

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
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21st Legislative Day

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Reverend Keith Anderson of the United Methodist Church of Chatham. Reverend.

REVEREND KEITH ANDERSON:

(Prayer by the Reverend Keith Anderson)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of Tuesday, March 20th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter. Good morning.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senate Resolution 107, offered by Senator Viverito and all

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Members.

And Senate Resolution 108, offered by Senator Dillard and all Members.

They're both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. ABC Channel 20 here in Springfield seeking leave to videotape the proceedings. Seeing no objections, so ordered. Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

Senate Joint Resolution 40, offered by Senator Haine. It's substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Trotter, Chairperson on the -- of the Committee on Appropriations I, reports Senate Bill 241 Do Pass.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages.

SECRETARY SHIPLEY:

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

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

House Bill 626.

We've received like Messages on House Bills 630, 636 and 639.

All passed the House, March 20th, 2007. Mark Mahoney, Clerk of the House.

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PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading, please.

SECRETARY SHIPLEY:

House Bill 630, offered by Senator Munoz.

(Secretary reads title of bill)

House Bill 636, offered by Senator DeLeo.

(Secretary reads title of bill)

And House Bill 639.

(Secretary reads title of bill)

Offered by Senator Bomke.

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins - Senator Jacqui Collins - for what purpose are you seeking recognition, please?

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. May I have a point of personal privilege?

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR COLLINS:

Thank you. Today I have the honor and the distinction of welcoming the eighth-grade students -- social studies students, who are taking their Constitution test tomorrow, from my district and also from my parish. Saint Sabina Academy students are in the President's Gallery, along with their teachers, Sylvester Johnson and Danielle Drayton. So I would like the Chambers to give them a warm welcome to the General Assembly.

PRESIDING OFFICER: (SENATOR DeLEO)

Guests in the gallery please rise and be recognized. And

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welcome to Springfield, Illinois. We'd ask all Members within the sound of my voice, please, to report to the Senate Floor immediately. We'll be going to the Order of 3rd Reading, which is final passage. So, once again, all Members within the sound of my voice, please come to the Senate Floor immediately. Okay. Ladies and Gentlemen, may I have your attention, please, for the purposes of an announcement? For the purposes of an announcement. The deadline for filing Floor amendments, the deadline will be this Friday at the close of business. This Friday will be the deadline for filing amendments - Friday at the close of Senate business. I'd ask all Members to turn to page 47 of your Calendar, page 47 in the -- in the Calendar. Midway on page 47 is Secretary's Desk, Resolutions. Okay. Ladies and Gentlemen, on page 47 in your Calendar is Secretary's Desk, Resolutions, is -- Senator Haine, do you wish your resolution considered, sir? Senator Haine. Senator Haine, on Senate Resolution 51. Out of the record. Senate Resolution 52. Senator Demuzio, do you wish your resolution considered, ma'am? She indicates she does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution 52.

The Committee on State Government -- Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Members of the Senate. Senate Resolution 52 creates the Senate Task Force for Illinois -- for

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the Illinois Procurement Code. It provides for the creation of the Task Force of -- on the Illinois Procurement Code to examine the bidding process on State contracts. The Senate Task Force on Illinois Procurement Code shall consist of the following members, and there's a number of them listed. The members shall serve as a voluntary basis and shall be responsible for any costs associated with their participation. All members of the Senate Task Force shall be considered to be members with voting rights. The Senate Task Force on Illinois Procurement Code shall meet at the call of the chair. And what happened with this particular Senate resolution and why this came about is that it is to promote business and employment opportunities in Illinois. In some cases, Illinois businesses have lost State bids to out-of-state businesses. In the State of Illinois {sic} (Indiana), preference is based on a point and percentage system, which led Indiana to -- to establish an Indiana first policy. The intent of Senate Resolution 52 is to examine the complexity of the Illinois Procurement Code.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, it's the opinion of the Chair that this resolution requires the expenditure of State funds; therefore a roll call vote must be taken. Those in favor of Resolution 52 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? On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. The resolution is adopted. Okay, Ladies and Gentlemen, on Secretary's Desk, Senate Resolution 53. Senator John Cullerton, do you wish your

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resolution considered, sir? Out of the record. Senate Resolution 54. Senator Wilhelmi, do you wish your resolution considered, sir? He indicates he does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Resolution No. 54.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 54 declares February of each year to be Congenital Heart Defect Awareness Month in the State of Illinois and encourages all citizens to increase awareness and services for congenital heart defects. Having a -- a father who had a heart attack at the -- when I was the age eleven-months old - I was the youngest of six kids; my mother was almost left a widow - we, in our family, have certainly raised awareness of heart defects and -- and of congenital heart disease. We think that's the appropriate thing for all of us in the State of Illinois to increase the services and the programs. And I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution No. 1. Senator Demuzio. Senator Demuzio, do you wish your resolution to be considered, ma'am? She indicates she does. Madam Secretary, -- please read the resolution.

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SECRETARY SHIPLEY:

Senate Joint Resolution 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Members of the Senate. Senate Joint Resolution 1 supports the People of the Mountain {sic} (Mountains) and -- in their efforts to become a federally recognized Cherokee tribe. In addition to the recognition, Illinois supports the following efforts of the People of the Mountain: to be -- to -- to be allowed access once each year to the Trail of the Tears State Forest; to be allowed free access once each year during the third weekend in May to Pere Marquette State Park; and also to be -- to be permitted to -- possess sacred items so long as they are acquired without harming the animals that are sources of these items. I ask for a favorable roll.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PETERSON:

Senator Demuzio, will this bill or this resolution, in any way, shape or form, allow the establishment of a Indian casino in Illinois without the State having any authority over it, like in Wisconsin and other states?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

...not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Peterson.

SENATOR PETERSON:

So for the record, this will not allow them to establish a casino in Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Actually, this piece of legislation came about with a lady that was doing some -- her historical -- or, ancestry and found that she was a descendant of the People of the Mountains, and she would like to be recognized as part of that Indian tribe. And from that, she was able to determine that there were other things that they could have access to, like some of the parks and some of the items and whatever, by -- by recognition.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, all those in favor of the lady's resolution will say Aye. All those opposed will say Nay. The Ayes have it. The resolution is adopted. Continuing on Senate -- Secretary's Desk, Resolutions, Senate Joint Resolution. Senator Martinez. Senator Martinez, do you wish your resolution considered? She indicates she does. Madam Secretary, please read the lady's resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 2.

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The Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, on the resolution, ma'am.

SENATOR MARTINEZ:

Thank you, Mr. President. Members of the Senate, Senate Joint Resolution 2 constitutes the Joint Task Force on the College Insurance Program as created by the Senate Joint Resolution 91 of the 94th General Assembly, and it extends the report deadline to no later than December 31st, 2008. This resolution specifies the Task Force is to be comprised of the same appointees and have the same authority, duties and -- and -- and purpose as it sets forth in Senate Joint Resolution -- Senate Joint Resolution 91 of the 94th General Assembly.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, it's the opinion of the Chair that this resolution requires expenditure of some State funds; therefore a roll call vote must be taken. Those in favor of -- Senate Joint Resolution 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution 2 is adopted. Senator Hunter, on Senate Joint Resolution 3. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 3.

The Committee on State Government and Veterans Affairs -- pardon

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me. Senate Joint Resolution 3. There was no amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, on the resolution.

SENATOR HUNTER:

Thank you, Mr. Chair. Senate Joint Resolution 3 basically reconstitutes the -- the Commission of the Slave -- of the Study of the Slave Trade -- Transatlantic Slave Trade and its Past and Present Effects on the African-Americans as originally -- pursuant to Senate Joint Resolution 31 of the 94th General Assembly. Basically, this resolution also extends the deadline of the Commission to no later than December 1st {sic} (31), 2008. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, once again, Ladies and Gentlemen, it's the opinion of the Chair that this resolution requires the expenditure of State funds; therefore a roll call vote must be taken. Those in favor of Senate Joint -- Resolution 3 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution No. 3 is adopted. ...on Resolutions, Ladies and Gentlemen, we'd ask you to turn your page to page 48. On the top of page 48 is Senate Joint Resolution No. 5. Senator Donne Trotter. Senator Trotter, would you like to proceed on this resolution, sir? He indicates he would like to. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

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Senate Joint Resolution 5.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, on the resolution, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Joint Resolution 5 recognizes the first week of February in 2007 and each subsequent year as Oprah Winfrey Week. What we're attempting to do here is to recognize the innumerable achievements of this woman, what she's done not only for this -- for the City of Chicago, the State of Illinois, but also for the country, in promoting issues through publishing, her films, and philanthropy, education, health and fitness.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Trotter moves the adoption of Senate Joint Resolution No. 5. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. Once again, on Senate Joint Resolution No. 6, Senator Trotter, would -- would you like your resolution considered, sir? He indicates he does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 6.

The Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter.

SENATOR TROTTER:

Thank you again, Mr. President. Senate Joint -- Joint

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Resolution No. 6 reconstitutes the Task Force on Employment of Persons with Past Criminal Convictions. It extends the deadline for the -- the Task Force from the 94th General Assembly to the 96th General Assembly, and I ask for its passage. December 31st, 2008.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Trotter moves the adoption of Senate Joint Resolution 6. It's the opinion of the Chair that this resolution requires the expenditure of State funds, and therefore a roll call vote must be taken. Those in favor of Resolution -- Senate Joint Resolution 6 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution No. 6 is adopted. Continuing on Resolutions is Resolution -- Senate Joint Resolution No. 9. Senator Hunter, do -- would you like your resolution considered? She indicates she does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 9.

The Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As amended, Senate Joint Resolution 9 creates the -- the

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Illinois Justice Study Committee to study multiple issues and concerns related to wrongful convictions. The Committee will submit a final report to the Governor and the General Assembly by December 31st, '08, rather than January {sic} (June) 1, '08. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you. Would the sponsor yield for a question on this, please?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Senator Hunter, there is, as part of the death penalty reform statute passed by Senator Obama and myself and others, couple of years ago, an ongoing commission and we have hearings, and we just had a major one in Chicago in the Thompson Center. It's chaired by the former United States Attorney of the Northern District of Illinois, Tom Sullivan, who I believe was the U.S. Attorney, I think under Jimmy Carter. But how does this Justice Study Commission fit in with the ongoing Death Penalty Reform Commission, which is a creature of this Legislature? Representative Art Turner serves on it, from the House of Representatives. How does this Commission fit in with the ongoing - and we issue an annual report - of our Legislative Death Penalty Reform Commission?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Hunter.

SENATOR HUNTER:

Senator, this is basically -- well, this is basically an ongoing Committee that we're -- review that we're setting up where it's going to deal with all non-capital wrongful conviction cases that have been resolved as -- as of the effective date of this resolution and which resulted from DNA testing. It pardons grant -- it will do -- it'll -- it'll deal with or address the issues of pardons granted on the basis of the actual innocence, and it dismisses -- dismissal of charges or acquittals upon a pretrial {sic} (retrial) based on the relief granted by either the Illinois Appellate or the Supreme Court of -- the federal District, Court of Appeals, or the United States. Basically, I'm sure you know, Senator, that Illinois does hold the distinction of being the first state in the nation in the number of people who have -- who have been exonerated by DNA evidence in these non-capital cases. And that's why we're basically trying to -- to put this resolution in force.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. And -- and, Senator Hunter, I really hate to do this to you, but I would really request, just so we can talk about this for a day or two and see how this interfaces with what is already in the statutes - it's not a resolution; it's the statutes; it's the law of Illinois - how this Commission interfaces. I think that we already have a Commission in law, not a resolution, but in law, that does all of this stuff. And I really ask you just to, Mattie, to pull it out

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of the record for a day or two. And I'll be the first one -- I'll get on it as a cosponsor with you, but I just want to see how this interfaces with what's in the death penalty reform statute. And we ought to talk to Representative Art Turner about it and see how this fits together. And, you know, maybe -- maybe I'll -- I'll get on there -- as a cosponsor, but I just would like forty-eight hours to think about this, if we could.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Senator, I really don't see the difference between the -- the existing Commission and this one that I'm trying to put forth. I really don't see the difference. I don't think that that Commission is going to come up with any kind of recommendations that's going to address this issue. You know, the wrongful convictions are constantly going on every single day. We don't have anything out there to protect these people. And I believe that if we could pass this piece of legislation, then we could at least study it further than what the -- what the -- what the actual Commission that's in force are actually doing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you. I just want to make sure we're not tripping all over one another here. You know, this Commission has had -- we just had a major hearing - not in a hearing room at the Thompson Center, but in the auditorium of the State of Illinois Building. And this Commission is literally -- and Senator Emil Jones is the gentleman who made the appointments of many of these members on

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the Commission. Senator Jones, I know, put on a -- a -- a professor, who's certainly not pro-death penalty, from the University of Chicago. And all I'm asking, Mattie - and I think I'm probably for your resolution - is that we just see how the things you want to accomplish here are possibly being done by this Commission, which has the force of law. This is just a resolution. And if you've got concerns about some of these things, you know, you're always welcome to come to these meetings. They're public meetings and we issue, by law, an annual report. And this Commission, made up of experts, of which Senator Jones has people on there, is who is to report back as the official overseer of how Senator Obama's new death penalty statute is being implemented. And all I'm asking you to do, 'cause we -- you know, we may request a roll call and you may have some problems on this, but a day or two from now you might not have problems, and I'm just asking you, once again, if you'd take it out of the record and let's just sit down with Representative Art Turner and figure out how this all fits together in the big puzzle of trying to make sure that our death penalty system is not flawed and is fair in Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Senator, I -- I -- I hear your concerns. It is my impression that the Commission is set up to address capital cases and this resolution addresses non-capital cases and that -- that's the problem with wrongful convictions. But, you know what, Senator, I'm willing to talk to you for a day or two so that -- see if we can address some of these issues. And I'll be

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willing, Mr. President, to pull this piece of legislation out of record for at least one or two days.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter requests that this resolution be out of the record. We'll be back to it. Thank you. Senator Wilhelmi, on Senate Joint Resolution 14, sir. Out of the record. Senator Raoul, on Senate Joint Resolution 21, sir -- sir. Do you wish to proceed on your resolution, sir? He indicates he wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 21.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 21 proclaims the second Tuesday of each September as Kindergarten Day in the State of Illinois and encourages parents to enroll their children in kindergarten to enhance their abilities and provide for better chances for success later in life. I urge your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, the question is -- all those in -- Senator Raoul moves the adoption of Senate Joint Resolution 21. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. Senator Sandoval. Marty Sandoval, on Senate Joint Resolution 22, sir. Out of the record. Senator Susan Garrett, on Senate Joint Resolution 26. Would -- would you like your resolution

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considered, ma'am? She indicates she does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 26.

The Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Susan Garrett. How are you today?

SENATOR GARRETT:

Thank you, Mr. President. I'm fine.

PRESIDING OFFICER: (SENATOR DeLEO)

On the resolution, please.

SENATOR GARRETT:

Yes. Senate Joint Resolution reconstitutes the Joint Task Force on Death {sic} and Hard of Hearing -- Deaf and Hard of Hearing Education Options as created by House Joint Resolution 43 of the 94th General Assembly, and it changes the report deadline to no later than December 31, 2008, rather than December 31 {sic} (January 1), 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Garrett moves the adoption of Senate Joint Resolution 26. Once again, it's the opinion of the Chair that this resolution requires the expenditure of some State funds; therefore a roll call vote must be taken. Those in favor of resolution -- Senate Joint Resolution 26 will vote Aye. Those opposed will vote -- vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0

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voting Nay, 0 voting Present. Senate Joint Resolution 26 is adopted. Senator Viverito, on Senate Joint Resolution 28, sir. Do you wish your resolution considered, sir? Senator Viverito, you want your resolution considered? He indicates he does. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 28.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Viverito, on the resolution.

SENATOR VIVERITO:

Thank you, Mr. President. I think this is one resolution I feel that everybody would like to be a part of, and what it does it -- the Interstate Route 355 that we've all been anticipating for a long, long time will be called the Veterans Memorial Tollway. And I'm really excited about this and I feel strongly that everybody certainly would want to be a part of this. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Viverito moves the adoption of Senate Joint Resolution 28. It's the opinion of the Chair that this resolution requires the expenditure of State funds; therefore a roll call vote must be taken. Those in favor of Senate Joint Resolution 28 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 -- Madam Secretary, excuse me, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution 28 is adopted. Ladies and Gentlemen, continuing on Senate -- Secretary's Desk,

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Resolutions comes Senate Joint Resolution No. 30. Senator Delgado, you wish to proceed? He indicates he wishes to proceed on the resolution. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint Resolution 30.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Delgado, on the resolution, sir.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Senate Joint Resolution 30 resolves the month of November to be Lung Cancer Awareness Month in Illinois, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Is -- is there any discussion? Is there any discussion? Seeing no discussion, Senator Delgado moves the adoption of Senate Joint Resolution 30. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the resolution is adopted. Senator Bond, are you -- what purpose you seeking recognition, sir? Senator Bond.

SENATOR BOND:

I'd like to recognize a special guest from Grayslake. Carol Niec is in the State Capitol today. She is with Faith in Place - Stronger Congregations for a Sustainable World. Like to offer you a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

The guests in the galleries please rise and be recognized. Welcome to Springfield. Welcome to Illinois State Senate. Okay. With leave of the Body, Ladies and Gentlemen, we're going to go back to the top of page 47. We'll go back to Resolutions on the

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top -- in the middle of page 47, we have Resolutions. Senate Resolution 51. Senator Haine, you were out of the room at the time your resolution was called. You -- would you -- seeking now recognition to proceed with your resolution, sir? He indicates he would like to proceed. Madam Secretary, please read the resolution.

SECRETARY SHIPLEY:

Senate Joint -- I'm sorry, Senate Resolution 51.

The -- the Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on the resolution, sir.

SENATOR HAINE:

Thank you, Mr. President. I thank the Chair for its indulgence in this. This is a resolution which we did actually in November of last year, but it died with the 94th General Assembly. It's a resolution which authorizes and mandates that the Police Standards and Training Boards implement training in the use of Tasers and other Electro-Muscular devices. Grew out of an unfortunate incident in an area near my district and in Senators {sic} Demuzio's district. The Standards and Training Board are proceeding as we speak, and this reauthorizes their authority to do a report, which is long overdue, on the use of these devices. They've never had -- they have not had, to date, standards or training in their use.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Haine. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Haine moves the adoption of Senate Resolution 51. Ladies and Gentlemen, it's

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the opinion of the Chair that this resolution requires the expenditure of State funds; therefore a roll call must be taken. Those in favor of Resolution -- Senate Resolution 51 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Resolution 51 is adopted. Senator Righter, for what purpose you seeking recognition, sir?

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President, please.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR RIGHTER:

Thank you. I notice in reviewing the Calendar, Mr. President, that you are right next door to the Order of Motions to Discharge from Committee. As you know, I have had for the last several days a motion to discharge pending on the Calendar. It's Senate Bill 1836, which would authorize to -- the State to send the 1.2 billion dollars to Illinois hospitals that they're entitled to and have been for the last week or so. I wonder if we can move to that Order now.

PRESIDING OFFICER: (SENATOR DeLEO)

I'll be back with you in just a moment. We -- we're going to make some announcements and we'll be back on your request in a second, or a week, or a month. Okay, Ladies and Gentlemen, for the purposes of an announcement: There is a deadline for Floor...(microphone cutoff)... There's a deadline for Floor amendments. It'll be Friday at the close of business day.

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Friday will -- will be the final time you can file any Floor amendments. Also, for the purpose of an announcement: President Jones has made a decision, if we finish committees today, we have some committees tomorrow morning, we will have an aggressive work agenda on Thursday - an aggressive work agenda on Thursday - and we'll -- we will not need to have Floor action on Friday. So Friday Floor action will be canceled if we can finish the -- the business of the Senate on Thursday, per President Jones. Having said that, we will now go to page 40 of your Calendar, Senate Bills 3rd Reading, final passage. Ask all the Members please be in their seats, please be ready to present their bills. We'd like to complete as many 3rd Readings as possible before we go to committees. Ladies and Gentlemen, on middle of page... Okay, Ladies and Gentlemen, on the middle of page 40, Senate Bills 3rd Reading, final passage, is Senate Bill 1328. Senator Schoenberg, do you wish to proceed, sir? Out of the record. Senator Munoz, on 1344, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1344.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1344 simply narrows the definition of a dealer's relevant market area to a ten- or fifteen-mile radius around the dealer only. This bill is supported by the Automobile

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Dealers Association. Came out of committee unanimously, and I know of no opposition. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 1344 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? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1344, having received the required constitutional majority, is declared passed. Senator James Clayborne. Senator James Clayborne, on 1346, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1346.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. As amended, Senate Bill 1346 provides that all county coroners shall provide to the State Police or local law enforcement a sample of tissue or saliva from a dead body to be used for DNA fingerprint analysis when the State Police or the local law enforcement agency has determined that the sample may -- may be useful in a criminal investigation.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator

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Millner, for what purpose you seek recognition?

SENATOR MILLNER:

Thank you, Mr. President. I rise in support of the bill. It passed out of committee unanimously.

PRESIDING OFFICER: (SENATOR DeLEO)

...sir. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1346 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1346, having received the required constitutional majority, is declared passed. Senator Carol Ronen, on Senate Bill 1350, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1350.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Good morning, Senator Ronen.

SENATOR RONEN:

Good morning, Mr. President and Members of the Senate. This bill has to do with providing safety for drivers and passengers of medi-cars. It requires that drivers and an employee attendant, if that applies, finish a safety program that would be approved by the Department of Healthcare and Family Services. And I know of no opposition to this bill, and I would ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Radogno, what purpose you seek recognition?

SENATOR RADOGNO:

I have questions for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

First of all, I have to apologize for not asking these questions in committee, but we were on a short deadline and rushing through, and it passed out on a roll call and I wasn't even realizing what was happening. But I do have some questions on this bill. First of all, could you tell us what the problem is that we're trying to address with this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

The problem we're trying to address is the -- we're trying to ensure the safety of people who are driving in -- in medicars, who are being transported. I guess there were some issues as to whether or not people were -- drivers were -- were driving safely, and we thought it was necessary to develop a certification and training program.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Do we have any data that suggests that there's been an inordinate number of accidents or any incident reports to indicate what kinds of safety problems there are?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

I don't have specific data with me. I'm -- I'm sorry, Senator. But I think we have anecdotal evidence and there have been some discussions with the Department that they thought that this was a necessary step to take.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you. The other question I have is, the companies that would have to partake in this training, it seems to me this would probably be considered by them to be an unfunded mandate. I'm assuming that the Department will not be paying for this training - that the companies that transport these individuals will be. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

That's correct. We -- this will be treated as other groups who -- who are required to -- to get different training or education in order to perform their job. We're treating this the same as we are other types of -- of professions and positions and services.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Can you tell me how many providers of this service are out there?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

I'm -- I'm -- I don't have -- I don't know the number. I'm sorry. The -- is there a specific concern you have, Senator, that we could address?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Yes. We are aware that there is a company called Medicarsafety.com, which interestingly does just this sort of training. And since we don't know, number one, if there is a problem or what the extent of that problem is; secondly, we aren't sure that this is really in an competitive environment; thirdly, it's going to be an unfunded mandate on our providers, I think that we're not -- we shouldn't be voting for this bill at this time until we have answers to those questions that indicate that this is something that's necessary.

PRESIDING OFFICER: (SENATOR DeLEO)

Question? Senator John Jones.

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question.

SENATOR J. JONES:

Senator Ronen, are -- are you saying -- in -- in southern Illinois, especially, we have a lot of cab companies that -- that actually - especially in my districts {sic}, Senator Forby's and Senator Haine's and the like - that actually transport people to

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the dental office or whatever. So would these people have to have this training?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

No -- no, I'm told they would not.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Righter, for what purpose you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Ronen, you -- you -- you made a comment in your opening that you know of no opponents. Our staff's information is that the Department of Healthcare and Family Services is an opponent. Is that -- is that, to your knowledge, incorrect information?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

That is incorrect. The amendment that was adopted in committee is the amendment that was suggested and prepared by the Department, and they are supportive of this and believe that this

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is a necessary step to take.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you. On the issue that Senator Radogno raised about how many entities may be out there to provide this safety training, I mean, it's our information that there's one and only one. And I guess it's my understanding, Senator Ronen, that you're -- you're not familiar with how many may be out there. If there is only one, does that create a concern for you that -- this legislation, if it becomes law, now guarantees them, I would assume, a fair amount of business?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Yes, Senator, it would, and I will -- if that is -- turns out to be the case, I will work with the -- we -- we -- we'll work with the House sponsor. And I'll commit to you that we won't send this to the Governor's desk if it turns out to be the case that it -- that it is so narrowly defined just for one group.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam {sic} President, and thank you, Senator Ronen, for that response.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Sandoval.

SENATOR SANDOVAL:

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Thank you, Mr. President, Members of the Senate. I rise in strong opposition to this bill. I agree with my colleagues on the other side of the aisle that this smacks off special legislation for a -- a singular, particular company. And I believe that the issues that Senator Radogno and Senator Jones have raised are -- are -- are sincere and believe that the details to this piece of legislation needs further scrutiny and we need to do further assessment of the impact of this legislation. I'd love to support my colleague on this side of the aisle, but at this point in time, I'm urging the Members on this side of the aisle to be opposed to Senate Bill 1350. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you. Senator Ronen, to close, ma'am.

SENATOR RONEN:

Thank you. I appreciate your support. This -- this bill, as written, was written and created by the Department of Healthcare and Family Services to address what is a concern of theirs relating to patient safety and driver safety. My -- my answers to Senator Righter and Senator Radogno, I think, should let you understand that we will not move something forward if their concern is, in fact, the case. I don't believe it to be, but if it is, this will not move to the Governor's desk. The only thing we're missing here is that I don't have sufficient information about the number of other programs that might be there and I don't think we should allow us not to move forward to be able to protect the safety of -- of patients in this bill. And so I would respectfully ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. The question is, shall Senate Bill 1350 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 34 Ayes, 20 voting Nay, 2 voting Present. Senate Bill 1350, having received the required constitutional majority, is declared passed. Senator Haine, on Senate Bill 1358, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois State Fire Marshal's Office. It allows the Fire Marshal's arson investigators to be clothed with police powers, including the -- the authority to be armed during the investigative process. It is similar to a bill that came out of the Senate on a narrow vote two years ago and -- and died in the House. We have everybody's agreement now because of the restrictive language in it. It's just restricted to the eighteen or so fire marshals and it's only in their course of duties investigating arson sites. The reason for it, obviously, is that many of these arson sites are in areas where some of the folks who set the fire are not appreciative of the arson investigator's work, and they take fire occasionally -

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not the flammable kind. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Seeing no discussion, the question is, shall Senate Bill 1358 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 -- 0 voting Present. Senate Bill 1358, having received the required constitutional majority, is declared passed. Senator Haine, on 1360. Out of the record. Senator Crotty, on 1361, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1361.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Currently the School Code states that a school district, other than Chicago, is authorized to issue bonds for teachers' orders or for the payment of claims against any school -- that particular school district. This bill adds that a district may also issue bonds for the purpose of reimbursing the district for property tax refunds. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion?

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Seeing no discussion, the question is, shall Senate Bill 1361 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? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1361, having received the required constitutional majority, is declared passed. Senator Crotty, on 1363, ma'am. Do you wish to proceed? She indicates she does. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1363.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you again. Senate Bill 247 {sic} (1363) would extend the current Oak Forest TIF district maturity date from -- date to thirty-five years, and when it was passed in '86, it was a twenty-three-year TIF.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1363 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? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1363, having received the required constitutional majority, is declared passed. Senator John Cullerton, on Senate Bill 1364. Out of the

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record. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on the top of page 41. Senator Kotowski, on Senate Bill 1365, sir. Are you here with us today? Are you wishing to proceed, sir? You indicate you wish to proceed, sir? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1365.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski, now it's your turn. Senate Bill 1365. Please proceed.

SENATOR KOTOWSKI:

Thank you, Mr. President. I want to thank you for calling this bill and I want to thank you for your leadership. You're an inspiration. I also want to thank -- I -- I understand -- I know this is my first bill and I would like to say that, while I expect to hear substantive, critical, honest evaluations on the substance of my bill, I also want you to know that I look forward to it, because while I've been a Senator for a very short time, knowing the people in this room has made me a better person. And I want to thank you for that. Thank you very much. Senate Bill 1365 is important to anyone who has felt the -- is important to anyone who has felt the effects of breast cancer. Senate Bill 1365, as amended, for women under the age of forty, adds prior personal history of breast cancer and positive genetic testing to the criteria for which a woman's health care provider may consider a mammogram medically necessary, which every insurer must cover. Senate Bill 1365 also requires coverage for a

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comprehensive ultrasound screening if a mammogram demonstrates heterogeneous or dense breast tissue or if the woman is believed to be at risk for breast cancer due to family history or prior personal history of breast cancer, positive genetic testing or other indications as determined by a woman's health care provider. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

Thank you, Mr. President. I want to thank the Senator on this legislation. He had worked with the committee and agreed to make an amendment on that, which while this is still a mandate on insurance, it's one that is -- makes sense and I would urge our Members to support. And I think the industry also supports the legislation. So, we appreciate your working with all the parties to come up with a great solution. So, thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, for what purpose you seek recognition?

SENATOR DILLARD:

To ask the gentleman a question, if I may.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you. I will skip the obvious question, which is probably to ask you whether you're an expert on women's anatomy or breasts, but does this require a fifty-caliber ultrasound?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

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SENATOR KOTOWSKI:

This requires a caliber that is far greater than that, so it wouldn't be of any concern. This -- these ultrasounds do not take down airplanes from a mile and a half away, so I think you'd be more than favorably disposed to support it, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. First to comment on the bill, I agree and I want to compliment the sponsor on his statesmanship, his ability, and ask him one question if he would be so kind as to yield.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

You stated, Senator, that your presence in this Body has made you a better person. Given that fact, we -- I would ask that you elaborate to the Members of this Chamber what state of a person you were in prior to your election.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Senator, I obviously was not in as a good a state as I am today. And one of the reasons is because, you know, I saw you work in committee, and let me just say, you were masterful, and as a freshman, I can learn an awful lot from the way in which you conduct your affairs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

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SENATOR HAINE:

That's going to go a long way, except for these gun bills.
Mr. President, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, Senator Haine, to close -- or,
excuse me, Senator Kotowski, to close.

SENATOR KOTOWSKI:

Thank you, Mr. President. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate
Bill 1365 pass. Those in favor, vote Aye. Those opposed will
vote Nay. The voting is open. Have all voted who wish? Have
all voted who wish? Have all voted who wish? Madam Secretary,
please take the record. On that question, there are 59 Ayes, 0
voting Nay, 0 voting Present. Senate Bills {sic} 1365, having
received the required constitutional majority, is declared
passed. Senator Crotty, for what purpose you seek recognition,
ma'am?

SENATOR CROTTY:

My understanding is, on Senate Bill 1361, which was my bill,
my light did not go on. I would like to be recorded as a Yes
vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intentions, ma'am. Okay.
Ladies and Gentlemen, now comes Senate Bills 3rd Reading. Senate
Bill 1366. Senator Clayborne. Senator James Clayborne. Out of
the record. Senator John Cullerton, on 1368. Madam Secretary,
he indicates he wishes to proceed. Please read the bill.

SECRETARY SHIPLEY:

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Senate Bill 1368.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This is a technical bill at the request of the Illinois Department of Human Services. It amends their Act and the Abused and Neglected Long Term Care Facility Residents Reporting Act by transferring provisions concerning the Office of the Inspector General within the Department of Human Services from the Long Term Care Act to the Department of Human Services Act. I know of no opposition. Be happy to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 1368 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1368, having received the required constitutional majority, is declared passed. Senator James Clayborne, on 1369, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1369.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Senate Bill 1359 -- 69 is a request of the Department of Correction {sic} (corrections), and basically what -- what -- what it does is, it models the federal Prison Litigation Reform Act and limits frivolous civil litigation filed by inmates on the conditions of incarceration. It does not prevent them from filing an action. It just requires prescreening by the judge for the process to weed out frivolous lawsuits.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1369 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1369, having received the required constitutional majority, is declared passed. Senator James Clayborne, on 1370, sir. Do you wish to proceed? He indicates he does. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator James Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you again, Mr. President. Senate Bill 1370 is just a brand extension, that if a -- a company such as Anheuser-Busch allows a distributor to market, like Budweiser, and they create an extended -- brand, like Bud Light, then they are -- or, the -- the -- the brewing company is -- is required to allow that distributor to distribute that extended product.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Senator Righter, what purpose you seek recognition?

SENATOR RIGHTER:

Simply to rise in support of the bill, Mr. President. This bill did pass out of the Executive Committee on a bipartisan basis, and I would urge its support. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1370 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? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1370, having received the required constitutional majority, is declared passed. Senator Millner. Senator John Millner, are you here today? Nice to see you, Senator. Do -- do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1375.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. This amends the Controlled Substance and Cannabis Control Act and it provides that if a property that is alleged to be a nuisance under this Act is owned by a corporation and the Department of State Police or the State's Attorney sends the preliminary notice describing the property as a nuisance under the Act to the corporation's address registered with the Secretary of State, such action shall create a rebuttal -- rebuttable presumption that the parties have acted with due diligence and the court may grant injunctive relief. And I ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1375 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1375, having received the required constitutional majority, is declared passed. Senator Raoul, on 1379. He wishes -- he indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1379.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1379 adds field personnel of the newly created Department of Juvenile Justice to be mandated reporters under the Abused and Neglected -- Neglected Child Reporting Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1379 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? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1379, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading, in the middle of page 41 is Senate Bill 1380. Senator Raoul, do you wish to proceed with this bill? Out of the record. Senator Lauzen. Senator Chris Lauzen, on 1385, sir. Do you wish to proceed? Is this your first bill? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1385.

(Secretary reads title of bill)

3rd -- 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

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SENATOR LAUZEN:

Thank you very much, Mr. President, and let me also concur that you are an inspiration to all of us. So -- and this is not my first bill. What Senate Bill 1385 does is merely approve the transfer from the -- the audit funds so that the Auditor General can do his job for the next year. I appreciate Senator Demuzio's help in -- as cosponsor. What this does is it approves the transfer. So I'd ask for your approval.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HENDON:

Thank you, Mr. President. I know this is not Senator Lauzen's bill and it may be a good bill, but I -- I don't remember Senator Lauzen voting on anything that anybody wanted except himself. So I just had to ask him a few questions about why...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HENDON:

Senator Lauzen, if we support your bill today, can we get a vote out of you at least once this Session?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. To my esteemed colleague from Chicago, actually today I voted Yes on probably all but one bill. On other days, most of the votes that I cast here are all Yeses.

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I notice that so many of the good pieces of legislation that are brought forward are all sponsored by the other side of the aisle. Today this one is more a matter of just good -- good housekeeping.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Well, praise the Lord.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Righter, for what purpose you seek recognition?

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

I rise in support of the bill, Mr. President. And first -- just a couple comments. First, this is the Auditor General's bill, it's my recollection. And second, I would hope that all the Members would be very careful in getting up and saying for the record that we're asking for certain things in exchange for certain votes. With all the inspector generals and subpoenas crawling around this building, Mr. President, I think that we all should be very careful on our language in that regard. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, seeing no further discussion, the question is, shall Senate Bill 1385 pass. All those in favor, vote Aye. All those opposed will vote Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1385, having received the required constitutional majority, is declared passed. Senator Don Harmon, on 1392, sir. Senator Harmon, on 1392. Out of the record. Senator Harmon, on 1395. Senator Harmon, on 1395. Out of the record. Senator Harmon, on 1397. Out of the record. Senator Harmon, 1398. Out of the record. Senator Haine, on 1414. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1414.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

...President and Ladies and Gentlemen of the Senate. This bill amends the -- the Public Community College Act referencing a limitation. It removes a -- a -- a limitation on how many bonds can be issued and dollar amounts to repair health, safety, energy conservation, environmental concerns, and handicapped accessibility. This is a initiative of -- of a -- Lewis and Clark Community College, which is located in my district and in Senator Demuzio's. It is a -- this is an old statute that limits these bonds, and now under -- under this proposal, if -- if the Senate would be so gracious and the House, of course, and the -- the Governor, the bonds could be issued 4.5 million in one

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calendar year instead of 4.5 million at any one time. The reason for that is some of these construction projects far exceed the ability to -- to do this at 4.5-million cap. It does not necessarily mean a tax increase because of the nature of the bond issuance. It might, but that would be subject to college board approval.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator Haine. Is there any discussion? Any -- Senator Burzynski, for what purpose you seek recognition?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Senator Haine, when we had this bill in committee, I voted for the bill, supported it. I intend to vote for the bill, as well, here on the Floor today. But just for the purpose -- purposes of explanation, does this bill require a referendum before the local district can increase their -- their bond authorization?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

No, sir, because it doesn't necessarily mean a tax increase. It depends on how many -- what the levy is currently. This -- this is really recommended by Chapman and -- and Cutler. What would -- what was happening is, because of the age of the

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buildings - Lewis and Clark is on a campus that goes back to 1830; it's old Monticello College - in many of these buildings, the -- the asbestos removal, the environmental concerns, the reconstruction far exceed the cap. That's the problem. But it may or may not. And if it does, that's the responsibility of the board and the board counsel to determine whether they got to go to the voters.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well, -- well, to the bill then: As I indicated, Senator, I am going to -- to support the bill, but I think it's important to point out to all the Members here that it could mean a tax increase without a referendum. So you need to be aware of that. And, as well, that it does establish -- or it does pertain to your districts as well - it's not just to the Lewis and Clark district. So I just wanted to make that perfectly clear for the Members. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Any further discussion? Gentleman from Peoria, Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. Chairman. Will the gentleman yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman indicates he'll yield for a question, sir.

SENATOR RISINGER:

Yeah. I want to make sure that I understand this since I wasn't in the discussion in the committee. It -- it sounds like

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a good idea, something we need to do, but does this not have any cap at all? Can they bond up to four and a half million every year? So, you could do it four and a half million this year, four and a half million next year, four and a half million the next year if -- if they so desired?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, they can, but I believe -- I stand to be corrected, they're limited by what they levy -- by the -- the -- the tax levy. And -- and the -- the -- K through twelve have this very authority now. This was a law that was passed in the eighties when these community colleges were being set up throughout the State. So I understand all this -- this -- this does is bring the community colleges into the same framework of bond issuance that K through twelve have.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

So, if they hit the top of their levy, then they'd have to go to referendum to increase that in order to increase their bonding. Is that what you're telling me?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, staff says it doesn't change the current framework.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion?
Senator Lauzen.

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SENATOR LAUZEN:

Senator, so the borrowing currently is limited, you know, the four and a half million -- four and a half million, that's limited by the amount of their levy, from listening to what you had said just a moment ago. Isn't it then possible for the board, without referendum, to raise the amount that's levied?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, the gentleman will yield for a question. Yes. Senator Haine.

SENATOR HAINE:

I believe so, but I'm -- well, as I'm reading the -- the analysis, it says that the rate cannot exceed .05 percent per year for a period sufficient to finance the bonds. Now if they go over that, I -- I'm not bond counsel, but I presume they have to go to the people or there has to be some special provision made by the board.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR HAINE:

Again, this is similar to the K through twelve.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

All right. So in tax-cap counties, because this applies to all of our counties, would this then be exempt from the tax cap?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

I don't see anything in the -- in the proposed bill which

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would exempt anyone from a tax-cap county -- from a tax cap. There is not an exemption here.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, seeing no further discussion, Senator Haine, to close, sir.

SENATOR HAINE:

Well, I mean, I -- you know, I respect the -- the -- the questions a great deal, but again, this is a -- a provision made necessary by the age of the buildings, particularly on Lewis and Clark's campus. You have an elected board; you have a -- a statute which affects levies; and this just assists the ability of the Lewis and Clark Community College Board, as well as all other community colleges, in issuing bonds in amounts sufficient to do the construction job, because they're limited now. And so that -- that ultimately, if they have to do it piecemeal, runs up the cost. So in -- in the long run or even in the short run, this would save tax money in necessary health and safety projects.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1414 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? Madam Secretary, please take the record. On that question, there are 52 Ayes, 5 voting Nay, 1 voting Present. Senate Bill 1414, having received the required constitutional majority, is declared passed. Senator James Clayborne, on 1415, sir. Out of the record. Senator Haine, on 1418, sir. Senator Haine, on 1418. Would you like to proceed with that, sir? He indicates he would

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like to. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1418.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a initiative of the Department of Human Services, and it -- it allows a court to administer by court order -- or, the Department to administer by court order, pursuant to a United States Supreme Court case, medication sufficient to bring a criminal defendant who suffers from a mental illness and -- who has been ruled unfit to stand trial up to the standards of competency to stand trial. There was an amendment added at the request of the Cook County Public Defender's Office, which was very reasonable, which includes in the criteria for the medication a seriousness of the charge and a need for timely adjudication of guilt and the risk of unadjudicated release if not tried. A very reasonable -- request. Many of these criminal defendants languish for a long time in the DHS, in the mental system, which is not good for them. In -- in a -- in a case where they may -- their prison time may be shorter than their commitment at a -- a -- a forensic unit or in the case of a important criminal case where the witnesses grow old, they die, and that harms the interest of the people in pursuing a just result in a major case. These are major cases. So I would ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Righter, for what purpose you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Senator Haine, there was quite a bit of discussion on this bill in committee and -- and I hope that that is repeated out here on the Floor today. I think this is a -- this is a very important issue. And I want to ask again a question that I asked you in committee and that is with regards to individuals who may have power of attorneys with regards to their health care in place that state that they do not want to take any drugs, which might be the subject of a court order. And the question I have is whether or not under your bill, if it were to become law, would a court be able to override an individual's power of attorney with regards to health care in that regard?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

The answer to that is yes. Yes, if it's for the narrow purposes set forth in the statute and -- and provides -- what the statute does is provide for a -- a -- the consideration of the seriousness of the charge, need for timely adjudication of guilt, and a risk of unadjudicated release if not tried. So, yes, the answer is yes. It seems to me that a court order would override any power of attorney given by someone that they cannot be

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medicated.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Haine, I want you to articulate for me and for the Body your view of the appropriate balance, if you will, between an individual's right to say, let's say through a -- a power of an attorney for health care, that they don't want these kind of drugs administered to them, as opposed to the public policy of making sure that individuals, if possible, should be competent to answer their criminal charges. I -- I know that you would agree that there is some tension between those two. Obviously, you believe, through your sponsorship of this bill, that that judgment ought to fall on the side of the court. Tell us why. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator -- that was a question? Excuse me, I apologize. Senator -- Senator Haine, to answer the question.

SENATOR HAINE:

I -- I -- I -- I appreciate the question. These are limited to serious criminal cases. The refusal to take medication by a private citizen through a power of attorney is a separate matter entirely. These are serious criminal charges. And the interest of the people of Illinois is in having a timely adjudication consistent with due process, and that's what this bill does. So that people -- I -- just as an anecdote, a personal anecdote: When I was State's Attorney, we had a poor individual who was in the mental health system when I came into office in '88; he had

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been there for six or seven years on a relatively minor theft because he wouldn't take the medication and he would never be ruled fit. He served far more time in the mental health system than he would have if he'd have been given the medication to bring him up to fitness. He could assist his attorney and they'd have worked out a -- an agreement and he'd have been walking the streets - a much better citizen after taking the medication. So this is a separate issue entirely from a private person declining to be medicated. These are people charged with serious criminal offenses.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HENDON:

Thank you, Mr. President. I just want to remind Democratic Leadership, this is the -- the bill we discussed in Leadership. So, I have to ask Senator Haine a few questions, if he would yield.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield for a question, sir.

SENATOR HENDON:

Senator, I'm having a few problems with this because I don't -- it's not clear to me how a person who has been medicated will be more competent to helping their own defense, especially if that medication is a -- a downer, let's say. I mean, because I guess this person might be too hyper or uncontrollable. So how does making 'em -- medicating them to the point to where they are slower will help -- will -- will put them in -- in position to help in their defense?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Hendon. I mean, that's an excellent question. And -- and the -- the answer to it is that the -- the drugs administered are not depressants so much as antipsychotic. Their purpose is not to make someone placid or numb. Their -- their purpose and -- this is -- these are standards set forth by the Supreme Court of the United States. Justice Breyer wrote the opinion. And -- and these are to be ruled on by a court of law in Illinois, which means it's appealable all the way to the Supreme Court, subject to the United States Supreme Court. But these drugs are only to get them to a point where they can assist their lawyer. The -- the assistant public defender, the private lawyer wants them to be able to tell them their side so they can assist them, they can testify. Some of these people -- many of them may be innocent and they're -- they're locked up in a mental institution without the ability to assert that. Do you see what I'm saying, Senator? It's not a -- it's not designed to make someone placid or numb. It's designed to assist -- it's to get them to a point where they assist their lawyer.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Okay. So what if the person's mental problem is that they are a depressed person? So are we going to then give the ones who are depressed something to make them hyper? I mean, mental illness can be, you know, where the person is schizophrenic, I mean, but some can be just that person is just too depressed to

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help in their defense. And -- and how -- is there a set amount of drugs that they can give the person? Or will they keep drugging 'em up until they -- somebody decides that, okay, now they're ready to help defend themselves?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Senator, yes, that's -- there's a criteria set forth and those criteria include what is medically appropriate, and that's reviewable by a court of law. It's in the record. It's just not somebody in the county jail saying, hey -- of course, they're not in the county jail. I'm sorry. It's not somebody in the mental institution saying, I think they need so many Prozac pills. It's going to be discussed by their lawyer in a court of law with that judge. And the judge is going to have to make a record on this and establish the criteria. Again, it's got to meet this criteria and the U.S. Supreme Court.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any further discussion? Senator Raoul, for what purpose you seek recognition?

SENATOR RAOUL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAOUL:

Senator Haine, I -- I apologize, I -- I must have been in another committee when the bill was presented in committee. The amendment takes into account the seriousness of the charge.

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Where is the threshold set at?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Raoul, for that question. That will be reviewable, again, by a court. This -- this was the public defender's recommendation and it was to establish several criteria. Number one is the seriousness. For -- for -- for example, do we want to go through this procedure for a Class B misdemeanor? Probably not. But for a Class X felony, a -- or -- or -- or first degree murder where the -- there's much at stake and there's a timeliness factor, the lawyer for the person accused wishes to interact with that person and prepare -- prepare a defense.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any further... Senator Murphy, for what purpose you seek recognition?

SENATOR MURPHY:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy, excuse me, one second, sir. Senator Raoul, were you -- were you still seeking recognition, sir? I'm sorry, your light wasn't lit. Senator Raoul. Senator Murphy, we'll be right back with you, sir. I apologize. Senator Raoul.

SENATOR RAOUL:

Senator -- Senator, part -- part of my concern is, when we speak that the seriousness of the charge is going to encourage the use of involuntary medication, oftentimes because of seriousness of the charge, we -- we seek -- we seek to get

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resolution of cases. And if, because it's a Class X felony, we're seeking to medicate somebody to -- to be fit to face trial, where they otherwise would not be fit, in an interest of getting quick resolution of the matter, I'm -- I'm worried about abuse of this type of -- of involuntary medication.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator, for those -- for those remarks, and I -- and I -- I respect those remarks and that's why the -- this scheme, pursuant, again, to the United States Supreme Court case, requires a court finding. And I'd make it part of the legislative intent that this court finding should emphasize the seriousness of the charge, the requirement to pursue it, because we have here -- it's not just the needs of the people to pursue a charge, it's the need of a defendant to clear himself or herself through the assistance with counsel. As I say, you -- we could envision a situation where injustice would occur on both sides, where the -- the State's Attorney's Office can't pursue a case, where the witnesses are growing old and dying, because someone is languishing in the mental health center or not taking medication. That would be unjust. On the other hand, I could easily envision, and have seen, cases where a criminal defendant should be able to go to court and interact with their lawyer to assert innocence, and be found innocent and be released, rather than being locked up in a forensic unit, because that's where they go. They go to a forensic unit, which is a locked-down facility with barbwire and mesh, guards and everything else. I mean, it's not a pleasant place. So, these are places for the criminally insane

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and, of course, it costs money to house them there. But if they're innocent, they should be able to make that decision with their lawyer to assert innocence. And the medication is designed pursuant to court order. These are matters in public view with a lawyer representing that person. These are matters of record, which will be on appeal. They will be reviewed by the Department of Justice, the Attorney General's Office on appeal. So there's multiple layers of -- of review.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Now, Senator Murphy.

SENATOR MURPHY:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Senator Haine, don't we -- if we don't pass this legislation, don't we open up the possibility that criminal defendants can use these medical powers of attorney as a way to shield themselves from criminal prosecution?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Senator. I suppose so, but I don't see that, frankly, as the -- as the -- as the problem. I -- I really don't. I -- I think because -- I think that problem is avoided initially when there's a court psychologist or court psychiatrist who finds that person unfit. And they're not going to find

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somebody unfit who's a malingerer, who's just making it up that I think I'm Napoleon Bonaparte, that's why I robbed the bank. You see? These are issues that are in a court of law and the State's Attorney's got an expert, the public defender has the -- brings forward a motion that my client is unfit, and that's made to protect the interest of someone who's presumed innocent. So then they go to the mental health center. So I -- I see the -- there's a -- a definite check and balance in the initial determination. The problem is when you get to the mental health center and the person doesn't have it in their mental capacity to take the drugs necessary to bring them to fitness, they could languish there. Again, denying the -- the -- the -- the -- the people the right to a just determination of guilt or innocence and denying the defendant the right to assert innocence, 'cause they haven't got it upstairs to determine whether it's in their interest to take the medicine or not. And again, there's so many layers of review I think it's a just result. Again, it's pursuant to a United States Supreme Court case written by Justice Stephen Breyer, who is not exactly, you know, an ultraconservative by any means. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, seeing no further discussion, the question is, shall Senate Bill 1418 pass. All those in favor, vote Aye. All those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 52 Ayes, 0 voting Nay, 0 -- 5 voting Present. Senate Bill 1418, having received the required constitutional majority, is declared passed. Ladies and

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Gentlemen, continuing on Senate Bills 3rd Reading on the top of page 42 comes Senate Bill 1419. Leader Halvorson. Out of the record. Senate Bill 1422. Senator Sullivan. Senator John Sullivan. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1422.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1422 amends the Environmental Protection Act and it requires EPA to adopt measures to administer the NPDES permit fee program. In simple language, what the bill does is it -- it allows a community that pays an NPD permit fee to EPA to make quarterly payments without being charged interest on -- on those payments. Right now, a community has to make the payments one year in advance before they've collected it from their constituents. What we're -- simply asking is to make -- a little bit easier to cash flow it for a community. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Risinger, for what purpose you seek recognition?

SENATOR RISINGER:

Thank you, Mr. President. To the bill: The bill...

PRESIDING OFFICER: (SENATOR DeLEO)

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...the bill, sir.

SENATOR RISINGER:

The bill is a good bill. It came through committee without any negative votes. But -- and what it does, it does allow the community as their revenue comes in - and it comes in throughout the year - it allows them to make those payments. This would be a better bill though if we would've lowered those fees or even eliminated those fees or even made those fees more fair to the smaller communities which are paying a proportionally higher fee than -- than the larger cities. But we don't have that in front of us. This is a good bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sullivan, to close, sir.

SENATOR SULLIVAN:

I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1422 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1422, having received the required constitutional majority, is declared passed. Senator Halvorson, on 1424, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1424.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 1424 requires persons or companies that provide the canine odor detection services for hire to be either a licensed private detection agency or a licensed private security contractor agency. It ensures that all canine handlers have received their one hundred hours of basic training and then an additional eighty hours of specialized training. This arose out of the problem that became an issue at a Metra station when there was a so-called bomb-sniffing dog in the terminal and nobody really knew if it was a cadaver dog, if it was a bomb-sniffing dog, if it was someone who was -- supposed to check packages. And we researched and found out that there was no agency that licensed them. So this is a collaboration of a lot of people working together to make sure that these agencies are licensed. It provides for a four-day window to be grandfathered in with regards to proving that you have a -- a -- a agency and then be able to go after the -- being authorized to -- licensed. I'll answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you, Senator. Is there any discussion? Senator John Jones, for what purpose you seek recognition?

SENATOR J. JONES:

Thank you, Mr. President. I just rise in support of the bill. It passed out of Licensed Activities unanimously. And it's a good piece of legislation. I would encourage an Aye vote from everybody.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates she'll yield for a question, sir.

SENATOR RISINGER:

Yeah. Senator, is there a fee with this licensing, and if there is, do you have any idea what that fee might be?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Senator. The rules would be done through the Department of Professional Regulations. So there -- if there is a fee, it'll be done through their rules as they make the rules for this licensing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

But I would guess that you would assume there will be a fee to offset the cost of whatever it costs to license.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Senator Risinger, one thing I do not do is assume, but we will look into that.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, seeing no further discussion, the question is, shall Senate Bill 1424 pass. All those in

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favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1424, having received the required constitutional majority, is declared passed. Senator Sandoval, on 1428, sir. Senator Martin Sandoval. Out of the record. Senator Mattie Hunter, on 1433, ma'am. Out of the record. Senator John Jones, on 1438. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1438.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones, on the bill.

SENATOR J. JONES:

Thank you, Mr. President. Senate Bill 1438 is a bill that actually a couple of my constituents came to me with. Just simply provides that for our Armed Forces' members and spouses, or dependent children living with a member of the Armed Forces, while that member is on active duty outside the State of Illinois, it will give them ninety days to renew their driver's license. Right now, it's forty-five days. So it just extends it to ninety days. We have -- I had a couple of constituents where actually they got back to the states and it was about sixty-, sixty-five days before they were able to get back to Illinois. Their license had expired. The Secretary of State's Office is a proponent of the bill. So I'd ask for a favorable vote.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 1438 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1438, having received the required constitutional majority, is declared passed. Senator Sandoval, on 1448. Marty Sandoval. Out of the record. Senator Don Harmon, on 1452. Senator Harmon, on 1452. Out of the record. Senator Harmon, on 1453. 1453. Out of the record. Senator Harmon, on 1454. Senator Don Harmon, on 1454. Out of the record. Senator Jacobs. Senator Jacobs, on 1457. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

This is a bill to increase the size of the Quad City {sic} (Cities) Economic Development Authority. I know of no opposition. It's a chance for communities to help themselves and create jobs, which is something that we do so little of in Illinois anymore. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Is there any discussion? Is there any discussion? Senator Sieben, for what purpose you seek recognition?

SENATOR SIEBEN:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SIEBEN:

Thank you very much. I rise in support of Senator Jacobs' legislation. He's -- has some good foresight here - an economic development tool that will help the northwest region of the State. The history of the Quad City {sic} (Cities) Regional Economic Development Authority has been one of very positive successes. If we can expand that to a few extra counties in northwest Illinois, I see that as a very positive thing for our area. And I'm pleased to join my colleague in cosponsoring this legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further -- Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Just to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Senator, I -- I respected -- I respect what you're trying to do here to provide economic development for any area in State of Illinois. Can you give us an idea what the bond performance is? Have there been any defaults? We're talking about raising the

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bond ability, I think it was from a quarter of a billion to a billion dollars or maybe it's -- well, it's -- it's an increase. What's the existing -- what's the existing performance on the bonds?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

The current cap is set at a -- a hundred million and they are pushing ninety-seven million now. We have never had a default. We've used moral obligation three times, and never had a default. And we believe there's some economic development projects, built around the new Western University in Moline, that will create more opportunities. And, of course, we also have the Savanna Depot, which has been vacated by the federal government, and we'd like to dedicate some of those dollars there as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further... Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. This...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR MURPHY:

...passed out of Commerce and Economic Development unanimously and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Enough said. I just ask for your favorable consideration.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1457 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? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1457, having received the required constitutional majority, is declared passed. Okay. Ladies and Gentlemen, for a purpose of a couple announcements. May I have your attention please, Ladies and Gentlemen of the Senate? We will ask the members of the Rules Committee to immediately meet in the President's Anteroom. We will stand at ease for just a minute. We will be coming -- after the Rules Committee meets, we will continue on 3rd Readings, final passage. Let me remind the Body one more time that the final deadline for amendments is Friday at the close of the business day. Final day for filing amendments is Friday at the close of business day. So, once again, would all members of the Rules Committee -- would all members of the Rules Committee please report to the President's Anteroom? And we will stand at ease for just a couple moments.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned:

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Refer to Agriculture and Conservation Committee - Floor Amendment No. 2 to Senate Bill 649, Floor Amendment No. 1 to Senate Bill 1559 and Floor Amendment No. 1 to Senate Bill 1617; refer to Commerce and Economic Development Committee - Floor Amendment No. 2 to Senate Bill 1317; refer to Education Committee - Floor Amendment No. 1 to Senate Bill 306, Floor Amendment No. 1 to Senate Bill 842, Floor Amendment No. 1 to Senate Bill 853 and Floor Amendment No. 1 to Senate Bill 1482; refer to Environment and Energy Committee - Floor Amendment No. 1 to Senate Bill 50, Floor Amendment No. 2 to Senate Bill 135, Floor Amendment No. 1 to Senate Bill 184, Floor Amendment No. 1 to Senate Bill 215, Floor Amendment No. 2 to Senate Bill 268, Floor Amendment No. 2 to Senate Bill 303, Floor Amendment No. 1 to Senate Bill 1241, Floor Amendment No. 1 to Senate Bill 1366, Floor Amendment No. 2 to Senate Bill 1419 and Floor Amendment No. 3 to Senate Bill 1592; refer to Executive Committee - Floor Amendment No. 2 to Senate Bill 158, Floor Amendment No. 1 to Senate Bill 311, Floor Amendment No. 1 to Senate Bill 420, Floor Amendment No. 1 to Senate Bill 753, Floor Amendment No. 1 to Senate Bill 768 and Floor Amendment No. 3 to Senate Bill 1305; refer to Financial Institutions Committee - Floor Amendment No. 2 to Senate Bill 1398 and Floor Amendment No. 1 to Senate Bill 1464; Floor -- refer to Higher Education Committee - Floor Amendment No. 1 to Senate Bill 387, Floor Amendment No. 1 to Senate Bill 437 and Floor Amendment No. 1 to Senate Bill 1455; refer to Housing and Community Affairs Committee - Floor Amendment No. 1 to Senate Bill 380; refer to Human Services Committee - Floor Amendment No. 1 to Senate Bill 51, Floor Amendment No. 1 to -- I'm sorry, Floor Amendment No. 1 and 3 to Senate Bill 108, Floor Amendment No. 1

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to Senate Bill 175, Floor Amendment No. 1 {sic} (2) to Senate Bill 511, Floor Amendment No. 1 to Senate Bill 715, Floor Amendment No. 1 to Senate Bill 867, Floor Amendment No. 1 to Senate Bill 934, Floor Amendment No. 1 to Senate Bill 936, Floor Amendment No. 1 to Senate Bill 1253 and Floor Amendment No. 1 to Senate Bill 1618; refer to Insurance Committee - Floor Amendment No. 1 to Senate Bill 752; refer to Judiciary-Civil Law Committee - Floor Amendment No. 4 to Senate Bill 486; refer to Judiciary-Criminal Law -- I'm sorry, the prior committee was Civil Law Committee, Judiciary-Civil Law Committee - Floor Amendment No. 4 to Senate Bill 486; refer to Judiciary-Criminal Law Committee - Floor Amendment No. 2 to Senate Bill 69, Floor Amendment No. 2 to Senate Bill 115, Floor Amendment No. 3 to Senate Bill 328, Floor Amendment No. 1 to Senate Bill 521, Floor Amendment No. 1 to Senate Bill 650, Floor Amendment No. 2 to Senate Bill 665, Floor Amendment No. 1 to Senate Bill 705, Floor Amendment No. 1 to Senate Bill 1026, Floor Amendment No. 1 to Senate Bill 1094 and Floor Amendment No. 1 to Senate Bill 1428; refer to Licensed Activities Committee - Floor Amendment No. 4 to Senate Bill 385 and Floor Amendment No. 1 to Senate Bill 448; refer to Local Government Committee - Floor Amendment No. 1 to Senate Bill 38, Floor Amendment No. 2 to Senate Bill 222, Floor Amendment No. 1 to Senate Bill 382, Floor Amendment No. 1 to Senate Bill 384, Floor Amendment No. 2 to Senate Bill 417, Floor Amendment No. 1 and 2 to Senate Bill 439, Floor Amendment No. 1 to Senate Bill 473, Floor Amendment No. 1 to Senate Bill 513, Floor Amendment No. 1 to Senate Bill 825 and Floor Amendment No. 1 to Senate Bill 1729; refer to Pensions and Investments Committee - Floor Amendment No. 1 to Senate Bill 488, Floor Amendment No. 1 to

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Senate Bill 809, Floor Amendment No. 1 to Senate Bill 1380, Floor Amendment No. 1 to Senate Bill 1553; refer to Public Health Committee - Floor Amendment No. 1 to Senate Bill 133, Floor Amendment No. 2 to Senate Bill 233, Floor Amendment No. 1 to Senate Bill 765, Floor Amendment No. 1 to Senate Bill 884, Floor Amendment No. 1 {sic} (2) to Senate Bill 1471, Floor Amendment No. 1 and 2 to Senate Bill 1580; refer to Revenue Committee - Floor Amendment No. 1 to Senate Bill 267, Floor Amendment No. 2 - - I'm sorry, Floor Amendment No. 1 to Senate Bill 764, Floor Amendment No. 1 to Senate Bill 774, Floor Amendment 1 to Senate Bill 794, Floor Amendment No. 1 to Senate Bill 1354, Floor Amendment No. 1 and 2 to Senate Bill 1360 and Floor Amendment No. 1 to Senate Bill 1433; refer to State Government and Veterans Affairs Committee - Floor Amendment No. 2 to Senate Bill 8, Floor Amendment No. 1 and 2 to Senate Bill 479, Floor Amendment No. 1 to Senate Bill 766, Floor Amendment No. 1 to Senate Bill 1099, Floor Amendment No. 1 to Senate Bill 1446, Floor Amendment No. 3 to Senate Bill 1448 and Floor Amendment No. 1 {sic} (2) to Senate Joint Resolution 14; refer to Transportation Committee - Floor Amendment No. 1 {sic} (2) to Senate Bill 71, Floor Amendment No. 1 to Senate Bill 514 and Floor Amendment No. 1 to Senate Bill 678; Be Approved for Consideration -- Senate...

Signed -- Senator Debbie Halvorson, Chairman. Dated March 21st, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, for what purpose are you seeking recognition, please? Senator Garrett.

SENATOR GARRETT:

Yes. Thank you, Mr. President. Public Health will meet

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today at 2 o'clock in Room 409.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Crotty, for what purpose do you seek recognition for, ma'am?

SENATOR CROTTY:

Point of an announcement. Local...

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, please.

SENATOR CROTTY:

Thank you. At 2 o'clock today, in Room 409, Local Government will meet. And then at 3 o'clock, in Room 409, Housing and Community Affairs will be meeting.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Silverstein.

SENATOR SILVERSTEIN:

...of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR SILVERSTEIN:

The Senate Executive -- Committee will meet tomorrow at 10 a.m., in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Cullerton, for what purpose you seek recognition?

SENATOR CULLERTON:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR CULLERTON:

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The Judiciary-Civil Committee would meet at 2 p.m. in our normal room, 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Lightford, you look very nice today.

SENATOR LIGHTFORD:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

What purpose do you rise, ma'am?

SENATOR LIGHTFORD:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. Education will meet on tomorrow at 11 a.m. in Room 212. Education on tomorrow, at 11, in 212. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Garrett, you seeking recognition?

SENATOR GARRETT:

Yeah. I -- I made a mistake. Public Health will be meeting in Room 400, not 409, at 2 o'clock today.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. Like to announce that the -- the Judiciary-Criminal Law Committee will be meeting today at 3 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, sir. Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. The Committee on Pensions and Investments will meet tomorrow morning at 8:30 a.m. in -- bright and early in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Haine, do you have another resolution or a bill?

SENATOR HAINE:

I have two announcements and a question.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your first announcement, sir.

SENATOR HAINE:

The -- the Licensed Activities Committee will meet in Room 409, tomorrow, at 11 a.m., and the Insurance Committee will meet in Room 400 at 4 o'clock post meridian. Tomorrow.

PRESIDING OFFICER: (SENATOR DeLEO)

Now those are your two announcements.

SENATOR HAINE:

And a -- and a question.

PRESIDING OFFICER: (SENATOR DeLEO)

And a question.

SENATOR HAINE:

Does the President like my tie? Oh, Insurance is today at 4 p.m. But my question is, does the President like my tie? You mentioned that Senator Lightford looked so nice, I just -- I couldn't wear this on St. Patrick's Day, so I'm asking is this orange tie okay?

PRESIDING OFFICER: (SENATOR DeLEO)

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Polyester is coming back in. Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement.

SENATOR SULLIVAN:

The Senate Ag and Conservation Committee will meet at 9 a.m., tomorrow morning, in Room 409.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Jeff Schoenberg, for what purpose you seek recognition, sir?

SENATOR SCHOENBERG:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President. The Senate Appropriations II Committee will convene today at 4 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Noland, what purpose you seek recognition, sir?

SENATOR NOLAND:

Thank you, Mr. President. For purposes of announcement. Like to announcement that the Senate Revenue Committee will meet tomorrow at 10 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, for what purpose you seek recognition, sir?

SENATOR MALONEY:

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For a purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR MALONEY:

The Senate Higher Education Committee will meet at 4 p.m. in Room 409. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Jacqui Collins, for what purpose you seek recognition?

SENATOR COLLINS:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, ma'am.

SENATOR COLLINS:

The Financial Institutions Committee will meet tomorrow at 12 noon in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you very much. Senator Michael Bond, you seeking recognition, sir?

SENATOR BOND:

For purpose of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement.

SENATOR BOND:

The Senate Transportation Committee will meet today at 3 p.m. in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Reverend Senator Meeks, you seeking recognition, sir?

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SENATOR MEEKS:

Yes, sir. Thank you so much, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Nice to see you, Reverend.

SENATOR MEEKS:

Nice to see you, sir. And I notice that Senator Haine just passed a drug bill and I was trying to figure out if there's any special reason he wanted you to compliment the way he looked. Is there anything going on, sir, that we need to know about? Purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement.

SENATOR MEEKS:

The Human Services Committee will meet tomorrow morning at 9 a.m. in Room 400, sir. And you look very nice today, too, sir. And there's nothing intended by it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, my friend and colleague. Senator Demuzio, for what purpose you seek recognition, ma'am?

SENATOR DEMUZIO:

Yes. A purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement.

SENATOR DEMUZIO:

Yes. Tomorrow morning at 10 a.m., State Government and Licensed Activities {sic} (Veterans Affairs) will meet in Room 409.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Haine.

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SENATOR HAINE:

A correction, Mr. President. The Insurance Committee...

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your correction, sir.

SENATOR HAINE:

Thank you, sir. The Insurance Committee will meet today at 4 p.m. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. And -- and they say polyester should never go near flames. Senator James Clayborne.

SENATOR CLAYBORNE:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR CLAYBORNE:

Environment and Energy will meet tomorrow morning at 9 a.m. in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Marty Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. esteemed, distinguished Presidente. Purpose of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SANDOVAL:

Thank you, Mr. President. The Committee on Commerce and Economic Development will meet tomorrow in Room 409 at the hour of noon.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you very much. Senator Cronin, you seeking recognition, sir?

SENATOR CRONIN:

Yes, Mr. President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR CRONIN:

Just wanted to alert all my friends and colleagues here, Members of the Illinois State Senate, that we have a very esteemed and august group of young idealistic people down here today that want to meet you, and these people are the Golden Apple Scholars. They're very smart. They're very creative. They're very motivated, idealistic. They're people that are actually doing something to help improve educational opportunities for people, young people, across the State of Illinois, particularly in areas of need. So, Senator Meeks and others who have expressed concern about quality teachers getting into schools and communities that need them most, you need to open your door, shake the hand of these young people, look 'em in the eye, and I ensure you, you will be very impressed with them. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cronin, for the announcement. Ladies and Gentlemen, that has completed our committee announcements, our committee schedule. Our posting has been posted. Rules have met. That will bring us back to Senate Bills 3rd Reading, final passage. Madam Secretary, would you please make the call to the Floor? Okay, Ladies and Gentlemen, that brings us to Senate Bills 3rd Reading where we left off at. We'll start back in the

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middle of page 42. Senate Bill 1460. Senator Sullivan, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1460.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, on the bill.

SENATOR SULLIVAN:

Thank you, Mr. President. Senate Bill 1460 creates the Airport Improvement Fund as a special fund in the State treasury. IDOT would use the fund to make grants to airport authorities in the State that do -- do not qualify for federal funding.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Bomke, what purpose you seek recognition?

SENATOR BOMKE:

Thank you, Mr. President. This came out of Transportation with no opposition. I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Burzynski, for what purpose you seek recognition?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

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Thank you. Senator, I don't have my computer up and running right now, so I couldn't look at -- at the analysis, but does this only apply to existing airports?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

I would say that it does not apply to just existing airports. My thoughts would be that it would -- I don't -- and I don't know the answer for sure on that, but I would assume that it would include new airports as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Righter, what purpose you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank -- thank you, Mr. President. Senator, does the bill contain language that would prevent it from being raided or swept, like we've seen in the last few years?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

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Can I ask why?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

You know, the -- what we're trying to do -- as far as why the language isn't in there is, you know, that's not what we're trying to address. Currently, there is no funding source for the fund that we're creating. The -- what we're trying to address here is the fact that airports right now rely on bonding. We are hoping to, at some point in time, to find a revenue source that could be put into this fund that could be used to improve airports and that's -- that's the goal of the bill, and that's what it does.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter. Please give the speaker your attention.
Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, our information is that the Department of Transportation is opposed. Is that your information, and if so, do you know why?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

According to our analysis, Senator, IDOT is neutral on the bill. And basically they're neutral because we have not, as I mentioned earlier, we have not identified a funding source. So, they -- all we're doing really is creating the fund at this point, and according to our analysis, IDOT is neutral on the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

...Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Senator, I'm going to support the bill. I hope - and obviously I believe it's going to pass this chamber - that when it gets over in the House, you'll consider asking the House sponsor to add the protective language. There's not much point in working hard to find a funding source to help our airports to see the money be spent in other areas. Thank you very much. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any further discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1460 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? Madam Secretary, please take the record. On that question, there are 59 Yeses, 0 voting Nay, 0 voting Present. Senate Bill 1460, having received the required constitutional majority, is declared passed. Senator Lightford, on 1463, ma'am. Do you wish to proceed? ...indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1463.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. -- Mr. President, Ladies and Gentlemen of the Senate. Mr. President. Senate Bill 1463 amends the Silent Reflection Act. It requires a teacher to observe a period of silence at the opening of every school day. Current law states that the teacher may observe a brief period of silence with the participation of all students therein assembled at the opening of every school day. This bill would change the current law from "may" to "shall". In fact, our Illinois School Board has indicated that it should not be conducted as a religious exercise, but rather as an opportunity for silent prayer or reflection on the activities of the day and that it shall have all students participate in the period of silence, because it is a neutral act which affords students the opportunity to reflect on whatever they wish, whether religious or not. I'd be happy to answer questions and there is actually no one filed in opposition to this legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Any discussion? Senator Cronin, for what purpose you seek recognition?

SENATOR CRONIN:

Thank you, Mr. President. I -- I rise in support. I -- I commend the -- the sponsor. She has great intention. I understand the -- the -- the objective here. You know, all of us who talk about local control and sort of are -- you know, are not

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enthusiastic about mandates, I think this is probably one of those issues where -- you know, a moment of silent reflection - you know, I don't know how long that moment lasts. I -- it could be a fraction of a second, I suppose. And -- and if the objective is to -- to -- to instill a little meditative exercise and recognizing that there's a specific constitutional prohibition on school prayer, I suppose the objective here, the intent is -- is laudable. So, with that, I -- I rise in support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Rutherford, what purpose you seek recognition?

SENATOR RUTHERFORD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Thank -- thank you, Mr. President. Senator Lightford, could a school board do this on their own volition?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator. In our current law, in statute from 2002, the law states that the teacher may, and the only difference in the law that I'm changing is that it shall be. So it -- it never was up to the school board, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Could a teacher, on his or her own volition, decide to do

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this since the law says may?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Definitely. And that's the reason why I'd like to allow this legislation to be more defined, because what we're finding is that some teachers are and some teachers are not, under the same roof. So, you have some children that are allowed meditation, moment of silence, reflection, while the classroom right next door is not. And so this is an effort to create uniformity across the State in all of our schools.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sieben, what purpose you seek recognition?

SENATOR SIEBEN:

Thank you, Mr. President. I rise in support of the Senator's legislation. Having been married to a classroom teacher all my life, I can't imagine any teacher who wouldn't welcome a requirement in our State that we have a moment of silence at the beginning of the day, however you choose to use that moment of silence. I think the teachers would certainly welcome that. The biggest challenge of the legislation, though, may be to get the students to cooperate and be still for a few moments at the beginning of the day. Thank you, Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Meeks, you seeking recognition, sir?

SENATOR MEEKS:

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Thank you so much, Mr. Chairman. I rise also in strong support of this legislation. I'd like to commend the sponsor. Every day here in this Body we pause and every day in the United States Congress they pause, but they actually pause and we pause here for a religious prayer. To think that our students should not pause for a moment of -- of silence. All of us should be with this one hundred percent, because kids come in the school, they're hyper, hyperactivity, they're running, they're pushing in the hallways. They should take a moment before the day starts and the teachers should require it just to take a deep breath to reflect upon the things that are coming up throughout the day. There can absolutely be nothing wrong with this piece of legislation and I think that we should strongly urge schools and school districts to do this. And so, I look forward to seeing fifty-nine green lights for this piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you very much, Senator. Okay. Ladies and Gentlemen, seeing no further discussion, Senator Lightford, to close, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1463 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 1 voting Nay, 1 -- 0 voting Present. Senate Bill 1463,

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having received the required constitutional majority, is declared passed. Senator Harmon, on 1467, sir. You wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1467.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Four years ago we passed the Illinois Civil Rights Act of 2003, which created a State right of action for certain types of discrimination by a government unit against people based on race, color or national origin. We did so in response to some Supreme Court cases that had undermined that right at the federal level. Because we were responsive, we did not think to expand those categories. But today, with Senate Bill 1467, we would add "gender" to the list of protected categories. I think it's a wise improvement. I'm not aware of any opposition and I would ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any -- seeking recognition on -- discussion on this bill? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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Thank you. Senator Harmon, when you presented this bill in committee, we had a little bit of a discussion and I'd like you first to explain for the Members of the Body, if you will - "gender" is not defined in the text of the bill - why that is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator, for your question. No, "gender" is not defined, but most of the words used in the -- in the bill are not defined. I think "gender" is correctly interpreted as male or female.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further... Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Simply to the bill: I rise in support of the bill and thank the Senator for his work on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1467 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? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1467, having received the required constitutional majority, is declared passed. Senator Kotowski, on 1472. This is his second bill of the day. Do you wish to proceed, sir? You're on a roll. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1472.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1472, the Internet Safety and Education Act, will inform and protect students from inappropriate and illegal communications and solicitation, and it encourages school districts to provide education about Internet threats and risks. With this bill, we recommend that the current curriculum provide for two hours of Internet safety education each year in kindergarten through high school. This is good legislation. Protects the safety and well-being of our children. It is important that we adapt with our growing technology to keep our families out of harm's way. Senate Bill 1472 will encourage the development of an important curriculum that ranges from Internet sex predators to identity theft and consumer safety. I would also like to thank the Attorney General for her leadership and work on this bill, and her office as well. It underscores her dedication to safety and consumer protection. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Cronin, you seeking recognition?

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this permissive legislation that permits school district to do what they're already permitted to do. It's a policy statement of

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sorts that encourages this kind of safety education. And I rise in support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1472 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? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1472, having received the required constitutional majority, is declared passed. Senator Lightford, on 1473, ma'am. Do you wish to proceed? Out of the record. Senator Lightford, on 1474, ma'am. Do you wish to proceed? She indicates she does. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. This is agreed-on legislation between the Chicago Teachers Union and the Chicago Public Schools regarding teacher evaluations and removal. The bill gives the Chicago Board of Education and the district's teachers' representative the authority to create alternative procedures for teachers' evaluations, remediation and removal for cause. The board and teacher -- representatives are also allowed to create an alternative system for peer evaluations and recommendations,

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and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this piece of legislation. I -- I was impressed with the testimony in committee. Both management and labor sat down and came up with a whole process, a whole new approach to evaluating teacher performance. Those of us here who understand that a good teacher in the classroom is the best chance that we have at helping educate a child, this agreement, this new policy, holds a lot of promise. For those who expect poor teachers - and there's many great teachers and we love 'em, but there are some bad apples and they never seem to be dismissed - this bill -- this was represented by the representative of the Teachers Union herself said that she expects that her peers will be tougher on teachers and that she expects that there will be dismissals as a result of this, that we will see a -- a culling of the herd, if you will so to speak, or -- that's probably a bad way to characterize it. There will be an effort to make the greatest teachers rise to the top and some of the teachers that are not performing as well will be identified and they will no longer be teaching. So, I -- we all have a lot of hope and promise, and I commend Senator Lightford for sponsoring this thoughtful legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator Cronin. Any further discussion? Senator Rutherford, for what purpose you rise?

SENATOR RUTHERFORD:

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Thank you, Mr. President. For a statement to Senator Lightford. I stand in support of your wonderful piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any further discussion? Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1474 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1474, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we'll now to turn to page 43. On the top of page 43 is Senate Bill 1479. Senator Demuzio. Out of the record. Senator Bomke, on 1487, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President - now, I'm on - and Ladies and Gentlemen of the Senate. Senate Bill 1487 simply will help consumers who purchase identity theft insurance better understand what they have purchased before they have a loss. I'd be happy to address any questions if anyone should have any.

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PRESIDING OFFICER: (SENATOR DeLEO)

...you -- thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1487 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? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1487, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 1518. Senator Haine. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1518.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an initiative of the healthcare -- the Department of Healthcare and Family Services. And what it does, quite simply, is amend the Insurance Code to bring the Department into compliance with federal law by mandating that -- that it requires people to -- or, companies doing business in the State to provide information to the Medicaid agency concerning individuals covered by the plan. Apparently, this meets the federal standards as recently introduced. And without this, we

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would be in noncompliance.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Haine, to close, sir.

SENATOR HAINE:

I would ask for an Aye vote. Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1518 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1518, having received the required constitutional majority, is declared passed. Senator Haine, on 1523, sir. ...wish to proceed? You wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1523.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I apologize for the slip-up here. The -- this is another initiative of the Healthcare and Family Services Department. It relates to two provisions of the Group Health Insurance Act. It's a bookkeeping statute which outlines the duties in -- in

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storing these funds into the hands of the Health {sic} and Family Services. Apparently, the State Healthcare and Purchasing Act transferred them from CMS to HFS and this clarifies statutory language between CMS and HFS. So, this is a bill to bring peace and order and goodwill to two very large competent agencies. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Ask the -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Thank you, Mr. President. Senator Haine, one question on this. I supported the bill in committee and I recommend support, but are these funds subject to fund sweeps?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Senator, I can't answer that with certainty. Somehow I don't think so since they -- these are to be applied toward meeting the additional health -- the health insurance demands and the -- the benefit demands as determined by the Director. So I doubt that they would be swept since this is an ongoing program using these transfers. And these -- these are surpluses from the Insurance Premium Fund and the Group Insurance Reserve Fund.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Brady.

SENATOR BRADY:

Senator, is it your intent that they wouldn't be subject to fund sweeps?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yes, sir. It's my intent that they would not be subject to fund sweeps since they...

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, the gentleman -- the question is, shall Senate Bill 1523 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? Madam Secretary, please take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1523, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading, on top of page 43 of the Calendar, is 1539. Leader Watson, do you wish to proceed, sir? He indicates he'd like to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1539.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. Senate Bill 1539

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directly impacts a -- a constituent in my -- my district from Vandalia, and it would allow a widow or a widower of a downstate suburban police officer to get survivor's pension benefits after the spouse dies. Now they would be required to be married for at least one year before the death and that -- current law denies the survivor's benefits if they were married after retirement. The one-year requirement is so that we won't have people marrying at an officer's -- his or her deathbed just to get a pension. But this would allow widows to be taken care of financially after the -- the officer's death. It only impacts a very -- handful of people. The Fraternal Order of Police and the Police Benevolent Association all support the legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1539 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? Madam Secretary, please take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1539, having received the required constitutional majority, is declared passed. Senator Hendon, on 1544, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1544.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Hendon.

SENATOR HENDON:

Yes. Thank you, Mr. President. This is an extension of the movie tax credit.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Couple issues. First, Senator Hendon, we talked in committee a little bit about the virtue of a one-year extension as opposed to a two-year extension. Can you talk to the Body a little bit about why you've got it positioned the way you do on this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank -- thank you. It's a excellent question. I would prefer a longer tax credit, but we have been having trouble with two of the unions that are involved in the movie industry. So we want to give just a one-year credit so we'll have opportunity to -- to talk with those -- unions and -- and convince them that it's in their own best interest to be more diverse. Other than that, I would love to do a two-year or three-year credit.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

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SENATOR RIGHTER:

Thank you, Mr. President. Senator Hendon, last inquiry. A couple Wednesdays ago, the Governor stood up in the Chamber across the way here and talked about corporate fat cats. And I'm wondering -- first, I want to make sure the Body knows that you're not trying to help any corporate fat cats with this -- this tax credit. And if you can tell us first, how would this tax credit interplay with the gross receipts tax?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

That -- that's a very good question. In fact, I -- I -- I hope that when the Governor retires from being Governor, he could probably appear in a few of these films that we're shooting here in Illinois. I'm sure that would satisfy some of you on the other side. I hope that the Governor's gross receipt tax credit will have no effect on this -- I mean, tax will have no negative effect on this. If it does, we'll have to come back and tweak it, as we're going to tweak that GRT. It won't probably be exactly the way the Governor wants it. I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1544 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? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1544, having received the required constitutional majority, is declared passed. Senator Wilhelmi, on 1545, sir. Do you wish to... He

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indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1545 amends the Unified Code of Corrections to allow that a collection of a judgment order of forfeiture, order of restitution, or any installment thereof may be collected by any and all means authorized for the collection of money judgments. It also authorizes the State's attorney of the county in which the judgment order of forfeiture or order of restitution was imposed to retain attorneys and private collection agents for the purpose of collecting any default in payment of any order of forfeiture or restitution. Right now the law allows for collection of fines. This would extend it to the collection of orders of restitution and orders of forfeiture. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1545 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? Madam Secretary, take the record. On that

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question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1545, having received the required constitutional majority, is declared passed. Senator Frerichs, on 1557, sir. Do you wish to proceed? Out of the record. Senator Frerichs, on 1559, sir. 1559? Out of the record also. Senator Demuzio, on 1560, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1560.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Members of the Senate. Senate Bill 1560 requires written notice to be given in the -- in the event an education support personnel employee's hours are reduced for certain reasons. If the reduction is the result of a school board's decision to reduce the number of educational support personnel employees, a -- thirty-day written notice must be given. If the reduction is a result of an unforeseen reduction in the student population, five days are required and notice must be given to the employee. The bill also states that if a vacancy exists in the category -- in the category or any other qualified category, then that position must be tendered to the dismissed employee.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Luechtefeld, for what purpose you rise, sir?

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SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LUECHTEFELD:

Senator, could you tell me what brought this about? Someone in your district? Or -- what -- what brought this -- this particular piece of legislation forward?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Senator. I think there are several -- we can -- we can think of several instances within our own -- my own school district and possibly others where all of a sudden that notice has not been given to -- we're at the end of the school period and then because of reduction of force, they've not been notified and then -- actually, in some of the instances, it's right up to the very last minute before they're notified.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, the -- the hire-back provision of this is the one that concerns me. You know, there's some language in there that really makes it very questionable what the superintendent can do, who he has to hire back, when he has to hire that person back. You talked about qualifications - that's a toughie, too. I'm just wondering why we don't let that to the administration to make those kinds of decisions. Hopefully they would make -- in the best interest of that school, they would make a good

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decision. And now we're sort of mandating that they have to hire a certain person back when they may not want to. And again, I -- I have some -- I have really some problems with that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Senator. I believe right now that under this -- with this notification and when they are to be hired back, I don't think anyone's going to be coming back in a position that they're not qualified for. And so that administration can basically call that individual back. They have a one-year period to call 'em back in and be able to put 'em back in into that position.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But, Senator, the legislation basically says that they have to hire them back, don't they? And -- even though they may not want to.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I understand that most of the alliances, the administrators, different groups are against this particular proposal. Would that be -- could you explain why you think they

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are?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Basically for some of the -- the statements that you just made, but they still have to be qualified, nonetheless. It goes back to certified teachers and -- and the same rule applies that we have right now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

...you know, you're very familiar with schools and you're from a -- very much a rural area like I am from and -- and I -- does that not bother you, that particular provision on the hire-back at all? That we wouldn't let the administration make those kinds of decisions rather than -- rather than mandate that they hire particular people back maybe that they don't want to?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

I think right now that, you know, that same process is going to be basically the -- the process is going to be basically the same. But, you know, the notice I think is more of a concern. I would -- I would say that giving that thirty-day notice or giving that five-day notice is -- is pretty important.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, Senator, I -- I think a lot of us have no problem with

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that part of it. And -- and you say you agree with that part. I -- I just really question the second part and -- and I'm not real sure how -- how much of your heart you have in that second part also. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Senator Righter. Oh, I'm sorry. Senator Burzynski. Senator Burzynski, for what purpose you seek recognition?

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I rise in opposition to the bill. I think that what the sponsor is -- is attempting to -- to capture here in her bill can be also done in a collective bargaining agreement between the unions and the school board or the school administration. And I think what we're doing is taking one of those bargaining tools away from the administration by approving this particular bill. So, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Demuzio, first, the bill uses the term "an unforeseen reduction in student population". For the benefit of my thirty-four school superintendents that I represent, can you define that term?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you. Actually, I -- we're -- we're presently going through that unforeseen reduction in student population in one of my school districts right now. And although they forecast and they may project that there is going to be a certain amount of student population, you know, other things happen in a community that would be -- that could cause a reduction.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator, staying on that phrase for a moment, how -- how dramatic does the unforeseen student -- or, the reduction -- unforeseen reduction, have to be? In other words, let's say the forecast is we're going to lose twenty students next year and we wind up losing twenty-five, does that trigger that phrase? What -- can you give me an -- I mean, give my superintendents a number?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Senator. Actually in my hometown in Carlinville, we're actually seeing that same thing happen. Right now we have a reduction in student population. We're seeing a dramatic dismissal of employees. We've lost assistant coaches. We've lost several teachers. We've lost several in our -- in our high school in our school district. So, the trigger could possibly be twenty/twenty-five. I think it depends upon the budget that that particular superintendent would -- would activate that quote

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"unforeseen" population decrease.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Okay. That one the superintendents will have to figure out, I think, on their own. The second area of questioning, I want to follow up with Senator Luechtefeld's questioning about rehiring someone. Let's -- let me give you an example and tell me -- tell me how this -- this, if it became law, would work. A member of the support staff in the superintendent's office is let go because of an -- the unforeseen student reduction and the budget doesn't allow for them to stay. A couple years later, or a year later, let's say, they're able to hire back that position and the superintendent has in mind someone who is far more qualified than the person that was let go - far more qualified - would serve the students of the district in a far better fashion than the person who was let go. If your bill became law, would they be required to hire back the -- the person who was let go?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, they would.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Who makes the determination, Senator, as to whether or not the individual who was let go is qualified? Is that the board decision? The superintendent's decision? Is it a union's decision? Who makes that call?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Senator. You know, the -- the person has probably been there -- the support service person has probably been in -- and I'm just assuming that they would be with the school district at some time. They would probably be qualified, and at the time of their dismissal, it would be probably because of a reduction in -- in -- and trying to save dollars, and so that person would be let go. But I would say that that person was qualified to be working there for however long they were and they would probably still remain qualified to be hired back.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, I -- I hope that we've listened, at least a little bit, to the questions and the answers that have been given here, and here's why: Unlike some of the previous bills where we've said the school district - - or the school board may do something, if there's unclear language in a "may" bill, in a discretionary bill, it's not that big of a deal because the superintendent or the school board can choose not to do that, or they can interpret it as they wish and no one's going to sue them because they're not following the letter of the law. But this is a mandate. This is a mandate.

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And on the two issues we just talked about, there is no clear definition of what an unforeseen reduction in student population will be. Who will determine that? Will it be the superintendent? Will it be the school board? Will it be the union? Secondly, who's qualified and who's not? Who's making that determination? Is it your superintendent? Is it the board? And if the school board has a disagreement with the union that represents the individual let go, then will they file a grievance? Will they go to court? Ladies and Gentlemen, it's one thing to have vague language in permissive bills. But this is a mandate upon your school districts and I will tell you, based on the feedback I've gotten from my district, is the superintendents are not going to know the definitions to these terms. Let's not place a mandate on the school districts that in the end is unclear to both the people the Senator, I think, is trying to help and the administrators as well. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion? Seeing no further discussion, Senator Demuzio, to close, ma'am.

SENATOR DEMUZIO:

I -- thank you, Mr. President. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1560 pass. All those in favor, vote Aye. All those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 44 voting Aye, 15 voting Nay, 0 voting Present. Senate Bill

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1560, having received the required constitutional majority, is declared passed. Senator Righter, on 1566. Out of the record. Senator Hultgren, on 1568, sir. You wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1568.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hultgren.

SENATOR HULTGREN:

Thank you, Mr. President, Members of the Senate. This is a bill that was brought to me by the DuPage County Forest Preserve. It's an initiative that affects the downstate forest preserve districts. It allows them to create, in their annual appropriations ordinance, a capital improvement, repair or replacement fund for specific improvements, repairs or replacements of district equipment and property. The fund may not exceed 0.02 percent of the assessed value of taxable property in the district. If the funds are not used for their designated purpose by the end of the fiscal year, they'll be transferred back into the general fund. This is something that municipalities are allowed to do at a much higher rate. This is a much lower rate as far as assessed valuation goes. I don't know of any opponents. Would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the

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question is, shall Senate Bill 1568 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? Madam Secretary, please take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1568, having received the required constitutional majority, is declared passed. Senator John Jones, on 1575, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. The -- Senate Bill 1575 actually provides for the issuance of a -- Iraqi Campaign and Afghanistan Campaign license plates, respectfully {sic}, to the persons who have earned the Iraqi Campaign Medal or the Afghanistan Campaign Medal from the United States Armed Forces. Provides that the applicant shall pay an additional fee of fifteen dollars for the original issuance of the plates and to be deposited into the Secretary of State's Special License Plate Fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1575 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1575, having received the required constitutional majority, is declared passed. Senator Noland, on 1576. Senator Noland, on 1576. Out of the record. Senator Susan Garrett, on 1579, ma'am. Do you wish to proceed with that? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1579.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Good afternoon, Senator Garrett. To the bill, ma'am.

SENATOR GARRETT:

...you -- thank you, Mr. President. Senate Bill 1579 modifies the standards that Department of Public Health must consider in issuing an annual Freestanding Emergency Center licenses {sic} to a facility, and authorizes the Illinois Health Facilities Planning Board to waive a certificate of need or permit requirement for any proposed Freestanding Emergency Center to satisfy the criteria for furnishing comprehensive emergency treatment services. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Garrett, to close, ma'am.

SENATOR GARRETT:

I urge an Aye vote. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1579 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? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1579, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we will now turn to page 44 of your Calendar. On the top of page 44 of your Calendar comes Senate Bill 1580. Senator Susan Garrett. Senator Garrett, one moment, please. Senator John Jones, are you seeking recognition, sir?

SENATOR J. JONES:

Yes. Thank you, Mr. President. You know, I heard your announcement earlier today, you know, that if we could get through the process real quickly that we wouldn't be here Friday and I was in such a hurry on my own bill, Senate Bill 1575, that I failed to vote on it. So I would like to be recorded as an Aye vote, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate your intention, sir, on 1575. The top of page 44 of the Calendar is Senate Bill 1580. Senator Garrett. Out of the record. Senator Garrett, on 1581, ma'am. Do you wish to proceed on that bill? She indicates yes. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1581.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, on 1581, ma'am. Take your time. We...

SENATOR GARRETT:

I just wanted to make sure I included my amendment and had the right summary. Basically, 1581 - let me just make sure I've got this right - redefines a health facility to include an institution, place, building, or room that is utilized for the delivery of health care and exceeds the capital expenditure minimum and certain freestanding diagnostic imaging centers. The bill also extends the sunset date of the Illinois Health Facilities Planning Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator -- no. Is there any discussion? Seeing no... Senator Dillard, are you seeking recognition on this bill, sir? Senator Dillard.

SENATOR DILLARD:

Thank you, Senator Garrett. If she would yield, Mr. President, for a quick question.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates she'll yield for a quick question.

SENATOR DILLARD:

So the sunset date in here, how does that jive with the bill you passed last week? How do they fit together?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

They do fit together. And as you know, there's going to be continued discussion on the whole Hospital Facilities Planning

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Act. My guess is that part of this proposal will ultimately be included in that bigger reform package. So, I -- I just want to be honest and let you know that. So, if we can pass this out of the Senate, I think we just need to let the House know that this is an important facet.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno, you seeking...

SENATOR RADOGNO:

I have a question of the sponsor. I didn't understand your answer. I mean, I voted against this in committee 'cause we're doing little splintered pieces of this, and you've indicated that you're going to take the whole picture under consideration, which is good. But once we've already passed a sunset, why do we need to do another one?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Thank -- thank you. Senator Radogno, what I'd like to do is send some of the components of what we believe should be included in the overall reform package pertaining to the Health Facilities Planning Board and this would be part of it. This has to do with out-of-state, non-physician, investor-only diagnostic centers that need to have that same kind of review process come before them that other hospitals do. So, it's -- it's -- it's really just sending a message and -- and letting the House know that these are important issues.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion? Seeing no further discussion, the lady, to close.

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SENATOR GARRETT:

Thank you very much. And -- and hopefully you'll give -- give this bill a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, the question is, shall Senate Bill 1581 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? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1581, having received the required constitutional majority, is declared passed. Senator Haine, for what purpose do you seek recognition, sir?

SENATOR HAINE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR HAINE:

I want to introduce to the distinguished Members of the Senate a couple of individuals. Actually, Rosemarie Brown is our Director, and many of her colleagues who came from Southwestern Madison County, Granite City area, to observe the -- the Legislature. And Mr. David Leming, who's the District Director, the facility manager of a large facility in the Granite City area for Kraft Foods. An important part of our economy.

PRESIDING OFFICER: (SENATOR DeLEO)

Could we ask our guests please rise to be recognized? Please rise and be recognized and welcome to the Illinois State Senate. Welcome to Springfield. Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading. On the top of page 44 of

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your Calendar comes Senate Bill 1592. Senator Forby, do you wish to proceed, sir? Out of the record. Senator Forby, you seeking recognition, sir? Senator Forby.

SENATOR FORBY:

I need to make a comment. I've had a lot of people ask me about this bill. In order to keep this bill moving and keep it in -- the negotiation ongoing, my colleagues has asked me to put ComEd customers in this bill and I have agreed to do that. So, a lot of people have asked me that and I just want to let everybody know what I'm doing.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senate Bill 1592. Out of the record. Senator Jeff Schoenberg, on 1617, sir. Do you wish to proceed? Out of the record. Senator Schoenberg, on 1618, sir. Do you wish to proceed? Out of the... Senator Schoenberg, on 1619, sir. Out of the record. Senator Schoenberg, on 1620, sir. Out of the record. Senator Schoenberg, on 1621, sir. You wish to proceed on that, sir? 1621, out of the record. Senator Haine, on 1627, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is an initiative of the Appellate Defender and

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the Public Defenders of Illinois. It's a -- a fairness bill and I'm pleased to introduce it. It is actually a companion, in a way, to Senator Clayborne's bill. What happened here is that there's been numerous occasions where individuals who -- who are sentenced will go to the county jail, scribble a pro se petition for relief and -- and be -- that would be held against 'em under the frivolous lawsuit statute. We would ask that -- that -- that it be defined as a second or subsequent petition for relief -- post-conviction relief. The reason being that the second or subsequent one is really the first one with counsel's advice. And it's a fairness issue. The State's attorneys -- I have another bill which takes care of the procedures in southern Illinois, which are somewhat different than Cook County. The State's attorneys do not object to this and I was pleased and flattered to be asked to sponsor it on behalf of the public defenders. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MILLNER:

Thank you, Mr. President. And I stand in support of the bill and the committee voted unanimously to support it as well. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Millner. Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1627 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? Madam Secretary, please take the record. On

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that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1627, having received the required constitutional majority, is declared passed. Senator Raoul, on 1653, sir. Senator Raoul, on -- 1653. 1656, with leave of the Body, we will come back to. Senator Trotter, on -- 1663. Senator Don Trotter, on -- do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, slowly read the bill.

SECRETARY SHIPLEY:

Senate Bill 1663.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, on the bill, sir.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 1663 amends the Environmental Protection Act, creating a fee exception for construction site storm water discharges for which a new permit is issued during the months of January through June. I'm available for questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

Yeah. This bill is a good bill. It corrects some things that need to be done. But again, we're -- we're starting to roll

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back some of these fees, that they're injustices, and I point out again that there's a lot of injustices on these NPDES fees for local governments, particularly the small communities. And I hope at some point in time we can correct that inequity.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Just a point of clarification. This doesn't change the fees at all. And there is no rollback or reduction of fees. What it does is defer fees and refund fees in a -- a timely manner. So - - and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, seeing -- no further discussion, the question is, shall Senate Bill 1663 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? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1663, having received the required constitutional majority, is declared passed. Senator Hunter, on Senate Bill 1664, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1664.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. As -- amended, Senate Bill 1664 makes recognition that community services and supports are increasingly being relied upon by persons with a disability and that the policies and funding should reflect that change. Also, the bill calls for the Governor to establish a commission to study the rates and the methodologies for services and to identify new revenue streams that will address the -- the -- the gaps in services for persons with a disability. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1664 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1664, having received the required constitutional majority, is declared passed. Senator John Jones, on 1665, sir. Senator John Jones, on 1665. Out of the record. Senator Jacqui Collins, on 1674, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1674.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1674 amends the Residential Mortgage License Act of 1987 to require the Department of Financial and Professional Regulation to adopt rules for the required yearly continuing education of loan originators. And this legislation came to me from the Illinois Mortgage Brokers to deal with some of the fraud that we're encountering in our various communities. I'm open for questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Rutherford, for what purpose you seek recognition?

SENATOR RUTHERFORD:

Thank you, Mr. President. I stand in support of -- of the Senator's piece of legislation. She's worked very closely with all of us on this. It came out of committee unanimously. And, Senator Collins, thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Collins, to close, ma'am.

SENATOR COLLINS:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1674 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1674, having received the required constitutional majority, is declared

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passed. On page -- on the bottom of page 44, on Senate Bills 3rd Reading, is Senate Bill 1680. Senator Susan Garrett. Do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1680.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett. Senator Clayborne in the Chair.

SENATOR GARRETT:

Thank you, Mr. President. Senate Bill 1680 provides a State tax holiday for Energy Star appliances. No tax shall be imposed under the above-mentioned {sic} tax Acts for the privilege of using for nonbusiness purposes in the State a clothes washer, dehumidifier, dishwasher, refrigerator, freezer, room air conditioner, ceiling fan, thermostat, ventilating fan, compact fluorescent bulb or residential light fixture purchased if the item qualifies as an Energy Star product under the Energy Star Program administrated -- administered by the Environmental Protection Agency and is purchased during the tax holiday period of April 22nd, 2008, through April 28th, 2008, or April 22nd, 2009, through April 28th, 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR LAUZEN:

Thank you, Mr. President. It's good to see you there.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Thank you.

SENATOR LAUZEN:

I rise in support of the sponsor's bill, Senator's bill. Congratulate the Senator on a excellent idea. I'm happy to be a cosponsor. It passed unanimously out of the Senate Revenue Committee. There's -- there's one caution. As, you know, we introduce this idea back home, we should be careful on the expectation that we raise, only because on the Streamlined Sales and Use Tax Agreement, there's a Section 322 where it says: Section 322: Sales Tax Holidays. If a member state - if it passes in Illinois - allows for temporary exemption periods - like a tax holiday - commonly referred to as tax holidays, the member state shall not apply an exemption after December 31st, 2004. So, it's possible that this might not be part of Streamlined Sales Tax, as I understand it, as it's rolled forward. I don't know if you'd want to comment. I'm certainly going to vote Yes. It's such a good idea. I don't know if that's something we should be careful of. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

I'm sorry. Senator.

SENATOR GARRETT:

Thank you, Senator Lauzen. I will look into that and make sure that there is clarification. This bill did come from the Lieutenant Governor's Office and it's obviously an incentive to get people to buy energy-efficient appliances in Illinois. So, thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno, for what purpose do you rise?

SENATOR RADOGNO:

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Question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor will -- will yield. Senator Radogno.

SENATOR RADOGNO:

Senator Garrett, I'm all in favor of energy-efficient products, but my question is, why six days? If this is a good idea, and I'm not sure it is, because, of course, we're talking about the need to raise revenue and this is yet another sort of loophole that we're offering people. But typically when people buy things like refrigerators, dishwashers, washers, dryers, it's because the one they have has broken. So, what if your refrigerator breaks in February? Are you just out of luck?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Well, Senator, as you know, you can't, you know, come up with all the solutions for people who have an appliance that breaks. This really isn't to address those people whose appliance breaks, but those people who are thinking about purchasing a product and have maybe -- have put it off and so now they have an opportunity to buy an energy-efficient appliance and obviously save on the sales tax. So, it's -- it's really not something that would apply to somebody who has a broken washer or dryer, but long-term. Somebody who's been looking.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

It just seems to me though that the way it is structured then that the people that probably need it the most who end up

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with broken appliances and have to rush out and get something are -- are the very people it isn't going to help. That's only one concern. The larger concern is, here we are trying to, you know, again, find a way to have revenue leave the State at a time when we're proposing this huge tax increase. It just doesn't seem to jive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Well, actually other states are doing this, and I don't -- you know, the Department of Revenue is not weighing in on opposition. I don't think we're going to see a huge amount of money being lost. But I think what it does do is heighten the awareness of how important it is to purchase these energy-efficient appliances, and as a state that is going to initiate many green programs - this is just one, that, you know, follows through with this whole approach. So, I hope you do support this program. As I said, there's no opposition.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

If I could ask the sponsor a couple questions, sir.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor will yield, Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Garrett, Illinois has lost about a quarter of a million manufacturing jobs in the last several years and I'm just curious whether Illinois has any Energy Star appliance manufacturers left. I know there used to be one in

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Galesburg. But do we have any of these manufacturers left in Illinois?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Garrett.

SENATOR GARRETT:

Whether or not those appliances are being manufactured in Illinois - it'd be great if they were, but not every state has Energy Star appliance manufacturers - again, the point of this legislation is to encourage people to buy those types of appliances.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Is this just limited to residential purchases or -- or people who purchase at retail, or can commercial people - the man who owns the Laundromat - around Peoria - buy through here, or your local restaurateur? Is it just people like you and me or is it business people?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Right now we're not looking at wholesale purchases. We're looking at retail purchases.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Thank you. One more question, then I'll -- I'll speak to the bill. Senator Garrett, if Al Gore comes in here for the bill signing ceremony on this, can I get invited, please?

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Senator Dillard, I don't want to get you in any more hot water. So... You're welcome to come, of course.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Like many of Senator Garrett's bills, I rise in support of this bill. It's a good idea. I know that our former colleague, Senator Hawkinson, back when he had one of these Energy Star manufacturing companies left in his district, espoused these ideas. And certainly we're all concerned about global warming. So anything we can do helps. I would suggest that at some point in time, if you're going to heap a seven-billion-dollar gross receipts tax on businesses, that you ought to allow the poor business person in this State - most of 'em small business people who might run a -- a Laundromat or so - to -- to be able to access. They, too, contribute to global warming, so it would help on that end. But I just think we ought to give some of the commercial purchasers of this type of equipment an opportunity to also do their part for global warming and mitigate some of the bleeding that the Governor wants to heap on small- and family-owned-size businesses. But this is a good idea and I rise in support of it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger, for what purpose do you rise? Seeing -- seeing no further discussion, Senator Garrett... I'm sorry. Senator Cullerton, for what purpose do you rise?

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SENATOR CULLERTON:

I have an inquiry of the Chair. Is this your first bill in the Chair, Mr. President?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Actually, it -- it is.

SENATOR CULLERTON:

It is?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Yes, it is.

SENATOR CULLERTON:

Well, I think we all should vote No then. And then vote Yes at the end.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank -- thank you. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor will yield.

SENATOR JACOBS:

I noticed in the newspaper today that Lieutenant Governor Pat Quinn is opposed to the Governor's tax increase and I notice that this bill will take an additional five million dollars out of our budget. What tax increase is the Lieutenant Governor for?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Well, wait a minute, this is not my first bill. I really don't have an answer for you, Senator Jacobs. But if I could

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respond to Senator Dillard, I think he makes an excellent point about making sure that we expand this and possibly we will be able to do that for the commercial -- commercial owners of Laundromats and -- and facilities like that. So, I'm going to look into that. I think that's a great idea. Can I close?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thought that was your close. I'm sorry. You may close, Senator.

SENATOR GARRETT:

Okay. I hope you -- this does have bipartisan support and - and I hope we do get all fifty-nine of us to vote Yes so we can send it to the House. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 1680 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 53 Yea, 5 Nay, and none voting Present. Senate Bill 1680, having received the required -- constitutional majority, is declared passed. With leave of the Body, we'll go back to Senate Bill 1656. Senator DeLeo, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1656.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator DeLeo, would you explain the bill?

SENATOR DeLEO:

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Thank you very much, Mr. President, Ladies and Gentlemen of the Illinois Senate. As you may recall, for those Members that were here last year, this bill was identical. I did it last year. It was Senate Bill 2748. It passed out of here 53 to nothing. But as you know, mysterious things happen over in the House and it was still in -- in the Rules Committee. This is -- authorizes Chicago Park District to issue up to a hundred and twenty-eight million dollars in bonds for museums, the aquariums, or museums of art, science, natural history. The bonds may be used only for the purpose of refunding or refinancing existing obligations. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR ALTHOFF:

Thank you, Mr. President. Nice to see you in the Chair. I rise in support of this legislation. It did pass out of committee unanimously. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

Just for a -- brief question of the sponsor, if I may. I rise in support of the bill, and as a representative from the suburbs, a lot of people like to come down and participate and attend these wonderful facilities. Would it be fair to say that the renegotiation based on the current market condition, that -- that we may even see a -- a lower rate of interest and a savings to the taxpayer? Can you go that far and say that about this bill?

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator DeLeo.

SENATOR DeLEO:

I think -- I'm not a bond attorney or expert like Senator Harmon, but there are -- there is -- more favorable rates today than the -- some of these older bonds. So, I could -- I could see that some of the refinancing these bonds would -- would show a savings and -- and reduction. I just want to -- just in closing, I'd just like to say, these are -- as anybody knows, these are world-class attractions and museums and the -- the tourism is in the millions every year. So I think this is very important to keep these facilities up to date. Ask for a favorable roll call, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 1656 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, no Nays, none voting Present. The bill, having received the required -- constitutional majority, is declared passed. Senator -- Senator Harmon, on Senate Bill -- I mean, on 1686. Out of the record. Senator Harmon, on -- on Senate Bill 1687. Out of the record. Senator Lightford, on Senate Bill 1702. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1702.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1702, as amended, amends the School Code regarding student biometric information. As the required technology becomes more available and less expensive, school districts around the country are increasingly collecting and using students' biometric information - for example, their fingerprints, hand geometry and retinal scans - for purposes such as operating cafeteria escrow accounts and library loans. Because an individual's biometric information is a unique identifier and it is used and spreading throughout many sectors of society, this bill makes provisions for protecting that information. So this legislation is actually to protect students from further usage of their biometrics after they leave the certain school, after they graduate, or when they turn eighteen. And I think it's important that we protect the student and allow for the parents to provide written permission in order for a school to fingerprint their child. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

I rise -- I rise in support of the bill, Mr. President, and encourage our Members on both sides of the aisle to support this. As long as it's got the parental, guardian sign-off provision, this is a good bill. So, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Lightford, to close.

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SENATOR LIGHTFORD:

I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 1702 -- Senate Bill 1702 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Yeas, no Nays, none voting Present. Senate Bill 1702, having received the required constitutional majority, is declared passed. Senator Forby. Senate Bill 1704. Do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1704.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. The amendment was on this bill takes off the eminent -- domain and this bill will sunset 12-210 {sic} (12-2010) if FutureGen does not come in play. Today, Mr. Chairman, we are competing with Texas trying to get a coal mine, a FutureGen electric generator plant. And what this bill does, give us -- give us a plus, that I think that it should come here instead of Texas since we have a lot of coal in the State of Illinois. And when this bill went through committee, there was no -- there was no opponents to this. And what the main issue that this bill does injects carbon dioxide into the ground. And what this does is compete with Texas. We had a lot of people in

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committee testified on this. I think we answered most of the questions. This is going to be an environment free -- free project. It's going to put fifteen hundred people to work -- I mean, thirteen hundred construction people to work, and get our coal mines back going where they need to be in our future for this. And if there's any questions, I'll try to answer 'em.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor will yield.

SENATOR RISINGER:

Yeah, this is a good bill from the standpoint that you've taken the eminent domain out of the bill, as you said. It also injects the CO2 into the rock formations, but what are we really doing with this bill, Senator Forby, as far as the liability goes? So that the Members understand this.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby. I'm sorry.

SENATOR FORBY:

We're taking the liability off the individual people and the State of Illinois is going to take over the liability. They was there, testified on this bill. So, we're trying to compete with Texas, and everybody said this is -- that testified said this is the safe way to do it. And the people -- another thing that's going to happen on this bill, the people that is the project -- this is a nonprofit organization that's going to be doing this.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Risinger.

SENATOR RISINGER:

Yeah. I just want to point out that this is a pretty safe technology. We already store gas in the -- in formations in the State of Illinois. And I urge an Aye vote on this side of the aisle. I think it's a good idea. I think we need this in the State of Illinois. And it certainly is for the future.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, for what purpose do you seek recognition?

SENATOR CULLERTON:

Question of the sponsor. Yes, Senator...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor will yield.

SENATOR CULLERTON:

Senator, I -- I also am very familiar with this project and it's -- it's a great pro-environment project if it -- if it works. And hopefully we'll get it. I just was curious, the -- unlike Texas, I think the land - who we're competing with - the land is -- part of it is privately owned. And I'm just wondering -- I was a little unclear as to whether or not we -- we have eminent domain powers or not. If that was taken out, is there a problem with the fact that the land is still privately owned?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby.

SENATOR FORBY:

It is privately owned still, yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton.

SENATOR CULLERTON:

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Okay. So even if they're -- it remains privately owned, but even if they're sued, the State's going to indemnify them and take on the cost of the defense if there's a lawsuit and there's no immunity for -- and I assume that the trial lawyers are in favor of the bill as a result of that. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby.

SENATOR FORBY:

The State of Illinois is only -- resumes liability after it's injected into the ground.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR HARMON:

Thanks. Senator, I'd just like to follow up on -- on Senator Cullerton's point, 'cause I want to make sure I understand the nature of the indemnity. As I understand it, the -- the State has essentially vouched for this storage measurement, and -- and is -- is that what the State is essentially indemnifying? The fact that we have said that this is the proper way to store the gas?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Harmon.

SENATOR HARMON:

Thank you. The -- then to the bill: With that understanding, that the indemnity is -- is really stepping up for the State's statements to that effect, I would certainly support the bill. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...Senator Harmon. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Just to the bill, Mr. President, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Chamber, I rise in support of Senate Bill 1704. This bill is an effort to enhance Illinois' opportunity to land this, what is truly a once -- once in a generation project with regards to burning coal, the massive amounts that Illinois has in terms of coal, in a clean fashion. Environmental groups have been supportive of this effort. Federal government's kicking in seven hundred and fifty million dollars into this project. What this gives us the opportunity to do in Illinois is not just pick up more jobs - and we're talking about between a hundred and fifty and two hundred permanent jobs and not just two to three thousand construction jobs - but even more importantly, it makes Illinois a leader in taking the next step in the way that we generate power. I mean, the debates that we've had here in the General Assembly over electric rates, the - - discussion we've had about gas prices, and we can go on and on

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and on about the need to find new ways to generate power and do so in an environmental -- environmentally friendly fashion. This is a major step forward in that regard, and I would urge its passage. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

You're welcome. Seeing no further discussion, Senator Forby, to close.

SENATOR FORBY:

I want to thank everybody today, as everybody knows the power issue that we're in. I think you're going to see a big spin-off of this after this happens. And this is going to take care of issues with what we've been working with the power companies. You know, a couple years ago that Chicago had some blackouts and I -- when I think that the State of Illinois' got enough coal and got enough issues in the State, that we should not have to worry about that. And I think this bill is going to help that. I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 1704 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Yeas, no Nays, none voting Present. Senate Bill 1704, having received the required constitutional majority, is declared passed. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

For a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

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SENATOR CRONIN:

Thank you, Mr. President. I just wanted to just direct the attention of my colleagues here in the Senate to some very distinguished guests who have joined me here at my desk. Smart, creative, motivated, idealistic young people. We have Emily, Kathleen and Faith. They are Golden Apple Scholars. They are the best of the best, the cream of the crop. They're going to teachers. They're going to go into schools. They're going to change the future of children. They're going to help people, and they're here and I want to ask if you'd given 'em a warm welcome.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please -- please -- welcome to the Illinois Senate. Senator Delgado, on Senate Bill 1739. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1739.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. In summary, Senate Bill 1739 empowers the Department of Healthcare and Family Services to make provision for the services of licensed clinical social workers and it also prevents the Department of Healthcare and Family Services rules from requiring that services for certain Medicaid recipient furnished by a licensed clinical social worker be referred by a physician. And I'm available for any questions.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing no discussion, Senator Delgado, to close.

SENATOR DELGADO:

Just ask for an Aye vote, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 1739 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none voting Nay, none voting Present. Senate Bill 1739, having received the required constitutional majority, is declared passed. All meetings -- all committee meetings will be postponed by one-half hour - by one-half hour. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12:30 p.m., tomorrow, March 22nd, 2007. The Senate stands adjourned.