of St. Francis in Joliet, which is actually a neighbor of mine, and my wife, Michelle, along with about fifteen seniors who are in the recreation management program at the University. I'd like to -- welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise and be welcomed to the Illinois Senate? House Bill 1463. Leader Watson. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1463.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This legislation comes to us from the Decatur -- Decatur public schools. An alarming trend is taking place in Decatur and actually throughout this State, is the number of students who are dropping out of school or who -- who are chronically truant. In Decatur alone in the year 2002, the percentage was 1.6. In 2005, it went to 4.3.

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Well, the Decatur public schools put together a task force to talk about means by which they can keep kids in school. And obviously that's the goal of -- was the goal of the task force and I think that's something that we'd all like to see too, is kids stay in school. And this is a recommendation that came from them. It did pass the House. It came out of the Transportation Committee unanimously. It passed in the House with a hundred and fifteen to one. This would amend the -- the -- the School Code and the Vehicle Code and authorize the Secretary of State to refuse to issue or renew a driver's license or a learner's permit of a person under the age of eighteen who does not maintain school attendance or who has been certified as a chronic or habitual truant.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 1463 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 1463, having received the required constitutional majority, is declared passed. House Bill 1604. President Jones. Out of the record. House Bill 2012. Senator del Valle. Out of the record. House Bill 2067. Senator Raoul. Senator Raoul seeks leave of the Body to return House Bill 2067 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 2067. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Floor Amendment No. 2, offered by the State's Attorneys, lowers the threshold of proof from clear and convincing to a preponderance of the evidence for proving that a juvenile should be held -- should be required to register as a sex offender.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Raoul moves

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the adoption of -- of Amendment No. 2 to House Bill 2067. All those in favor will say Aye. Opposed, say Nay. The Ayes have it. The amendment is adopted. Now, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Now on the Order of 3rd Reading is House -- 3rd Reading. Now on the Order of 3rd Reading is House Bill 2067. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2067.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2067, as amended, answers the invitation of the Illinois Supreme Court in the case of In re J.W., where in dicta, Justice McMorro, while upholding that juvenile sex offenders -- juveniles classified as sex offenders should -- can be required to register as adults, indicated that the Legislature should address the situation of different types of offenses. And this is really targeted towards the type of kind of Romeo and Juliet cases where -- and -- and there's no such thing as consensual sex for teenagers. And so in -- in cases where a sixteen-year-old and a fifteen-year-old engage in consensual sex, one of those two, or perhaps both of them, could be required to register as a sex offender once they reach the age of majority. What House Bill 2067 proposes to do is to remove the current state of a law of one case fits all and -- and require -- and require that the court address cases on a case-by-case basis, so we don't have the situation where teenagers engaged in consensual sex are thereafter required to register as sex offenders. I urge your support.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would appreciate succinct answers, questions and explanations. Senator Righter.

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SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter. I mean, he indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you very much. Senator Raoul, you referred to Romeo and Juliet crimes, does that language appear anywhere in the bill or anything like it?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

There's no reference to Shakespeare in the bill at all.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

In fact, isn't it true, Senator Raoul, that there's no limitation on the type of juvenile offense, sex offense that this applies to? In other words, it can be something that and I think what you meant to do is characterize it as something that might be relatively minor relative to other issues, or the most egregious. As long as it was adjudicated in juvenile court, the terms of this bill will apply to it. Is that -- is that a fair statement?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Yes. That's a fair statement. In fact, in recognizing that, it -- the same judge that would render a conviction in any egregious situation would be the same judge making a judgment as to whether that minor responded, and I emphasize minor responded, shall be registered as a sex offender as an adult.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, to the bill, sir.

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen, the General Assembly up to this point has taken the stance that if we are going to err on one side of the line or the other in having someone who's been convicted of a sex offense, whether it's in a

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felony court or juvenile court, we've decided to err on the side of having them register. You know, there's already, early in this day, been a lot of rhetoric about protecting the public and doing things to protect the public. This is a step backwards from that. And I understand the rationale that's being put forward to you is that this only applies to cases that are -- adjudicated in juvenile court. But remember, the discretion here already lies with the State's Attorney. If the State's Attorney doesn't believe it's that -- heinous of offense, then they don't have to charge it as a sex offense. They could charge it as a battery or some other crime that wouldn't require them to register. The policy in this State right now is to draw that bright line and this obscures that line and is a step backward from that protection and I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill: I know Senator Raoul is trying to do a good thing here, because the law, as presently crafted in some kinds -- in -- in some cases is pretty unartful and -- and has the potential to come up with some bad results and we've all heard anecdotally about that. My preference would be this, that -- that the bill itself, instead of having wide open a category of criminal activity that a judge could -- could -- could make a decision on, to somehow limit that category of -- of criminal activity, first and foremost. But secondly, and it's a little bit more of a subtle point, and that is right now if a juvenile offender offends, they naturally have to be registered. Under this bill, as drafted, the burden shifts to the State to come in and prove by a preponderance of the evidence as to why the State says this person should be registered. This -- this -- while it seems like a subtle procedural shift, it's a lot more than that I would submit, and it puts a bigger burden on the State. I think that this is an issue that -- that would be wise for the Senate to attend to. And I know that Senator Raoul has -- has spent a lot of time, but I think that there's a better way to do this. So, I would urge a No or Present vote today in the hope that we could come back and -- and winnow out those sorts of fine points and that we don't

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throw a -- a system topsy-turvy and -- and give discretion to someone who would -- would be much better to -- to be left on the registry. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul, to close.

SENATOR RAOUL:

Thank you, Mr. President. I'd like to mention that, again, the -- the -- the State's attorneys came forth with a suggested amendment, and this has been encompassed in the bill, which creates the -- the -- the -- the most minimal burden of proof, a preponderance of the evidence. There -- there -- there is no known opposition. There's no organizations who have filed opposition to this bill. If the State were -- State's attorneys were opposed to this, they routinely would file slips in the opposition to this bill. You know, we can't have amnesia. We must remember that we were once teenagers. We've got kids who -- and grandkids who are teenagers and they're kids and they exercise bad judgment sometimes and sometimes they engage in sexual activity as teenagers. This -- this could be your kid or any of our kids in here. This -- this could be us when we were children, unless we were all totally innocent when we were children. We could be required to have registered as sex offenders. And I -- I don't think that that is what this General Assembly wants the status of the law to be in the State of Illinois. I know that we have the benefit as public officials to know State's attorneys and -- and to be able to impact prosecutorial discretion, but not everybody has those types of connections and their children will -- will be the victims of unintended consequences of the current status of the law. I urge a Aye vote on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 2067 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 27 voting Nay, 1 voting Present. House Bill 2067, having received the required constitutional majority, is declared passed. I want to remind the Body, we are still -- we're still on page 11. House Bill 2469. Oh! Senator Clayborne, for what

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purpose do you seek recognition, sir?

SENATOR CLAYBORNE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR CLAYBORNE:

In the Senate gallery behind me, we have students from the East St. Louis Senior High School that I graduated, and I'd like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR HENDON)

Would our guests please rise and be welcomed to the Senate? House Bill 2469. Senator Martinez. Out of the record. Top of page 12. We're going awful slow today, Ladies and Gentlemen. Let's speed up the pace. House Bill 2708. President Jones. House Bill 3126. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 3126 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill -- I mean, 3126. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. This amendment corrects a misspelled word and adds an immediate effective date.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Bomke. Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to House Bill 3126. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3126. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

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House Bill 3126.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This bill deals with the speeding violations that occur in construction or maintenance zones. This clarifies something which arguably is already clear in the law, that the State must prove that one or more workers were present in the zone when the violation occurred. It also increases the period of time that a citation must be mailed or delivered to the registered owner of the vehicle within fourteen business days, rather than the six that's in the current law. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. To the bill: I voted against the original bill. I -- I think it's a mistake, these cops in the box. But I think this does make it a little more palatable. The State will have to prove that there actually were people on the construction site at the time the -- the alleged speeding occurred. So, I'm going to reluctantly vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 3126 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 3126, having received the required constitutional majority, is declared passed. House Bill 4173. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President. Are there amendments that need to be adopted?

PRESIDING OFFICER: (SENATOR HENDON)

No, sir.

SENATOR HARMON:

I apologize, Mr. President. We must have done that on 2nd Reading. House Bill 4173 relates to situations in which folks have changed their legal name in order to improve their -- their prospects at the ballot. This would require the disclosure of the original name for three years after the -- the date of the name change. It makes appropriate exemptions for adoption, marriage or divorce. With the amendments, the -- it is the...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, just one -- one second, sir. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon. Senator Harmon, you can resume. Sorry.

SENATOR HARMON:

Thank you, Mr. President. We make appropriate exemptions for adoption, marriage and divorce. There are -- there was an amendment adopted by Senator Althoff, which relates to the disclosure of the names of folks who voted during a grace period. I'm aware of no opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4173 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4173, having received the required constitutional majority, is declared passed. House Bill 4186. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 4186 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted.

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Now on the Order of 2nd Reading is House Bill 4186. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This further amends House Bill 4186 by clarifying that the Department of Children and Family Services must furnish to all wards of the Department, within thirty days following their eighteenth birthday, the notice pertaining to post-adoption reunion services and other -- minor technical changes. Move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 2 to House Bill 4186. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4186. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4186.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a initiative that has been amended to make technical corrections and do -- does the following: The Children and Family Services Act would require DCFS and licensed child welfare agencies to provide, to prospective adoptive foster parents and group homes, any known social or behavioral information about the child being placed in substitute care. It also makes changes in the Adoption Act to address the Putative Father Registry and a confidential

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intermediary to facilitate the exchange of information between adoptees and biological relatives and arranging contact when there is mutual consent by the parties. It establishes penalties for adoption agencies that do not cooperate in the provision of information -- in providing information requested by the confidential intermediary pursuant to a court order, and it allows the court to order the adoption agency to reimburse the petitioner for payment made to a confidential intermediary and assess the monetary penalty of a thousand dollars a day to be paid to DCFS. I don't know of any opposition, and...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill. Both the original bill and the amendment passed out of the committee unanimously. As usual, the Senator has done a very good job of taking into account everyone's opinions and making the bill as palatable as possible, and I -- I appreciate him doing that. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4186 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4186, having received the required constitutional majority, is declared passed. House Bill 4193. Senator del Valle. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill creates the Child Murderer and Violent Offender Against Youth Registry as a statewide database of all persons convicted of nonsexual violent crimes against victims who are under the age of seventeen. The

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registry is modeled on the sex offender registry and would be subject to the same requirements and restrictions, and would be available to the public through the State Police Internet homepage. I'll be glad to answer any questions. The bill was amended to allow for a twelve-month implementation period. That was at the request of the State Police. It also was amended to add an immediate effective date.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4193 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4193, having received the required constitutional majority, is declared passed. House Bill 4195. Senator del Valle. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. There was a -- a Floor amendment. Was the amendment adopted?

PRESIDING OFFICER: (SENATOR HENDON)

Mr. Secretary.

SENATOR DEL VALLE:

The -- the amendment was adopted yesterday on 2nd Reading, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator del Valle. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

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Thank you, Mr. President. The bill, as amended, establishes the Children's Health Insurance Program Advisory Committee within the Department of Healthcare and Family Services. The Director shall make appointments to this advisory committee. The bill spells out several functions, which include the functions that were in the original bill. The purpose here is to have an entity within the Department that will look at the implementation of the ALL KIDS Health Insurance Program. The original bill established a -- an -- was an amendment under the KidCare Program. So the intent of the sponsor, I'm sure, was to amend the ALL KIDS Insurance Program and that's what we do with this amendment, and we establish that advisory committee. It will have legislators on the committee and I know there will be questions about how those legislators will be picked, but it is my assumption that the -- each caucus will have a representative on the advisory committee and that the Department will consult with each caucus leader in selecting a legislator to represent each caucus on that advisory committee. So, I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator, as always you've anticipated my actions. I'm going to ask you a question about the appointment authority of the four members of the General Assembly, one from each caucus, that will be coming. The bill explicitly states that the director of the agency will pick the legislators that come from the four caucuses, as opposed to the caucus leaders making the appointments. I'm not familiar with another area in law where we do that. Now, it's been suggested to us there are those other areas, but I'm not familiar with what those are. Can you give me some examples and tell me how that's worked?

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Well, I've been giving -- given some examples here. We have

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several task forces within departments: The Cervical Cancer Elimination Task Force within the Department of Public Health. We have the Stroke Task Force, also within the Department of Public Health. There's a -- policy advisory council within the Department of Commerce and Community Affairs that was created to deal with the low-income energy assistance program. And so these are task forces within departments and I understand that some of these do have legislative members. And I -- the practice is when a legislative member is -- is appointed or asked to serve on a committee by a department, the Leaders are consulted and usually that recommendation is the one that's gone with -- by the department head.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I'm -- I'm not clear on those, because I am a member of the Stroke Task Force and the notification that I received that I was a member of the task force came from Senator Watson. It didn't come from the director of some agency. Having said that, let me ask you, Senator, your -- your -- I mean, your credibility around here is very, very good. Can you tell me and everyone else here on the Floor that the director will go to the four caucus leaders, ask them who should be on it, and will appoint whoever the caucus leader designates?

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

I -- I will, for the record here, state clearly that I expect the director to consult with each caucus leader in determining who will serve on the advisory committee.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Seeing none, the question is, shall House Bill 4195 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4195, having received the required constitutional majority, is declared passed. We are going at a

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snail's pace. Middle of page 12. Keep that in mind. 4202.
President Jones. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

President Jones.

SENATOR E. JONES:

Thank you, Mr. President. House Bill 4202 deals with the treatment of persons who have mental illness, and according to the Mental Health Association, if mental -- a person could be treated in the community if care is available. Unfortunately, many of our health insurance policies limit the number of outpatient visits that -- for -- for mental illness. They don't limit it for cancer, don't limit it for diabetes. So mental health is a very serious illness, and like all other serious illness, if they are denied treatment and they -- they may end up in the hospitals, costing more and more dollars which the taxpayer have to absorb. So, House Bill 4202 would require group health insurance to cover at least sixty visits for outpatient's treatment for -- including group and individual outpatient treatment for mental illness. Current law only provide twenty-five {sic} such visits. That's what the bill basically does and it -- it -- it will save the lives and save the taxpayer money if these services were available to people who suffer from -- mental illness. That's what the bill does and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Radogno.

SENATOR RADOGNO:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Radogno.

SENATOR RADOGNO:

President Jones, is this sixty visits total or sixty visits per year?

PRESIDING OFFICER: (SENATOR HENDON)

President Jones.

SENATOR E. JONES:

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It is total, but only when the physicians say it's medically necessary. It's total.

PRESIDING OFFICER: (SENATOR HENDON)

Further question? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

President Jones, do you have a -- a sense of the cost that would be affiliated with this for small employers and insurance companies and so forth?

PRESIDING OFFICER: (SENATOR HENDON)

President Jones.

SENATOR E. JONES:

According to the Mental Health Association, there is no reliable data available that could actually give you an approximate figure as to what the costs shall be. But it -- as I indicated in the -- from -- to the previous questioner, if it is medically necessary for a person to have the visits. So, therefore, just 'cause a person is suffering from mental illness, it does not mean they automatically going -- would go off and have sixty visits right away, only if medically necessary. That's why it's very difficult to determine what the cost shall be.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

According to our analysis, there are several opponents. Are there still several opponents, or have any of the amendments taken the opposition away?

PRESIDING OFFICER: (SENATOR HENDON)

President Jones.

SENATOR E. JONES:

As always expected, the insurance industry -- I know our own State group policy is opposed to it, and that sometime I -- I have the occasion to use it. And when they negotiate these contracts -- I know many Members here have had the occasion to have to use that group policy and they complain about it, but I

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feel that they are opposed to it. They are opposed to anything that's mandated that's going to give health care coverage to people. That's always, nothing new.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, if you could, sir.

SENATOR ROSKAM:

Sure. So, just so we're clear, it looks like it's opposed by the Illinois Chamber, the Municipal League, the Federation of Independent Business, IRMA and the Life Insurance Council. And it's the -- it's basically the same -- same argument that says what we're doing is we're -- we're creating a higher cost. This doesn't affect the larger corporations that are exempt under federal law, under the ERISA statute. Is there -- is there a -- a limitation, Mr. President, about the -- the number of employers? And that's my last question. Or would this affect every -- every employer group that's not somehow exempt under federal law?

PRESIDING OFFICER: (SENATOR HENDON)

President Jones.

SENATOR E. JONES:

There is no limitation. It would impact every particular group. But as you indicated, it is expected from them. They always oppose people having access to health care. But as I indicated in my earlier remarks, if you have cancer, you have diabetes, there is no limit placed on your number of visits. So, those persons who are afflicted with mental illness, there should be no limit placed on their -- their number of visits. That's all -- that's all it does is give equal treatment, equal care to those persons who have a particular illness.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Senator Radogno, for a second time.

SENATOR RADOGNO:

I -- I apologize. But, Senator, when I asked the question previously, you indicated that this was lifetime visits and the bill says annual visits. So, what we're doing is going from thirty-five visits a year to sixty a year. That's more than one a week. And my concern is, if you authorize that many, we're going to see providers overutilize this provision.

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PRESIDING OFFICER: (SENATOR HENDON)

President Jones.

SENATOR E. JONES:

Pardon me, Senator. You probably misunderstood what I said. I said -- you asked me what was the total, I said -- it -- it's the total number of visits. Secondly, it does not mean that that person will get sixty visits. Only if the physicians determine it's medically necessary for them to have such. But it should be no limit placed on it. If you're suffering from diabetes, you have cancer, some -- some patients go more than others. So why are you going to restrict one particular group?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Radogno.

SENATOR RADOGNO:

Well, thank you. I think you misunderstood my question, because my question was, does the increase in visits refer to the calendar year or over the lifetime of the individual? The bill says that this will allow folks to have sixty outpatient visits per year. That's more than one a week consistently for a full year. And as you know, I was a sponsor of the parity bill to begin with. This was an issue that was raised. And I also have a background in mental health, and I will tell you, that is an excessive amount of visits. And my concern is that we will set up providers to overutilize this and therefore increase the cost of health care. I think that thirty-five outpatient visits per calendar year makes a lot of sense. So, I would urge folks to vote No.

PRESIDING OFFICER: (SENATOR HENDON)

President Jones, to close.

SENATOR E. JONES:

Thank you -- thank you, Mr. President. And it's very regrettable, the person who just previously spoke, talk about they -- they support the concept, but she worry about the cost. And as I answered her question, it will give up to sixty visits per year. It does not mean that the person will utilize those sixty visits within one year. So, therefore, if you were really concerned about mental health, then you will vote Yes on this bill. Give the persons who are afflicted with mental health the same treatment that you're going to give a person who has

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diabetes and cancer and other major illnesses. And it does not mean that the cost is going to be driven up. But it -- they should not be denied the service if they medically need that particular service. I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4202 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 voting Aye, none {sic} (13) voting Nay, none voting Present. House Bill 4202, having received the required constitutional majority, is declared passed. House Bill 4222. Senator Haine. Mr. Secretary, read the bill. Senator Haine seeks leave of the Body to return House Bill 4222 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4222. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, to explain your amendment, sir.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Floor Amendment No. 2 takes the bill, as amended by Committee Amendment No. 1, but it -- it -- it -- it extends the exemptions to -- to -- expands the exemption from electronic monitoring to those who are committed to the State mental health facilities. DHS called, they were not included in the exemptions. They have forensic units throughout the State.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Haine moves the adoption of Amendment No. 2 to House Bill 4222. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, on Amendment No. 3.

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SENATOR HAINE:

Yes, Mr. President. In -- in sum, this amendment restores the current one-year default registration period. DOC asked for this. They had forgotten about it earlier because of their extremely tight budget problem.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Haine moves the adoption of Amendment No. 3 to House Bill 4222. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4222. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4222.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this House bill provides that the Department of State Police does a number of things. It shall develop official information relating to the number of sexual offenders and predators who are placed on supervision, probation, parole, mandatory supervised release and therefore who might be subject to electronic monitoring. Provides that the Criminal Justice Information Authority -- Authority shall study the factors relating to the sentencing of these -- of these individuals. It amends the Unified Code of Corrections mandating that there'll be electronic monitoring for the duration of a person's patrol {sic}, mandatory supervised release, subject to appropriations. That was the second committee amendment and that was done - and I talked to the House sponsor; he was okay with it - because we're in the middle of a budget cycle. DOC is doing this now for two hundred on a pilot program. This puts them on notice that next year we'll be back

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to expand it to the entire fourteen hundred possible individuals who are subject to -- to this. It also provides it is a Class 4 felony for a person who has reason to believe that a sexual predator is not complying with or has not complied with the Act or intends to assist the sexual predator in -- in eluding a law enforcement agency and to assist in his or her noncompliance with the Act by withholding information.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4222 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none -- 58 voting Aye, none voting Nay, none voting Present. House Bill 4222, having received the required constitutional majority, is declared passed. House Bill 4238. Senator Harmon. Senator Harmon seeks leave of the Body to return House Bill 4238 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4238. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 becomes the bill. I look forward to debating it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon seeks the adoption of Amendment No. 2 to House Bill 4238. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

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

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4238. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4238.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4238 is a continuing refinement of our efforts to upgrade the Animal Control Act and related provisions. It does three things: It increases the penalties for the owners of dangerous and vicious dogs who let them run wild knowingly; it makes it an aggravating factor to use a dog to assault a police officer; and third, it attempts, in a compromise fashion, to clarify civil liability for animal attacks. This was initially raised by Senator Cronin. I believe we've reached a compromise acceptable to all sides. I'm aware of no opposition and I ask for your Aye...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. I rise in support of this bill. Senator Harmon's done a good job bringing everybody together on this and we have a meaningful piece of legislation that seeks to address the issue of vicious dogs among some other related issues. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4238 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4238, having received the required constitutional majority, is declared passed. House Bill 4298. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 4298 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4298. Mr. Secretary, are there any amendments approved for

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consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Floor Amendment No. 2 simply restores the House sponsor's intended focus for the study, and everything -- the bill becomes -- or the, everything's deleted and it becomes the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Jacobs seeks -- moves the adoption of Amendment No. 2 to House Bill 4298. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4298. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. The Interstate Sex Offender Task Force, it'll study the impact of residency restrictions on -- sex offenders in communities. Iowa has established a new law that says that a sex offender can't live within two thousand feet of anything. Illinois' is five hundred. I live on a border community. We want to hold some task force and report back to the Legislature if we can come up with some kind of bill that will work for everybody so we're not just doing one up on each other every weekend.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4298 pass. Those in favor will vote Aye.

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Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4298, having received the required constitutional majority, is declared passed. House Bill 4300. Senator Risinger. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RISINGER:

Was the amendment adopted? Okay. Senate {sic} Bill 4300 provides that a drug product named dextromethorphan, better know as dex, not be sold, delivered, distributed or possessed except in accordance with the prescription requirements of the Act. And it provides that the possession of a drug product containing the -- dex without a prescription is a Class 4 felony. Provides that the sale, delivery and distribution or possession of -- with the intent to sell, deliver or distribute a drug product containing dex without a prescription is a Class 2 felony. This -- this bill comes before us because of a young man from Peoria that was attending Illinois State University bought the drug in pure form and overdosed on the drug.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4300 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4300, having received the required constitutional majority, is declared passed. House Bill 4339. Senator Lightford. Out of the record. Top of page 13. House Bill 4342. Senator Martinez. Out of the record. House Bill 4357. Senator Cullerton. Out of the record. House Bill 4398. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 4398 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection,

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leave is granted. Now on the Order of 2nd Reading is House Bill 4398. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This amendment enables -- it's enabling legislation for the Interstate Compact for Juveniles, which is an interstate intergovernmental agreement creating the Interstate Commission for Juveniles.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to House Bill 4398. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4398. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is an initiative actually of the Council on State Governments. It was created by them in conjunction with the U.S. Department of Justice and the National Association of District Attorneys. It - - twenty-eight states have passed similar legislation which would replace our fifty-year-old Interstate Compact on Juveniles. The purpose, of course, is to help facilitate the mechanism for tracking and supervising juveniles that move across State borders, providing enhanced accountability and enforcement and

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visibility and communication, and it seeks to update a crucial and outdated tool for ensuring public safety. There's no opposition.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4398 pass. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4398, having received the required constitutional majority, is declared passed. House Bill 4406. I mean, Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, my friend.

SENATOR CLAYBORNE:

I -- I can't help it if people come see me, Senator. Behind me is more students from East St. Louis Senior High School. I'd like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise and be welcomed to the Senate? Welcome to the Illinois Senate. That is your last one, Senator Clayborne. House Bill 4406. Senator Collins. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4406.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. House Bill 4406, it creates a high-achieving students -- I'm sorry, the bill makes certain high-achieving students eligible for one thousand dollars in tuition and fee assistance for each year they are enrolled full-time at an -- undergraduate institution of higher learning if they are in the custody of grandparents and receive public aid. This bill is a compilation

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of a House and Senate version why -- where I incorporated certain provisions that would set forth the criteria for the -- the eligibility. One, the applicant must retain a -- GPA of at least 2.7. The grant -- I'm sorry, to renew the grant the student would have to keep at least a 2.7 grade point average while in college, in addition to having the recommendation of counselor, professor or advisor. The grant would be paid directly to the institution for tuition and fees. The grant would apply to students at colleges within Illinois and the grant program is explicitly subject to appropriation. I'm open for any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Burzynski. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To -- to the bill: I just want to rise in support of the bill. The Senator had the bill in committee. We had several questions, several concerns. She was able to address those. I would point out, she said "high achieving". That's in the eye of the beholder. Sometimes I've told my kids, if it wasn't a 3.5, it wasn't high achieving. But it's a great bill and we appreciate her work and cooperation. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4406 pass. Those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4406, having received the required constitutional majority, is declared passed. House Bill 4438. Senator Harmon. Senator Harmon seeks leave of the Body to return House Bill 4438 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4438. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

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Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill creates the offense of facilitating identity theft. The amendment expands the scope to include not only State employees, but also State contractors. I look forward to debating the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Amendment No. 2 to House Bill 4438. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4438. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4438.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill creates the offense of facilitating identity theft. If -- if -- if anyone who in -- in the course of their official duties has possession of personal information held by the State and disposes of it in a way that knowingly facilitates identity theft, they are now criminally liable. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4438 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4438, having received the required constitutional majority, is declared passed. House Bill 4442. Out of the record. House Bill 4449. Senator Haine. Senator

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Haine seeks leave of the Body to return House Bill 4449 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4449. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, the underlying House bill has to do with data collectors, State and private. The -- the amendment here is -- was proposed by the Illinois Bankers Association to bring the provisions that delay notification pursuant to a police investigation in line with federal guidelines. That's...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Haine moves the adoption of Amendment No. 1 to House Bill 4449. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4449. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President Ladies and Gentlemen of the Senate, this bill, as -- as I indicated earlier in relation to the Floor amendment, has to do with data collection and disposal. It does, in essence, three things. As to State agencies, it provides a way to dispose of confidential information. They can't just be

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thrown away. They have to be disposed of consistent with the preservation of that confidentiality. It also provides a -- a mechanism for State agencies and a mandate for them to provide notice to individuals who are affected by a security breach. It also -- part of the bill allows a private agency governed by federal and now State guidelines to delay notification pursuant to an authorized law enforcement investigation, which means that the subject -- the breach which affects the subject may be the subject of an investigation involving that information. So, it authorizes a delay. Last of all, it prohibits anyone, State or private, from charging a fee to give information concerning the breach. So, in essence, it's four major parts of it.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. A category one bill: Good bill, good sponsor. And just here to commend Senator Haine. He's also addressing a problem that was reported in the State Journal-Register where there were documents, DCFS documents that were blowing around the street in Jacksonville that had confidential information. So, I am rising in support of the gentleman's bill.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4449 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4449, having received the required constitutional majority, is declared passed. House Bill 4453. Out of the record. House Bill 4461. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4461.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4461 provides for a study of the State's

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current and projected capacity to train nurses. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4461 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4461, having received the required constitutional majority, is declared passed. House Bill 4527. Senator Clayborne. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President. House Bill -- 4527 allows those counties that are imposing a ten-dollar fee for criminal cases to support county mental health courts can also use those funds for county drug courts as well.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4527 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4527, having received the required constitutional majority, is declared passed. House Bill 4561. Senator Munoz. Out of the record. House Bill 4666. Out of the record. House Bill 4676. Senator Hunter. Out of the record. House Bill 4715. Senator Raoul. Out of the record. House Bill 4719. Senator Munoz. Senator Munoz seeks leave of the Body to return House Bill 4719 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4719. Mr. Secretary, are there any amendments approved for consideration?

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ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. -- thank you, Mr. President. Floor Amendment 1 to House Bill 4719 makes technical changes to the original bill, clarifying the intent and also further narrows the scope of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Munoz moves the adoption of Amendment No. 1 to House Bill 4719. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4719. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4719.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. House Bill 4719, as introduced, prohibits the fraudulent or deceptive promotion of work-at-home employment opportunities and sets forth the criteria by which such promotions may be legally advertised. Floor Amendment No. 1 specifies that with regard to the requirement that disclosure in writing must be made to the person who will perform the represented tasks, specifying an exact description of the work to be performed, the amount of any wage, et cetera, the disclosure must also specify all terms and conditions for earning such wage, salary, set fee or commission. The amendment also prohibits a person from requiring an individual to solicit or induce other individuals to participate in work-at-home programs. I know of

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no opposition and I'll attempt to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4719 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4719, having received the required constitutional majority, is declared passed. House Bill 4729. Out of the record. House Bill 4746. Senator Link. Out of the record. House Bill 4752. Senator Garrett. Out of the record. House Bill 4788. Senator Lightford. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill -- 4788 - compromises of assigned child support arrearages. Basically what this legislation does is it allows the Department of Healthcare and Family Services the authority to make compromises of child support arrearages and interest owed to the State, and only arrearages and interest owed to the State, between the Department and low-income obligors. These are individuals who have shown that they have no ability to pay. They are low-income and it would allow an opportunity for those individuals to get on track, show six months of being able to provide child support. The forgiveness would only be for State payments and not to the actual family. And research has shown that State and federal levels suggest that a significant amount of the national child support debt owed as reimbursements for assistance is held by low-income obligors with little to no past or present ability to pay and an unlikely ability to pay in the future. And then, finally, federal regulations state that child support arrearages, would have been assigned to the State under Title IV-A, may be compromised by an agreement between the

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obligor and the State. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4788 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4788, having received the required constitutional majority, is declared passed. House Bill 4789. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4789.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you may recall, earlier this Session we reenacted the Senior Citizens Assessment Freeze that had been overturned by the Olender decision. That bill remains in the House. This is an -- we have amended this bill here in the Senate. The House had decided not only to reenact it, but also to increase some of the thresholds. We have increased the value of the exemption from three thousand to thirty-five hundred dollars. We have increased the income threshold for the assessment freeze from forty-five thousand to fifty thousand dollars. Although in our version, we are tapering it off with twenty percent of the value of the assessment being eliminated with each additional thousand dollars in income and we have increased the income threshold for the deferral program from forty thousand to fifty thousand so that it is in sync with the assessment freeze. I'm not aware of any opposition and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I rise in support of the Senator's bill. Passed out of committee unanimously.

PRESIDING OFFICER: (SENATOR HENDON)

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The question is, shall House Bill 4789 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4789, having received the required constitutional majority, is declared passed. House Bill 4853. Senator Ronen. Senator Ronen seeks leave of the Body to return House Bill 4853 to the Order of -- to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4853. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Ronen.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This amendment retains the underlying bill but makes clear in the definition section that a lead bearing substance under this Act does not include firearm ammunition or components as defined by the Firearm Owners Identification Card. Be happy to answer...

PRESIDING OFFICER: (SENATOR HENDON)

Is there -- is there any discussion? Seeing none, Senator Ronen moves the adoption of Amendment No. 1 to House Bill 4853. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4853. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4853.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen.

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SENATOR RONEN:

Thank you, Mr. President. This bill addresses a really critical issue in Illinois. Illinois unfortunately has more children that test positive for lead poisoning; a problem that I think we all thought we solved thirty or forty years ago, but it does still exist. This bill takes the first step. It's based on a statewide task force that was created legislatively several years ago and it takes the first steps to addressing the problem. It will protect children most at risk from being harmed by lead, target properties and owners most likely to have lead hazards and educate the public about lead poisoning and hold some of the stakeholders accountable. I think this is a real positive commonsense bill. I want to thank Senator Risinger for his support on this. And ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill. The bill and the amendment passed unanimously out of committee. I truly appreciate the chairman's willingness to accommodate the concerns that were raised that were taken care of by the amendment.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4853 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. House Bill 4853, having received the required constitutional majority, is declared passed. House Bill 4960. Senator Righter. Mr. Secretary, read -- Senator Righter seeks leave of the Body to return House Bill 4960 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4960. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Righter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

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SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Floor Amendment 1 simply adds to the bill and incorporates language that would ensure that if there is any litigation over issues regarding these fire protection districts that are switching property, that both fire protection districts would have standing in any court case. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Righter moves the adoption of Amendment No. 1 to House Bill 4960. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4960. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4960.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 4960 is an initiative of the Illinois Fire Protection District Association. Quite simply, it requires personal service for every member of a board or trustee on a fire protection district in any proceeding in which a fire protection district would be losing territory in which it is now currently charged to cover. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4960 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none

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voting Nay, none voting Present. House Bill 4960, having received the required constitutional majority, is declared passed. House Bill 4971. Senator Wilhelmi. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4971.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4971 removes the requirement that in counties without a jury commission the coroner must summon eight people to serve as the jury for an inquest regarding a suicide, accidental death or homicide, in other words, unnatural death. Instead, what this bill would do is it'd allow coroners in all counties the ability to summon those eight people for an inquest, but it - - removes the requirement that that be done, for unnatural death only. Believe that it received unanimous support in committee. I'd be happy to answer any questions and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4971 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4971, having received the required constitutional majority, is declared passed. House Bill 4974. Senator Lightford. Out of the record. House Bill 4977. Senator Harmon. Senator Harmon seeks leave of the Body to return House Bill 4977 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4977. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4977 creates, within the ICC, the Office of Retail Market Development. Deregulation has done a good job of creating competition at the commercial and industrial level, but not at the residential level. This office would be charged with developing competition at that level. It also makes several changes to the Public Utilities Act requested by the ICC due to obsolete or -- the -- that have been rendered obsolete by industry changes or federal law. Not aware of any opposition and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This bill came out of the Energy and Environment Committee with unanimous support and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4977 pass. Senator Harmon moves the adoption of Amendment -- No. 1 to House Bill 4977. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is -- is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4977. Senator Harmon. Read the bill, Mr. Secretary.

ACTING SECRETARY KAISER:

House Bill 4977.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I believe I explained the bill prematurely. I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4977 pass. Those in

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favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4977, having received the required constitutional majority, is declared passed. House Bill 4987. Senator Bomke. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4987.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4987 simply adds "behavior analyst" to the definition of "professional worker", which will allow school districts to receive reimbursement for special education.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4987 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 4987, having received the required constitutional majority, is declared passed. House Bill 5220. Senator Munoz. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5220.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5220 simply permits IDOT to purchase or lease its own fleet of passenger rail engines and rolling stock. This bill is totally permissive and subject to appropriation and was requested by the bipartisan Passenger Rail Caucus from both the

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Senate and the House. I know of no opposition. This bill is supported by the Illinois Department of Transportation, the Midwest Passenger Rail Association, the United Transportation Union, the BNSF Railway, the Brotherhood of Locomotive Engineers and many others.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Very quickly: Senator, why? I -- I'm not sure why IDOT's going to own these. I -- I know that the other day Senator Sullivan had some people here with Amtrak and that we've talked about create, which is a bill that did not get called for the expansion of Amtrak service. But why does IDOT want to own passenger locomotives?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

Senator, to be good -- we need to put this on the books so that it can be an option in the future. Rail travel is the -- is way up and the provision could be used in the future for trains and cars to be purchased and leased to Amtrak to increase service statewide.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. So, then I think what -- I think the key you just said was the last sentence. They might lease more track to Amtrak, or lease these passenger -- or, lease these locomotives to Amtrak, or...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

If this were to pass, they would have the option to be able to -- to lease in the future if they -- if they were able to do

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that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Thank you. Just one last question. Currently, there's -- there are -- there are monies set aside in a fund. Is that correct? And if so, how much is that right now?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

There is money set aside, approximately three and a half to four million dollars.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs, on this bill, sir? Senator Jacobs.

SENATOR JACOBS:

I rise in strong support of Senator Munoz's bill. High speed rail is the future of Illinois. Illinois is the hub for high speed rail and until we move on that, we are moving backwards in Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 5220 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 5220, having received the required constitutional majority, is declared passed. House Bill 5249. Senator Dillard. Senator Dillard, do you seek leave to return this bill to the Order of 2nd Reading for the purpose of amendment? Senator Dillard.

SENATOR DILLARD:

I do -- I do not want to return the bill to 2nd Reading. So, I don't seek leave to do that. I want to call it on 3rd Reading as it is.

PRESIDING OFFICER: (SENATOR HENDON)

Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5249.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. This is an initiative of the Illinois Sheriffs' Association. A court in Ogle County ruled, because we don't specifically say that a day care center is not part of the prohibition from a child sex offender residing within five hundred feet, that it's not covered. So, what we do here is we add a day care center to the list of places like schools where a child sex offender cannot reside within five hundred feet. It's a very simple bill. Takes care of a -- a problem brought to us at our attention by an Ogle County judge.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 5249 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting -- 58 voting Aye, none voting Nay, none voting Present. House Bill 5249, having received the required constitutional majority, is declared passed. And I thank the gentleman from DuPage County. House Bill 5284. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5284 creates the Carbon Monoxide Alarm Detector Act. It is modeled on our State law requiring smoke alarms. It requires the installation of a carbon monoxide detector in every residential dwelling unit. It provides exemptions for those units that are not at risk. The experience in the cities of Chicago and St. Louis, both of which have such a requirement in place, shows it is very effective and has reduced the deaths considerably. I ask for your Aye votes.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Althoff.

SENATOR ALTHOFF:

Senator Harmon, you know how much I've enjoyed working with you this past year on several pieces of legislation, very cooperatively, but you knew how much I hate this piece of legislation. Question: This bill applies to every single dwelling unit - every single residential dwelling?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

It would apply to every residential dwelling unit at risk that does not qualify for one of the exemptions articulated in the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

And -- and what are those exemptions, please?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

A residential unit in a building that does not rely on combustion of fossil fuel for heat, ventilation or hot water; is not connected in any way to a garage; and is not sufficiently close to any ventilated source of carbon monoxide, as determined by the local building commissioner; or a residential unit not sufficiently close to any source of carbon monoxide so it to be at risk of receiving carbon monoxide from that source, again, as determined by the local building commissioner.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

And we did address this in committee. However, for the record, and how many homes do not run on some type of fossil fuel?

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

And again, as we said in committee, I -- I don't have an answer to that particular question as terms of numbers.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

I -- I believe that's because there are hardly any whatsoever. Can I ask, too, does this legislation include mobile homes?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Actually, and I -- I apologize for jumping around, but to answer your question, about thirteen percent of the homes in Illinois use some -- something other than fossil fuels. So, it's not -- it's not everyone. Again, the mobile homes would be a residential unit, so it would depend on their source of -- of -- of heat.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

So, then again, it -- assuming they do not use a fossil fuel, mobile homes will be required to follow this legislation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Assuming that they do use a form of fossil fuel, yes. I would -- I would say so.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

And -- and has it not been determined by the Housing Affordability Impact Note that this will increase the cost to homes costing a hundred thousand dollars and more?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

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The cost of a -- of a carbon monoxide detector is probably about twenty dollars at the base. It lasts for seven years. That's a penny a day. The cost of saving lives, I think, is worth a -- a penny a day.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

I just find it extremely unusual that in a committee that is addressing the needs of affordable housing, we're now going to consider passing legislation that is another mandate on residential construction costs. Can you -- can you address...

PRESIDING OFFICER: (SENATOR HENDON)

There are a lot of lights lit. Senator Harmon.

SENATOR HARMON:

Affordable housing should not mean unsafe housing and I would not subscribe to your notion that we should lower the standards in order to make housing affordable.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

In closing, the reliability with regard to these specific units and where the legislation is requiring these units to be placed would make me question whether or not we really are addressing the safety concerns. And I would ask the Body to vote No on this particular piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR W. JONES:

Senator Harmon, how many lives have been lost due to carbon monoxide poisoning in Illinois in -- in 2005?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Senator Jones, I'm -- I don't have an Illinois specific

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number, but each year carbon monoxide kills more than two thousand people across the country.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Well, let's try to specify that and -- and tie it down to homes in Illinois, since that's what we're mandating here. Could you give me a -- an estimate of how many people perish due to carbon monoxide accidents in the home, not related to their automobile?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I -- I would leave it to you to do the math to extrapolate from two thousand deaths per year based on Illinois' population as a share of the nation's population.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Yeah, I'll do the math on the way home. Who brought this piece of legislation forward for -- for your writing it and submitting it?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

The advocates on behalf of the manufacturers of carbon monoxide detectors, the folks who know the best how these machines work.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Ladies and Gentlemen, in case you didn't hear his answer, the answer was the manufacturer of the carbon monoxide device in the home. We have mandated a lot of things since I've been here, but to mandate this. Ladies and Gentlemen, to the bill: I've been in my home for thirty-three years. I do not think my home is dangerous at all. I raised three children there and we did not have carbon monoxide detectors in my home. I've lived there safely for thirty-three years. I respect the sponsor and respect

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what he's trying to do, but I think, once again, the State is going too far to protect people from themselves. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. In a brief response: Senator Jones, I appreciate what you said. I've got small children at home and I've been standing out in front of my house at two in the morning, with our firstborn, with a carbon monoxide detector inside going off. I don't think it's a -- a too high a price -- too high a price to pay to make sure our children are safe.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon. I see he indicates he will. Senator Maloney.

SENATOR MALONEY:

Yes. For -- for putting on my chair the higher education hat, for purposes of exceptions, would residential unit include college dormitories?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. And thank you, Senator, for that question. For the purpose of legislative intent, to the extent that a -- a dormitory room is covered as a residential unit, it would also be permitted to qualify for the exemptions.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, just a couple of questions. First of all, I was kind of wondering, this is a statewide everyone shall

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do it. Correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Just like the smoke alarm law before it, yes, it is a requirement statewide that everyone install this lifesaving device.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

When you presented the bill, I heard you make mention of a -
- a -- I don't know whether it was a building commissioner, building inspector, whoever, but who is going to enforce this bill? And if we implement this law, won't that just generate communities or counties or whoever to go out and say, hey, let's hire an inspector, let's go into everybody's home and see if they're complying with this new law?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

As beneficial as that may be in terms of saving lives, I -- I expect it will be implemented and practiced in a more gradual fashion. It certainly creates the immediate expectation that folks install a carbon monoxide detector. I don't expect a platoon of inspectors to be out the day after the law is enacted enforcing that, but it will create that expectation and if there is an incident where, for instance, a landlord has not complied with the law and children die, there will be a price to pay.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. You know, this is reminiscent to other laws we've had relative to bars on second and third and fourth story windows and children falling out because parents are not watching their children. It -- it really, I think, is -- is very invasive when we take a look at this. You know, the cost of carbon monoxide detectors can vary as you said. I just recently purchased a couple for my home. They were thirty-nine or forty bucks apiece. I -- I don't know. But when we take a look at

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within fifteen feet of every bedroom, when we take a look at that cost, when we take a look at the fact that there are liability issues that I think even if you do try and -- and comply with this particular legislation, that I think are going to make it very difficult for people to do that. And I understand you're talking about this as a safety issue, but we can talk about a lot of issues as safety issues in this General Assembly that will save lives, and some of them don't cost anything, they're just common sense. But we don't do that often. And I'm very concerned about the impact this has throughout the State, liability, the growth of intrusion into public or into private homes -- into private home -- homes that are owned. And also, again, we're taking care of personal responsibility for people that should know or could know to take care of personal responsibility for themselves. I don't know how we let the landowners know this, the homeowners. I don't know how we let the tenants know. So, I'm very, very concerned about this. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I stand in support of this and I really don't know what's going on around here. I bet you each one of us have a smoke -- a smoke detector and a carbon dioxide detector in our homes. We -- I don't know how many -- deaths there have been; one is too many. With regard to the cost limitation: When a person sells their house in the State of Illinois, they pay fifty cents per five hundred dollars in order for transfer stamps. We're talking here twenty dollars. Yes, there's a question of enforcement. Yes, there are other questions here. But this, I believe, is a deterrent. It is a good piece of legislation. I don't see anything wrong with it. Saving one life is worth it. You know, I -- for several years ago I've been trying to put defibrillators in -- in schools and it's been voted down unfortunately in -- in -- in this Body several times. We have a defibrillator twenty-five, thirty feet away from us in this -- in this institution and in this -- in this room and there's defibrillators outside. This is a simple twenty-dollar expenditure that can save lives. And that's what

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we are here for. And, yes, I think that there are some questions, but I think we should do this piece of legislation. I commend Senator Harmon for doing this. I don't care who brought the piece of legislation. I think it's a good piece of legislation and if you want to vote against it, then -- then that's your choice, but you might have some explaining to do back in your districts. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Roskam.

SENATOR ROSKAM:

Senator, do you have an estimate as to how many -- unsafe homes there are in Illinois?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I assume many folks have carbon monoxide detectors in place already, but for those who don't, this would create a mandate that they install one. I do not have a number for you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Have you developed an opinion as to how many detectors it would take for, let's say, an average three bedroom with a basement?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

It would depend upon the layout, but for my very average three bedroom, one would suffice.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Is that based on the premise that all the bedrooms are -- are connecting and you're thinking that -- that all the bedrooms are within fifteen feet of one another?

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

That is the layout of my humble home, yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, to -- are you seeking recognition to -- to close?

SENATOR ROSKAM:

Yeah. The lights on. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you. Senator, it's -- our staff has brought to our attention that -- that the physics of fire detection systems is different than the physics of carbon monoxide detection systems. I don't know that much about the physics, as I assume you don't either. But can you tell us why it is that you have the same model for fire detection that would be on a -- a ceiling type of model near bedrooms as opposed to something closer to the source? You know, the -- the -- the furnace and so forth.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, Senator, that question was raised in committee by Senator Rauschenberger. At that point, I -- I was concerned that he knew more about carbon monoxide than I did, but I have since consulted with folks who I think know more than any of us and they tell me that carbon monoxide is, in fact, about the same weight as air and would travel freely throughout the home. So, the biggest risk, because this is a silent killer, is when folks are sleeping, the carbon monoxide would -- would -- would flow through the home and reach the bedrooms where you and your wife and your children -- my -- me, my wife, my children could die in our sleep without knowing that the risk was even present.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, to close, sir, if you could.

SENATOR ROSKAM:

Well, I've got a couple more questions. They've not been

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dilatory. Very much appreciate your courtesy, Mr. President. Senator, there is a real concern that I have when we read in the house analysis, and you said it on the Senate Floor a couple minutes ago, that -- that really the prime advocates of this bill are the manufacturers. If you look at the Senate record, last year the State -- Fire Marshal was neutral on the bill. Now I guess they've been nudged into being supportive of the bill and that could be -- you know, I've not gotten any calls from the Fire Marshal. I've not gotten any literature. I've not gotten visits. Maybe a proponent slip was checked off. Doesn't it strike you as -- as worrisome that the main proponents of the bill are the manufacturers of this who would be poised to sell probably millions of these and make a lot of money? And aren't we really mandating that not just these go into homes, but that somebody is going to make a lot of money? I'm not accusing you of bad faith, but doesn't that concern you when the prime motivators are manufacturers of products?

PRESIDING OFFICER: (SENATOR HENDON)

Senator, you -- you promised me that that question had not already been asked and it has been asked. Senator Harmon.

SENATOR HARMON:

It would concern me more if they were not really the experts in the field and if we were not following the lead of Massachusetts, Connecticut, Vermont, New York, New Jersey, West Virginia, Rhode Island, Alaska, and many cities that have already enacted these sorts of requirements. It seems to me to be good public policy, regardless of who has brought the idea here before us, and I think it will save lives. And I'd ask for...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, to close.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: Well, I don't think Senator Harmon really answered the question. He pointed to other states where apparently manufacturers have been really successful in imposing various regulations. I'm not accusing him of bad faith at all, and we know him to be a person of good faith. But I think that if you look at the pattern, if you look at the history and the background of this, this is something that the State Fire Marshal, who is charged with public safety, last year

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looked at this bill and said, "Eh-uh Ah". And then this year sort of reluctantly checks off a "Hahhh, okay, we'll -- yeah, we're proponents. Okay. We'll be proponents of the bill." This is being driven by manufacturers and what we're doing is, we're basically saying that one group of people, our constituents, are now going to be in a situation. They're going to be forced to buy a product from very specific people without much science behind it, without much -- and I mean, even the exemptions, with all due respect to the sponsor, are sort of absurd. And the answer to the question that Senator Maloney raised, he kind of created the impression that -- that dorm rooms were exempt. Well, they're not exempt. He said dorm rooms are exempt if they're exempt under the normal exemptions. And the normal exemptions are absolutely nothing. Any -- any place that's fossilized -- that -- that is fueled by fossil fuel, that can include electricity. Electricity is fueled by fossil fuel. This is a very, very wide net. I think there's a reason that the Senate rejected this last time. And if folks want to buy these types of detectors, they're welcome to, obviously, in their homes, but this is an incredibly wide net and I would urge your caution on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator, in your opening you talked about how it'd been patterned after the smoke detector Act and I'm assuming that that was done at least to some extent for -- for reasons of simplicity, but I want to raise a -- a -- a point about why I think that's of concern. A fire can start anywhere in a house, including right outside of someone's sleeping area. That's not exactly true for a carbon monoxide leak. So, why wouldn't it be more prudent to require the detectors be placed within a certain area of where the source could be rather than waiting until the carbon monoxide fills the entire home and then gets close to the bedroom?

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to answer that question again, for the third time.

SENATOR HARMON:

Because of the silent nature of this risk, it poses the greatest danger when families are sleeping. It is my assumption, not knowing much more about the science than you probably, that if a family is awake during the day and the monoxide detector is set off by the bedrooms, if they're down in the kitchen, they will hear it and they will be able to leave the home.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President. Thank you. And I join a number of my colleagues in expressing what I know is the heartfelt concern of the sponsor, but this is a poorly drafted bill that creates an immense financial mandate on the efforts that we make here to provide for affordable housing. Last year this -- bill failed after a thoughtful debate. And I would urge a No vote again this year.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to close.

SENATOR HARMON:

A penny a day is the cost. We can save hundreds of lives in Illinois. And it is a simple and proven way of -- encouraging public safety. I hope you will all follow the lead of the Fire Marshal, who last year was so-so and this year is a proponent. Last year the Senate voted it down. This year we should vote to pass it. I urge your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 5284 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 32 voting Aye, 22 voting Nay, 1 voting Present. House Bill 5284, having received the required constitutional majority, is declared passed. House Bill 5299. Senator Cullerton. Out of -- I mean, I'm sorry. Senator Jacobs, for what purpose do you seek recognition, sir?

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SENATOR JACOBS:

Sir, I hit my button and my button didn't -- didn't go green.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. House Bill 5299. Senator Cullerton. Out of the record. House Bill 5337. Senator Cullerton. Out of the record. House Bill 5342. Senator Trotter. Senator Trotter seeks leave to return House Bill 5342 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5342. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 2 to -- to House Bill 5342 is clarifying language that was requested by Senator Haine and Senator Petka. I'll explain it when we go back to 3rd.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Trotter moves the adoption of Amendment No. 2 to House Bill 5342. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5342. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

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Thank you very much, Mr. President, Members of the Senate. House Bill 5342, as amended, provides that where an individual on mandatory supervised release is incarcerated in a county jail for violating the conditions of their release, the Department of Corrections shall reimburse the county for one-half of the cost of incarceration of that individual. It also includes, again, the clarifying language that -- clarifying that the running of a speedy trial statute is tolled for an offense when the defendant is on bail for that offense but also in custody for violating the conditions of parole for another offense.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 5342 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 5342, having received the required constitutional majority, is declared passed. House Bill 5348. Senator Haine. Mr. Secretary, read the bill. Senator Haine seeks leave of the Body to return House Bill 5348 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5348. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Floor -- Floor Amendment No. 2, Mr. President, Ladies and Gentlemen of the Senate, merely adds the Office of Fire Inspector to those who would be included in the public education campaign mandated by the Act.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Haine moves the adoption of Amendment No. 2 to House Bill 5348. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

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ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5348. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5348.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This House bill, when it came out of the House, established a Burn Injury Reporting Act, which mandated that hospitals are -- are required to give oral and written reports be made to the State Fire Marshal's Office, who would -- who would bring in law -- local law enforcement, concerning specified burn injuries to track particularly those who make methamphetamines who are burned in the process, which unfortunately is now somewhat common in the underworld. This is similar to the concept of reporting gunshot victims. It would also be able to bring in those who are committing arsons immediately after the -- the -- the -- the arson. The Amendment No. 1 that we adopted in committee in -- here in the Senate, because of the negotiations with the physicians and the hospitals, particularly the doctors did now want a mandate. They preferred a collaborative effort. They agreed to a two-year sunset to see how it's going. So the State Fire Marshal, the -- the inspectors, law enforcement and the hospitals and the doctors, particularly the emergency room physicians, would be engaged in a collaborative effort to have everyone report these -- these burns. The -- the amendment also, besides making it discretionary for the hospital to report the injury, adds language allowing a hospital administrator, manager or superintendent or someone else designated to phone in the report. Doesn't have to be necessarily in writing. It exempts certain burn injuries that are clearly not of a suspicious nature: lightning, motor vehicle accidents, identifiable industrial or work-related accidents.

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PRESIDING OFFICER: (SENATOR HENDON)

Thank -- thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 5348 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 5348, having received the required constitutional majority, is declared passed. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on page 15 of your Calendar is -- House Bill 5370. Senator Lightford, you wish to proceed, ma'am? Out of the record. Senator Halvorson, on House Bill 5377, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 5377 strengthens the tenant rights portion of the Mobile Home -- Landlord and Tenant Rights Act. Creates guidelines for tenants to break leases, requires landlords to put in writing all fees and formulas, and sets forth procedures for renewals of leases. This has, unfortunately, been watered down to where it only is -- pertains to publicly traded companies.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. We debated this in committee and the Republicans were somewhat divided on it, but I -- I have to stand and -- and say that this is a rent control bill and I'm not sure we want to go down this road. My question to the sponsor is, why would we discriminate between one

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group of mobile homeowners versus another group? If it's good for the goose, why isn't it good for the gander?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Senator, for bringing that up. I would love for it to pertain to everybody. But unfortunately there are groups that can spend huge amounts of money on lobbyists to stop certain things from happening. This is not about rent control. This is tightening tenants' rights. That's it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. The -- so there is no rent control in here? Am I -- am I confused?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

It's not rent control. You are -- Senator Jones, I would never accuse you of being confused. But there -- there is just things with regards to notification on leases, ways that if you have to break a lease, or if something happens to you, they need to be allowed -- their dependant or somebody else should be able to move in. According to this, the Realtors feel that the concept could be considered rent control. However, this is just tightening the tenants' rights.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR W. JONES:

Mr. President, our position is, or at least some of us over here, is that it -- it'll -- is rent control because if they don't like what's going on, they can take it to arbitration and the rent will be set by somebody else. So, it's -- it's going down a road that we don't think we should go down. And it also discriminates between two groups in -- in the mobile home park industry. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator, can you explain? Senator Jones mentioned it and you -- you alluded to -- well, you didn't allude; you said lobbyists prevented this from being more broad in its application. What is it about the three rental properties that this specifically applies to that it should be singled out? I mean, isn't the better remedy to say, "Hey, lobbyists, you lose, we're going to move a more comprehensive bill", or else don't move a bill at all? Aren't we creating a two-tiered system? What do you think about that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

I would agree. However, we're not in a position at this point. I'm dealing with a bill that came over from the House. This is a start. This is the worst of the worst. At least we're addressing them. And to the -- answer the question about setting your own rent, that's not true. However, anybody who's been involved with anything to do with the leasing of land with a manufactured home knows that a person signs a lease and within a short amount of time the rent that they're paying is quadrupled sometimes and the -- the people that live there don't even have a say in what's happening or get the right to understand why. So, again, this is -- is about tightening the tenants' rights with regards to what's going to happen on the land that they lease.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, isn't the time, Senator, to understand what's in a lease before you sign the lease? I mean, shouldn't we -- isn't the better remedy to look at a better disclosure? It strikes me that once someone signs a lease that says, yes, I agree to this and I don't know whatever sort of escalator clauses are in there -- I mean, don't they -- don't they have to live with the consequences of -- of -- of signing that lease? And wouldn't we be better to make the process slower at the upstart, rather than

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going in and breaking into the relationship, a contractual relationship between two willing parties?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Senator, that -- we tried that. We tried to regulate -- or not regulate, that's a terrible word here in this Legislature, but we tried to make sure that people knew what they were entering into. However, you -- I guess people, if they're not dealing with this kind of problem, they don't realize that they'll get you in there. They'll get you in this mobile home park and these are -- seventy percent or more are senior citizens. They -- they sell their home. They have their life savings they pour into a manufactured home. They have no -- they only own their mobile manufactured home. They don't own the land. So, they -- a lot of these parks are getting you in there at a very, very small amount of rent and then change that. Then you're -- already you're paying -- like, they might bring you in for a hundred dollars of rent on your -- the land. By the next time you have a lease, it's six, seven hundred dollars. I know that the towns this affects is Elgin, Monee, Coal Valley, Moline and Port Byron, and that's where the most egregious things that are happening.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Thank you, Senator, for those answers. It just strikes me that, you know, we're -- we're trying to spare people basically from themselves. I mean, the Senator acknowledged that she had attempted to change the law to regulate and then she backed off that word, but to try and create an environment where people had notice about what they were doing and the -- the consequences. Some people apparently chose to ignore that notice. They chose to enter into those relationships, notwithstanding what -- what common sense and good legal counsel and otherwise may have told them, and so they sign the documents and now they're coming to the Senate and -- and saying, please, please rescue us, basically from ourselves. I know the Senator's really uncomfortable with the phrase "rent

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control" that's been tossed around, but when what you do is you -
- you say within this rental agreement that somebody can send the
signal flare up when they feel like they're aggrieved and then
all of a sudden an arbitrator makes a decision about the value,
as opposed to the market making a decision about the value, that
by definition begins the control process. And in closing, there
is no greater control and no greater protection for tenants than
rent control. So, while this is not directly rent control, it
strikes me, like Senator Jones said, this is a move down in that
direction. And I just think at some point we can't spare people
from themselves and they ought to take responsibility for the
documents that they sign.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Crotty.

SENATOR CROTTY:

Thank you very much. I rise in very strong support of this
piece of legislation. The reason why an area in my district
probably is -- incorporated in this is because we actually took
the landlord to court and the Attorney General was able to get
this type of legislation into the settlement of that lawsuit. It
doesn't come as a secret. I think we've read it in the
newspapers. We've certainly seen exposés on the news about
senior communities, seniors who sell their homes and buy a
manufactured home and are told that in the next three years - at
least with my consumers - it was going to be a hundred and
seventy-five dollars' rent. After the third year, it went up to
eight hundred dollars' rent. When you start looking at eight
hundred dollars rent, all of the seniors now wish that they were
still in their home. There has to be some sort of legislation
that recognizes that the -- one person in this agreement is the
landlord, but the -- another person in these agreements are the
persons who actually own the homes. The homes that we're looking
at today in manufactured homes cannot be moved. So, I rise in
strong support and I think -- I think it's only the right thing
to do. We had a mobile home task force and I know that the
landlords, some of which who are in Senator Winkel's area, don't
practice in the way in which some of the landlords in our areas
have. And I know that particular landlord was shocked to hear
the story of the landlords in my district and in Debbie's and

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Ruth Munson's. So, I would ask everyone, please, to give us a favorable vote for the consumer. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Halvorson, to close.

SENATOR HALVORSON:

I would just ask for your Aye vote. This is very important. This is to give the -- a voice to the tenants that live in these homes and so that we could do something about making sure that our senior citizens who put all of their money into one of these to spend the wonderful last parts of their life there, that we do something to help them do it. Thank you. I'd appreciate your Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall House Bill 5377 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are -- 46 Ayes, 11 voting Nay, 0 voting Present. House Bill 5377, having received the required constitutional majority, is declared passed. Senator Link, on House Bill 5382, sir. Senator Link. Out of the record. Senator Sieben, on 5407, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5407.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this legislation, as amended, is an initiative of the Illinois Department of Natural Resources to establish an Apprentice Hunter License Program to extend limited hunting privileges to persons that would like to have some experience in hunting sports. I know of no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any

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discussion? Seeing no discussion, the question is, shall House Bill 5407 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 5407, having received the required constitutional majority, is declared passed. Senator Sandoval, for what purpose are you seeking recognition, sir?

SENATOR SANDOVAL:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SANDOVAL:

Mr. President, Members of the Senate, I have a number of families who have traveled afar from the 12th District, from Cicero/Berwyn region, are here with their children who have disabilities. I'd like to welcome, in the gallery, families and members of the Town of Cicero and Berwyn region.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests from the western suburbs of Chicago please rise and be recognized? Welcome to the Illinois Senate. Welcome. Okay. Ladies and Gentlemen, continuing on House Bills 3rd Reading, House Bill 5506. Senator Sullivan, do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill. Okay. The gentleman seeks leave of the Body to return House Bill 5506 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5506. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, to explain your amendment, sir.

SENATOR SULLIVAN:

Thank you, Mr. President. The amendment narrows the focus and scope of the bill. I'll be happy to talk about it on 3rd Reading.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Sullivan moves the adoption of Floor Amendment No. 1 to House Bill 5506. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor -- amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, to explain the amendment.

SENATOR SULLIVAN:

Thank you, Mr. President. Additionally, this bill {sic} also narrows the focus of the bill. I'll describe it on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing no discussion, Senator Sullivan moves the adoption of Floor Amendment No. 2 to House Bill 5506. All those in favor, say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading, Senator Sullivan, you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. House Bill 5506 allows a recreational vehicle - an RV vehicle - to exceed eight feet six inches in width if the excess width is attributed to the appurtenances, such as a rollup awning on a vehicle that extends six inches or less beyond either side of the vehicle. The -- the Amendments 1 and 2 both are at the request of IDOT. And what they say basically is it narrows the scope and it says that an RV

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that exceeds eight feet six inches in width can only travel a -- a roadway that's eleven feet in width unless it's headed to where it's going to be housed or garaged, unless it's headed to the destination where it's going, or if it's going for -- food, to go fill up with fuel, to get food, repair, services, et cetera. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, the question is, shall House Bill 5506 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 5506, having received the required constitutional majority, is declared passed. Senator Hendon, on House Bill 5524, sir. Out of the record. Continuing on House Bills 3rd Reading, on the top of page 16 of your Calendar comes House Bill 5550. Senator Lightford, do you wish to proceed, ma'am? She indicates she wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5550.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5550 amends the School -- Code regarding textbook loans. What the bill does is it exempts secular textbooks provided through ISBE's textbook loan program from the bonding that's required normally for textbook distributors under the School Code. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? There any discussion? Seeing no discussion, the question is, shall House Bill 5550 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting

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Nay, 0 voting Present. House Bill 5550, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. House Bill 5555. Senator James Clayborne, do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill. Senator Clayborne, there's an amendment, so -- Senator Clayborne seeks -- leave of the Body to return House Bill 5555 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5555. Mr. Secretary, are there any amendments approved for consideration, sir?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to explain the amendment.

SENATOR CLAYBORNE:

It's just a technical amendment. It was a drafting error.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman moves the adoption of Floor Amendment No. 2 to House Bill 5555. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the 3rd -- the Order of 3rd Reading comes House Bill 5555. The gentleman wishes -- he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5555.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. This bill creates a bill of rights for consumers as it relates to water services. This -- bill derives from the water bill and service

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issues recently experienced by customers of Illinois American Water. It requires the Illinois Commerce Commission to clearly delineate the service obligations of water and sewer public utilities and the rights customers have if a company does not meet these obligations. This bill contains provisions regarding metered water use at construction sites, prohibitions on direct payments to subcontractors by the customers for utility -- provided services and meter testing. The bill also requires the ICC to hold three public forums to evaluate existing fire protection charges. For the purpose of legislative intent, any mention of utilities or utilities in this legislation refer to a public utility as defined in Article III of the Public Utilities Act. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

This bill passed out of the Environment and Energy Committee with a unanimous vote and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, the question is, shall House Bill 5555 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 5555, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, can I have your attention, please? President Jones, for what purpose you seeking recognition, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. For purpose of a -- an announcement. We have concluded our House Bills on 3rd Reading a day ahead of schedule. So, therefore, we will -- will not be in Session tomorrow, Saturday, Sunday, nor Monday. We are canceling

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those days of Session. And return on Tuesday and deal with Senate Bills 3rd Reading. The great jobs program that Senator Watson said he wanted us to take care of, the road and construction, as well as the budget.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, may I have your attention? For purposes of an announcement: The Senate Rules Committee will be -- meet immediately in the President's Anteroom. I'd ask all members of the Rules Committee, please come to the Anteroom immediately. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Just a quick reminder for everyone that the softball game is Tuesday. We went over on the House Floor and they -- they threw us off the Floor. They threw popcorn at us and paper and everything. We showed 'em the great trophy and we tell 'em we're going to retain this trophy. Senator Halvorson was harassed, Senator Raoul and another Senator. So, we have to maintain the power. Bring your equipment on Tuesday. It's supposed to be seventy degrees. Lincoln Park.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Hendon, as a member of the prestigious Rules Committee, could you come to the Anteroom, please? Mr. Secretary, Committee Reports, please.

ACTING SECRETARY KAISER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the State Government Committee - Senate Resolutions 675, 686, 687, 688, 689, 692, 700, Senate Joint Resolution 87, 88, House Joint Resolutions 24, 76 and 98.

Signed by Senator Viverito.

PRESIDING OFFICER: (SENATOR DeLEO)

Mr. Secretary, Communications.

ACTING SECRETARY KAISER:

Communication from the President, dated March 30th, 2006.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish January 9, 2007 as the 3rd Reading deadline for the following House Bills: 448, 1261, 1604, 2012, 2708, 4339, 4357, 4442, 4453, 4666, 4676, 4715, 4729, 4746, 4752, 4974, 5370, 5382 and 5524.

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Signed, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Mr. Secretary, Resolution, please.

ACTING SECRETARY KAISER:

Senate Resolution 701, offered by Senator Maloney.

It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, we'll 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. Mr. Secretary, has there been any objections filed to any resolution on the Consent Calendar?

ACTING SECRETARY KAISER:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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. All those opposed will say Nay. The Ayes have it, and the motion carries. The resolutions are adopted. 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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill No. 509.

Together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 2 to Senate Bill 509.

We have received like Messages on Senate Bill 2235, with House Amendment 1; Senate Bill 2732, with House Amendment 1; Senate Bill 2873, with House Amendment 1; and Senate Bill 2865, with House Amendment 1, which passed the House, as amended, March 30th, 2006.

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 adopted the following House Joint Resolution, in the adoption of which I am instructed to ask

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the concurrence of the Senate, to wit:

House Joint Resolution No. 114.

Sponsored by Senator Halvorson.

(Secretary reads HJR No. 114)

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson moves to suspend the rules for the purposes of immediate consideration and the adoption of House Joint Resolution 114. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it, and the rules are suspended. Senator Halvorson now moves for the adoption of House Joint Resolution 114. All in favor will say Aye. All opposed will say Nay. The Ayes have it, and the resolution is adopted. This is the moment you're {sic} all been waiting for. Pursuant to House Joint Resolution 114, the Senate stands adjourned until the hour of 12 noon on Tuesday, April 4th, the year 2006. Ladies and Gentlemen, the Senate stands adjourned.