

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

HB0719	Second Reading	76
SB1305	Recalled	8
SB1305	Third Reading	9
SB1306	Recalled	14
SB1306	Third Reading	15
SB1317	Recalled	11
SB1317	Third Reading	12
SB1324	Third Reading	16
SB1327	Third Reading	27
SB1347	Recalled	30
SB1347	Third Reading	31
SB1348	Third Reading	32
SB1349	Third Reading	36
SB1354	Third Reading	37
SB1360	Recalled	39
SB1360	Third Reading	41
SB1362	Third Reading	42
SB1366	Recalled	43
SB1366	Third Reading	44
SB1380	Recalled	45
SB1380	Third Reading	46
SB1381	Recalled	47
SB1381	Third Reading	48
SB1383	Recalled	56
SB1383	Third Reading	57
SB1391	Recalled	60
SB1391	Third Reading	61
SB1395	Recalled	62
SB1395	Third Reading	63
SB1398	Recalled	64
SB1398	Third Reading	65
SB1409	Third Reading	65
SB1415	Third Reading	66
SB1419	Recalled	73
SB1419	Third Reading	74
SR0139	Resolution Offered	1
SR0140	Resolution Offered	25
SR0141	Resolution Offered	25
SR0142	Resolution Offered	25
SR0143	Resolution Offered	25
SR0144	Resolution Offered	25
SR0145	Resolution Offered	25
SR0146	Resolution Offered	26

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SJR0047	Resolution Offered	26
Senate to Order-Senator Link		1
Prayer-Pastor Chad Pickering		1
Pledge of Allegiance		1
Journal-Approved		1
Committee Reports		4
Introduction of Guests-Senator Cronin		21
Remarks by Fenwick High School Principal Quaid		22
Remarks and Introductions by Coach Dave Power		23
Senate Stands in Recess/Reconvenes		24
Committee Reports		24
Committee Reports		26
Senate Stands in Recess/Reconvenes		75
Message from the President		75
Committee Reports		75
Adjournment		81

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the gallery please rise? The invocation today will be given by Pastor Chad Pickering, Hope Evangelical Free Church, Springfield, Illinois. Pastor.

PASTOR CHAD PICKERING:

(Prayer by Pastor Chad Pickering)

PRESIDING OFFICER: (SENATOR LINK)

Please remain standing for the Pledge Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of Wednesday, April 18th, 2007.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY SHIPLEY:

Senate Resolution 139, offered by Senator Rutherford and all

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Resolution Consent Calendar. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR BOMKE:

With us, sitting behind the Republicans, is a high school class from Athens High School, with teacher, John Tobias. Would like you to welcome 'em to the State Senate, if you would, please.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise and be welcomed to the Illinois State Senate? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of -- point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR ALTHOFF:

Thank you. I have two very special guests with me this morning - Amanda and her mom, Rhonda Umstattd. They're down here for -- as part of the Illinois Future STARS project, which is sponsored by Arc and the Family Support Network. And if we could give them a nice welcome to Springfield, I'd appreciate it.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise and our Senate welcome them? Senator

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Koehler, for what purpose do you rise?

SENATOR KOEHLER:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR KOEHLER:

I have some students from Pekin High School joining me today, with their teacher, Mary Jane Sours, and I want them to be recognized.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise in the gallery and be welcomed to the Illinois State Senate? Senator Rutherford, for what purpose do you rise?

SENATOR RUTHERFORD:

Thank you, Mr. President. For the purpose of an introduction. I'd...

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR RUTHERFORD:

Thank you. I'd like to introduce -- joining us today is Bryce Wieland, who's thirteen years old, and we've also got Abbey Schieler, who's fourteen years old. And -- and, Mr. President, I told both of those young people that at one time you were thirteen and later you were fourteen, and look at there and you're presiding in the Illinois State Senate. Would you please welcome Abbey and Bryce to the Illinois State Senate?

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise so they can be welcomed to the Senate? Will the Rules Committee please meet in the President's Anteroom

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

immediately? The Rules Committee meet in the President's Anteroom immediately. And, Senator Rutherford, that was only a couple years ago I was thirteen and fourteen. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Financial Institutions Committee - Floor Amendment No. 1 to Senate Bill 536; refer to Human Services Committee - Floor Amendment No. 6 to Senate Bill 765; refer to Judiciary-Criminal Law Committee - Floor Amendment No. 3 to Senate Bill 697 and Floor Amendment No. 2 to Senate Bill 1428; refer to Local Government Committee - Floor Amendment No. 2 to Senate Bill 1829 -- I'm sorry, Floor Amendment No. 2 to Senate Bill 829; refer to Revenue Committee - Floor Amendment No. 1 to Senate Bill 775; refer to State Government and Veterans Affairs Committee - Floor Amendment No. 2 to Senate Bill 1047, Floor Amendment No. 2 to Senate Bill 1381, Floor Amendment No. 5 to Senate Bill 1448 and Floor Amendment No. 4 to Senate Bill 1511; refer to Transportation Committee - Floor Amendment No. 3 to Senate Bill 1291.

Senator Debbie Halvorson, Chairman. Dated April 19th, 2007.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

On a point of an announcement. The Local Government Committee will be meeting at 10 o'clock in Room 409. And I know that a Floor amendment just was released out of Rules and that will be heard about an hour from now, so just wanted to let you

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

know that.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. I have an announcement. The Ag and Conservation Committee will meet today at 12 noon in Room 409. 12 noon, 409, Ag and Conservation Committee.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I would just like to announce that the Higher Education Committee will meet today at 3 p.m. in Room 409.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Point of announcement, Mr. President. The Appropriations III Committee will be meeting tomorrow at 9:30 in Room 212. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. I also have another announcement. Human Services will be meeting today at noon in Room 400. And I also want to make sure that everybody understands that at 10 o'clock we are going to have Local Government, but at 10:55 we will be hearing a Floor amendment.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SENATOR CLAYBORNE:

Rise for purpose of an announcement. Energy and Environment will meet today in Room 212 at noon. Also, Insurance will meet today at 3 p.m. I guess in Room -- in Room 400.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. I rise for a personal announcement. State Government and Veterans Affairs will meet today at 1 p.m.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. I also rise for purpose of an announcement. The Judiciary-Criminal Law Committee will meet today in Room 212 at 11 a.m.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I'd like to correct my previous announcement. There will be no Higher Ed Committee meeting today. No Higher Ed meeting.

PRESIDING OFFICER: (SENATOR LINK)

Thank you. Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. I rise for announcement. Announcement being that the Revenue Committee will meet at 1 p.m. this afternoon in Room 400, I do believe. Thank you.

PRESIDING OFFICER: (SENATOR LINK)



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Senator Bond.

SENATOR BOND:

For purpose of announcement. We have the Senate Transportation Committee will meet today in Room 400 at 11 a.m. The second announcement is Appropriations II will meet at 3 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. For a purpose of announcement. The Financial Institutions Committee will meet tomorrow morning, Friday, at 9 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. Executive Appointments will meet tomorrow morning at 8:30 a.m. in Room 212 - 8:30 a.m. tomorrow morning.

PRESIDING OFFICER: (SENATOR LINK)

Senator Noland. For the purpose of information, we will be going to 3rd Readings for approximately one-half hour. ...Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. For purposes of announcement. The Senate Republicans would request a caucus, thirty minutes, in Senator Watson's Office before we adjourn to go to committees, please.

PRESIDING OFFICER: (SENATOR LINK)

Okay. That will be after the half-hour we will be on the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Floor for the 3rd Readings. All committees will be moved back one hour. So whatever the starting time of your committee, move it back one hour. So, if everybody -- all Members, would you please come to the Floor immediately so we can go to 3rd Readings? All Members, please come to the Floor immediately for 3rd Readings. All Members in the -- sound of my voice, come to the Floor immediately. We are going to 3rd Reading. All members in the sound of my voice, please come to the Floor immediately. We are going to 3rd Readings. Senate Bill 1305. Senator Schoenberg. We're going to be starting on page 35, Senate Bill 1305, where we left off on our last day here. Senator Schoenberg seeks leave of the Body to return to -- Senate Bill 1305 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1305. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 3, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg, to explain your amendment.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 is a technical amendment and it provides some cleanup. It makes no substantive changes. I urge its acceptance and adoption.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Schoenberg moves for the adoption of Amendment -- Amendment 3 to Senate Bill

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

1305. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1305. Senator Schoenberg, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1305.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1305, as amended, its contents should be very familiar to many of you, as it is identical to Senate Bill 2847, which passed this Chamber without opposition in the 94th General Assembly. This is a -- an omnibus pension investment, purchasing and ethics reform package. It significantly increases accountability and transparency in pensions and retirements, in the revolving-door prohibitions and the treatment of independent -- of independent agents and informal advisers and on emergency purchases and real estate transactions. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Radogno.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SENATOR RADOGNO:

Thank you, Mr. President. I just want to comment on the bill and thank the sponsor for seeing this through. As we talked about before, many of the reforms contained in this bill were proposed by Senate Republicans two years ago, and we appreciate you carrying those forward. Do you have any knowledge, however, if the Governor is going to be signing this, assuming it makes it all the way through? Have you had conversations with their office?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

I would anticipate that should this go to the Governor's Desk -- the Governor's Office has been looped in on the contents of this bill. I know that there are some additional issues that we would like to address and -- but I feel pretty confident that this bill in its current form, if it were to be sent to the Governor's Desk, would be signed.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg, to close. Senator Radogno, I'm sorry.

SENATOR RADOGNO:

Thank you. You're right. We had a chance to discuss some of those additional issues - the one being the sole source exemption that hasn't been addressed and I appreciate that you have said that you'll try to get the bill amended in the House to strengthen that area as well, since that's an area that also has been subject to abuse. So I appreciate it. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg, to close.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SENATOR SCHOENBERG:

I urge your support for Senate Bill 1305.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate -- Senate Bill 1305 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1305, having received the -- required constitutional majority, is declared passed. With the leave of the Body, we will return to Senate Bill 1306. Senate Bill 1314. Senator Jacobs. Senator Jacobs. Out of the record. Senate Bill 1317. Senator Clayborne. Madam Secretary, read the bill. Senate -- Senator Clayborne seeks leave of the Body to return Senate Bill 1317 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1317. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne, to explain the amendment.

SENATOR CLAYBORNE:

It's -- it's just a technical amendment with changing of a couple of words.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Clayborne moves for the adoption of Amendment 2 to Senate Bill 1317. All those in favor will say Aye. Opposed, Nay. The Ayes have it.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1317. Do you wish to -- Senator Clayborne, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1317.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne, to explain.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Senate Bill 1317, as amended, provides that the Illinois Finance Authority may approve applications for financing or refinancing of out-of-state projects if that project is affiliated with a significant presence entity in Illinois. Basically what we're doing is trying to allow the Illinois Finance Authority to be competitive with other banking or financial institutions to allow other Illinois companies to expand their facilities other places, as long as they have a significant presence in Illinois. And the amendment does not allow them -- this bill does not allow them to finance projects outside of the United States.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates he will yield.

SENATOR LAUZEN:

My understanding of the purpose of why the taxpayers and citizens of Illinois are involved in a finance authority in the first place is, generally speaking, to produce jobs in Illinois. If we give the Illinois Finance Authority the option of financing projects where, admitted, there is a base in Illinois, but they then can finance in some other state in the United States, how does that fulfill the mission of having jobs in Illinois?

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

Well -- well, one of the things that -- that happens, you strengthen and make that company a little more viable. So if you allow them to expand and their -- and their base is here, then you continue to strengthen them and that allows them to become stronger here.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Two observations. I -- I -- well, just one. You -- you're probably familiar that the Illinois Student Assistance Commission, ISAC, is now collapsing the amount of loans in its portfolio to students outside of the State and for students who go to school outside of the State. They're getting out of that business of doing that. I hope that, you know, in some areas of the State government, we're not going in one direction, while we

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

go in the opposite direction, you know, in this area.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. Chairman. Just for Members of our side of the aisle, this did pass the Commerce and Economic Development Committee, as amended, unanimously. And I'd urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

I -- I would just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1317 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none Present. Senate Bill 1317, having received the required constitutional majority, is declared passed. With the -- with the leave of the Body, we will return to Senate Bill 1306. Senator Cullerton requests leave of the Body to return Senate Bill 1306 to 2nd -- the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1306. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 2, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LINK)



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Mr. Speaker, Members of the Senate. The bill allows for retired judges to administer oaths. The amendment says that any judge who's been convicted of a felony or removed from office shall not be allowed to administer oaths. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton moves for the -- for the adoption of Amendment 2 to Senate Bill 1306. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1306. Do you wish -- Senator Cullerton, do you wish to proceed? Senator -- Senator Cullerton does wish to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1306.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Currently, judges and the clerks of courts, deputy county clerks, notaries and persons certified as certified shorthand reporters have the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

power to administer oaths, and the Illinois Judges Association asked if we could pass this bill to add retired judges to that list of people who can administer oaths. And as I indicated in an earlier amendment, this would not apply to judges who have been removed from office. I don't believe there's any controversy. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Seeing no discussion, Senator -- the question is, shall Senate Bill 1306 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1306, having received the required constitutional majority, is declared passed. Senate Bill 1318. Senator Munoz. Senator Munoz. Out of the record. Senate Bill 1324. Senator Schoenberg. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1324.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Is Amendment No. 3 on the bill? All right. Senate Bill 1324 -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1324 is the trailer bill that both my esteemed colleague, Senator Haine, and I have alluded to previously. It achieves two purposes relative to all the stem cell research that is being conducted here in the State of

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Illinois. The first is that for the cord blood bank network that Senator Haine has -- has advocated, it has a process and procedures for people who wish to donate their cord blood for scientific research, consistent with other legislation that has passed this Chamber previously. The second is that it establishes uniformity in the conflict of interest and disclosure requirements from all parties involved in the cord blood stem cell research and any institution that is associated with it. There's no opposition to this and I'd urge your favorable support.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. -- Mr. President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates he will yield.

SENATOR MURPHY:

Does this involve the expenditure of any State funds - this particular bill?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

This particular bill doesn't. The one -- the bill that does involve the expenditure of State funds is Senator Haine's bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Murphy.

SENATOR MURPHY:

...Senate Bill 19 was that it did not necessarily, at least at

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

this time, mandate or require. It was subject to appropriation.  
Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's correct. What -- the primary purpose of this bill is to ensure that for all forms of scientific research, that the conflict of interest provisions and the disclosure requirements, both for those seeking the grants and those awarding the grants, are of a higher more uniform standard, regardless of the form of research.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. To the bill, and I -- I -- before I get to the bill, I would wish to congratulate Senator Schoenberg and to thank him again for his working on this bill, coming to me with his ideas on this, which were similar to the bill he passed, establishing just what he says, a transparent uniform mechanism to award grants so that people are confident that when they -- donate the cord blood for research purposes and money is received for those purposes through private donors or State money, that these monies are well spent in the interest of the common good. So I would speak in strong support of the bill. It fulfills the intent of Senate Bill 19. And, again, I want to thank Senator Jeff Schoenberg for his knowledge of this area and his -- his continuing effort to establish, really, what is common ground for the common good. Thank you.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates he will yield.

SENATOR LAUZEN:

My analysis indicates that the Catholic Conference, Illinois Federation Right for Life and Concerned Christians of America are opposed to the bill. Is that accurate as far as you know?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Lauzen -- Senator Lauzen, that was for the original bill. The original bill was gutted in order to -- in order to have these consensus amendments added to them. So, that opposition no longer exists.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Does this in any way facilitate embryonic stem cell research?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

This is -- no. This -- this does two things and it's in concert really with Senate Bill 19 that Senator Haine had passed. It makes uniform the disclosure requirements for those -- the conflict of interest and disclosure requirements to avert self-

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

dealing for those who are seeking any form of grants as it -- any kind of public funds as it relates to cord blood stem cell and it also ensures that there's a process in place so that those who wish to donate their cord blood stem cells have an informed consent process. But this is really to -- to be in concert with Senate Bill 19.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Thank you, Mr. President. Real quickly, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates he will yield.

SENATOR HULTGREN:

Yes, Senator, just a quick question. I know the original bill dealt with cloning. I couldn't find on the amendment that became the bill. Is there any more discussion of cloning in the amendment?

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

There's nothing of that in the bill. The bill -- the bill was gutted to be a vehicle to accommodate the changes that Senator Haine and I had worked out.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

The question is, shall Senate Bill 1324 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1324, having received the required constitutional majority, is declared passed. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Mr. -- Mr. President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR CLAYBORNE:

I have Jack and Jill of O'Fallon behind me and I have Kristen Andrews, Ashley Brickhouse, Keith Burton, Kyle Burton, Holle Sanders, Bernadette Wharton, Tiffany Houston, Brandon Hudson, Isys Ervin, and I also have their parents and/or chaperones: Deborah Houston, Pat Wharton, Maria Burton and Tracey Andrews. And I'd like for them to be recognized and welcomed to the Senate.

PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise, which you have, and will the Senate welcome them to Illinois? We'll now bring out Senator Cronin, who will have some guests for the Senate. Please give Senator Cronin your attention.

SENATOR CRONIN:

Well, thank you very much. I'd just like to draw your attention to the President's Podium up here. I am really, really honored, and all of you in the gallery might want to take a

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

moment here. This is a special moment in time. I am very, very honored to introduce a -- a special, unique group of people to you from a very special institution. I'm joined up here by Senator Harmon, Senator Lightford and Representative Durkin and we are here to honor the Mighty Friars of Fenwick High School in Oak Park, Illinois - the Girls' Class AA State Championship Basketball Team. It's a great day to be a Friar. I want to introduce some of the folks here, particularly the leader at the school, the captain of the ship, the Principal, Jim Quaid, Dr. Quaid. Fenwick High School is a unique institution with -- with unique success, a unique formula of tradition and parochial education values taught in the Catholic Church. I want to introduce Dr. Quaid, if he can offer just a couple of quick remarks. Dr. Quaid, the Principal of Fenwick High School.

DR. JAMES QUAID:

(Remarks by Dr. James Quaid)

SENATOR CRONIN:

Thank you. Thank you very much for your attention. Well, with that, without any further ado, I'd like to invite -- Senator Lightford, please, would you be kind enough to join me up here? Fenwick High School students come from far and wide, but the institution, the building itself, is located in Senator Lightford's district and many of the students come from our respective areas, and so, Senator Lightford, please.

SENATOR LIGHTFORD:

Thank you, Senator Cronin. I'd like to just compliment the ladies for just doing an outstanding job. You're beautiful women. I encourage you to just go further. Just do well. Make us all proud at college level. I'm sure all of you are excited



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

to leave the Oak Park-River Forest area and go on to higher heights. And it's good to know that you've got Senator Cronin and Senator Harmon and myself here working together as a team to encourage you to move on. So, congratulations. Good luck. You just make us so proud and God bless all of you.

SENATOR CRONIN:

Thank you very much, Senator Lightford. If I may -- Senator Harmon, would you like to offer a thought? Okay. If I may, I'm going to invite Coach Dave Power, the winningest coach in the history of the State of Illinois in girls' basketball. Hall of Fame Coach Dave Power, Ladies and Gentlemen.

COACH DAVE POWER:

(Remarks and Introductions by Coach Dave Power)

SENATOR CRONIN:

Well, thank you for your attention. Thank you very much for all of your support for education for all the schoolchildren in the State of Illinois. Thank you very much. It's a great day to be a Friar.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR LINK)

State your inquiry.

SENATOR BURZYNSKI:

Thank you. Mr. President, last night we had, of course, an extended hearing on the GRT and some of our -- our final witnesses were there - one in particular from Touchette Hospital from southern Illinois, explaining to us that they were going to

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

have to lay off about sixty -- sixty people this morning. And I notice that on the Calendar, on page 49, we've got a motion to discharge from Rules Senate Bill 1836 that would alleviate their need to lay off these sixty people and -- and care providers. And I was just wondering when we might go to that order of business.

PRESIDING OFFICER: (SENATOR LINK)

We'll get back to you on that, Senator. The Senate will stand in recess to the call of the Chair. After committees, the Senate will reconvene to receive committee reports and for further Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senator Crotty, Chairperson of the Committee on Local Government, reports House Bills 237, 286, 365, 499, 679, 828, 961, 976, 1348 and 1630 Do Pass; and Senate Amendment No. 1 {sic} (2) to Senate Bill 829 recommend Do Adopt.

Senator Munoz, Chairperson of the Committee on Transportation, reports Senate Amendment No. 3 to Senate Bill 1291 recommend Do Adopt.

Senator Wilhelmi, Chairperson of the Committee on Judiciary-Criminal Law, reports House Bills 6, 9, 162, 181, 239, 251, 328, 457 and 1525 Do Pass; and Senate Amendment No. 3 to Senate Bill

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

697, Senate Amendment No. 2 to Senate Bill 1428 recommend Do Adopt.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports House Bills 316, 364, 496, 719, 819, 937 and 943 Do Pass.

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports House Bills 33, 215, 320, 1300, 1313 Do Pass.

Senator Harmon, Chairperson of the Committee on Revenue, reports House Bill 376 Do Pass; and Senate Amendment No. 1 to Senate Bill 775 recommend Do Adopt.

Senator Meeks, Chairperson of the Committee on Human Services, reports Senate Amendment No. 6 to Senate Bill 765 recommend Do Adopt.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports House Bills 137, 264, 371, 634, 639 and 1384 Do Pass; and Senate Amendment No. 2 to Senate Bill 1047, Senate Amendment No. 2 to Senate Bill 1381 and Senate Amendment No. 4 to Senate Bill 1511 recommend Do Adopt.

And Senator Haine, Chairperson of the Committee on Insurance, reports House Bill 938 Do Pass.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolutions 140 through 143, offered by Senator Forby and all Members.

Senate Resolution 144, offered by Senator Raoul and all Members.

Senate Resolution 145, offered by Senator Forby and all

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Members.

And Senate Resolution 146, offered by Senator Hunter and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, any further resolutions?

SECRETARY SHIPLEY:

Senate Joint Resolution 47, offered by Senator Demuzio. It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Purposes of an announcement. All Members within the sound of my voice, please come to the Senate Floor immediately. We're in Session. We will be going to the Order of 3rd Reading, final passage. All Members within the sound of my voice, please report to the Senate Floor immediately. For the purposes of an announcement - for the purposes of an announcement: The Rules Committee will meet immediately. The Rules Committee will meet immediately in the President's Anteroom. We'd ask all Members of the Rules Committee, please report to the President's Anteroom immediately. Thank you. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Environment and Energy Committee - Floor Amendment No. 1 and 2 to House Bill 719.

Debbie Halvorson, Chairman. April 19th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Thank you, Madam Secretary. Senator Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

For a point of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR CLAYBORNE:

Energy -- the Environment and Energy Committee will meet tonight at 7:20 in Room 212. 7:20 - Environment and Energy.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, we'd ask you to turn your Calendars to page 36 of your Calendar. Page 36 in your Calendar. Top of page 36 is Senate Bills 3rd Reading. Senate Bill 1327. Senate Bill 1327. Senator Schoenberg. Jeff Schoenberg, do you wish to proceed? Out of the record. Senator Schoenberg, on... Senator Schoenberg, on 1327. Do you wish to proceed, sir? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1327.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1327 is an adjusted limit on the aggregate principal amount for the Illinois Finance Authority to twenty-eight billion, seventeen million, seven hundred and eleven

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

thousand dollars. Both caucuses are familiar with the list of the projects which are pending and which have been reviewed, and I would urge your support.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Is there any discussion? Is there any discussion? Senator Radogno, for what purpose you rise, ma'am?

SENATOR RADOGNO:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

Senator Schoenberg, how much unused bonding authority do they have right now?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg. Senator Schoenberg.

SENATOR SCHOENBERG:

The -- I just want to make sure that I have the right number. Actually, I don't have that number handy and I know that you asked that question during committee, so I apologize. So why don't you ask me about a number and I'll tell you if it's right or wrong?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

I believe they have close to five billion in unused authority and the issue that we have with the bill is the fact that we typically only use about two billion a year. So to increase their bonding by the amount that this bill is requesting doesn't really make a lot of sense. So for that reason, I would

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

ask our side, or anyone else that's thoughtful about having a lot of debt out there, to vote No on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1327 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 38 Ayes, 14 Nays, 0 voting Present. Senate Bill 1327, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 1328. Senator Schoenberg, do you wish to proceed, sir, on 1328? Out of the record. Senator Althoff, for what purpose you seeking recognition, ma'am?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR ALTHOFF:

Thank -- thank you. I have three guests with me that are sitting directly behind me from Crystal Lake, which is within my district. They have been here this -- since 10 o'clock this morning, waiting to watch this august Body conduct business, and I would appreciate a very warm welcome to Sandy Young, Dee

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Zellmann and Holly Emrich.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? And welcome to the Illinois State Senate. Welcome, our guests from Crystal Lake. Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading is Senate Bill 1347. Senator Haine, on Senate Bill 1347, sir. Senator Haine is seeking leave of the Body to return Senate Bill 1347 for the purposes of amendment. Is that correct, sir? Hearing no objections, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1347. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Haine, to explain your amendment, sir.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. These were parts of the bill that were objected to by the Attorney General's Office -- with -- involving loan flipping and other things. So, to meet their objections, we just deleted them from the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank -- thank you, Senator. Okay, Senator Haine moves the adoption of Floor Amendment No. 2 to Senate Bill 1347. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1347. Senator Haine, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1347.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to the bill, sir.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the High Risk Home Loan Act, quite simply to exclude from the definition of "points and fees" all fees paid to the Veterans Administration, to the FHA, and fees paid to the Department of Agriculture's Rural Development Loan Program, which would have to be counted against the lender, which runs it into a High Risk Home Loan Act {sic}. The result of that -- of what's happening is that the federal government has placed these fees on and these fees are a significant amount of money - several thousand dollars - and it moves the loan into a high-risk category, which the lender therefore cannot make with a low-interest loan and the -- the borrower has to be put into a subprime area, which is drying up and is higher rates. So -- and -- and -- it just allows people to get a loan, particularly veterans.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Mr. President, to stand in support of Senator Haine's legislation. He had worked with some concerns the Attorney General had on it. Amended it just a few moments ago. And what he is doing is the right thing to move forward in -- in the -- particularly in the mortgage brokers' area. So I stand in support of the legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Haine, to close.

SENATOR HAINE:

I would just ask for an Aye vote. Seems to be a fair and equitable thing.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, the question is, shall Senate Bill 1347 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 54 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1347, having received the required constitutional majority, is declared passed. Senator Munoz, on 1348, sir, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1348.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1348, as amended, reduces the percentage of bail bond monies that are returned upon fulfillment of the conditions of bail from ninety to eighty percent for bail bonds of thirty thousand or less. Provides that the additional ten percent retained shall be used for the sheriff's office operating costs. I would also like to add that there is going to be an amendment that's going to be put on if it passes the Senate, when it goes to the House. The State's attorneys will be able to be put in. They have reached an agreement, from Dick Devine's office, with the sheriff's department as well. It was too late for us to put an amendment here for that, so I just wanted to make that clear to everyone that that was going to be happening in the House if it were to pass here. And I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Haine, for what purpose you seeking recognition?

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...bill, sir.

SENATOR HAINE:

Ladies and Gentlemen of the Senate, and particularly my esteemed and good friend, Senator Munoz, I rise in opposition to the bill. And Senator Munoz has attempted valiantly to limit the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

scope of the bill and I know the reasons for the bill. The -- the reasons for the bill are, quite simply, that the Sheriff of Cook County is faced with a budget problem, as is the State's Attorney of Cook County. But what this bill does is -- is set a precedent where bond money is being given to the arresting authority, as well as to the prosecution authority. And as old as the law itself, beginning with Bonham's Case in 1620, it's been a basic principle that those -- that those acts are questionable. Taking -- and -- and these are bonds of people that may be found not guilty or the charges are dismissed, will be given to the arresting authorities and the prosecution authorities. And I just believe that is a -- a departure of historic proportions. The Circuit Court clerk gets ten percent because that was in lieu of the Bail Bondsman Act of some years ago and that's to cover all administrative expenses. The circuit clerks are not the arresting authorities, nor is the circuit clerk the prosecution authorities. I have the highest regard not only for the sponsor, but for the sheriffs and for the State's attorneys, obviously. But I just don't believe that this is a good idea and I believe it -- it -- it crosses the line from rewarding expenses by public officials into unconstitutional territory. Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Senator. Leader Watson, for what purpose you seek recognition, sir?

SENATOR WATSON:

Yes, to the legislation. And I don't generally disagree with my good friend, former State's Attorney Bill Haine, from Madison County, but I got to commend the sponsor of this. This

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

legislation, what will do, will allow for sheriffs to secure some operating funds that are obviously needed in their offices as -- as the demands that we put on them are enhanced. And secondly, who pays for this? Who pays? The criminal. It couldn't be anything better. This is a great bill. You ought to be voting Yes, Tony {sic}. Thank you, Tony, for sponsoring this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Any further discussion? Senator Millner, for what purpose you seek recognition, sir?

SENATOR MILLNER:

Thank you, Mr. President. I, too, rise in support of the bill. The Illinois Chiefs of Police, the Illinois Sheriffs, Police Benevolent and Protective Association, of course the various sheriffs' departments, AFSCME, Metro Counties, are all proponents. And -- and, frankly, this is one good way of obtaining extra dollars that are needed. Plus, there is a cap on the -- the amount of money that can be retrieved depending on the size of the bond, and I ask for an Aye vote as well.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAOUL:

Yeah, to the bill. There was a...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RAOUL:

There is a -- there was a misstatement as to who pays for this. There's a presumption that all those who are arrested are

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

criminals. Being one who has both prosecuted and defended those in -- in criminal court, and having defended many people who were exonerated and -- of the offenses they were charged with, it -- it must be known that, notwithstanding on whether or not there's a finding of guilt, oftentimes when one is exonerated, the money still comes from the bond that was paid for by that who -- that individual who was arrested, notwithstanding whether or not they're found guilty or, in fact, exonerated. So, although I admire the sponsor, I -- I cannot support this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Munoz, to close, sir.

SENATOR MUNOZ:

I just want to thank everybody for their input, even though -- the ones that are opposed to it. I can't stress enough, Senator Millner did -- stated all the associations are for it and it's very costly to the sheriffs throughout this great State. So I would just ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1348 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 48 Ayes, 6 voting Nay, 1 voting Present. Senate Bill 1348, having received the required constitutional majority, is declared passed. Senator Clayborne, on Senate Bill 1349, sir, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SECRETARY SHIPLEY:

Senate Bill 1349.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President, Members of the Senate. This bill is a initiative of the nursing homes and it requires, commencing September {sic} (October) 1st of '07, all modifications in the status of Medicaid clients living in nursing homes after the initial qualifications for Medicaid must be reported by the facility to the Department of Healthcare and Human -- I'm sorry, Healthcare and Family Services, utilizing an Internet -- Internet-based electronic data interchange system by the nursing home, except those individuals -- individuals whose changes were reported by the Department.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing... Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1349 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 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1349, having received the required constitutional majority, is declared passed. Senator Clayborne, on 1354, sir, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

bill.

SECRETARY SHIPLEY:

Senate Bill 1354.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. President. This amends the Property Tax Code. It provides that the registration of -- for a tax sale in a county with less than three million inhabitants must be accompanied by a deposit in an amount determined by the county collector, not to exceed two hundred fifty dollars in counties less than five -- fifty thousand inhabitants or five thousand -- five hundred dollars in other counties. The registrant cannot participate in the tax sale, then he -- he or she may notify the tax collector, no later than five business days prior to the sale, of the name of a substitute person who will participate in the sale, and in addition, deposit is not required for any substitute. If the -- if the registrant does not {sic} attend the sale and attempts, but fails, to purchase any parcels offered for sale, then the deposit must be refunded to the registrant.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1354 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



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

51 voting Aye, 20 -- 2 voting Nay, 0 voting Present. Senate Bill 1354, having received the required constitutional majority, is declared passed. Senator Haine, on Senate Bill 1360. Senator Haine is seeking leave of the Body to return Senate Bill 1360 to the Order of 2nd Reading for purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1360. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Haine, to explain your amendment, sir.

SENATOR HAINE:

The amendment, Mr. President and Ladies and Gentlemen of the Senate, is simply to further clarify that this exemption from the sales tax for equipment and for parts and other things is only applicable to a Illinois rural water cooperative. It's not applicable to any other, for example, condominium association or homeowner association.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR HAINE:

The Department...

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Senator Haine, last night we had a committee hearing on GRT and people were talking about closing tax loopholes. Is this one of those tax loopholes?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Yeah, I guess you could -- you could -- it's -- it's -- it would be a loophole as large as the eye of a pin.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

To the bill. This was...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

This was heard in Revenue Committee and I appreciate the sponsor had very narrowly defined it, and so it passed out unanimously. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on the amendment.

SENATOR HAINE:

Ask for an Aye vote. Or no...

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Ladies and Gentlemen, Senator Haine moves the adoption of Floor Amendment No. 2 to Senate Bill

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

1360. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor -- amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading comes Senate Bill 1360. Senator Haine, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1360.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, on the bill, sir.

SENATOR HAINE:

Yes, sir, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 1360 exempts from the tangible personal property -- exempts from taxation all tangible personal property used in the construction, maintenance, or operation of a public water supply, as defined by the Environmental Protection Act, and is operated by a not-for-profit entity. These are small operations for rural water, which is essential, obviously, and they have very -- very tight budgets. This helps them out a little bit in maintaining those pipes, extending water to homeowners whose wells dry up. I would...

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Thank you, Senator. Ladies and Gentlemen, the question is, shall Senate Bill 1360 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 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1360, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 1362. Senator Clayborne, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1362.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to the bill.

SENATOR CLAYBORNE:

Thank you, Mr. President. Provides that the county collector may assess, to the purchaser of property for delinquent taxes, an automation fee of not more than twenty dollars per parcel if automated bidding systems are employed at the tax sale.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1362 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 41 voting Aye, 14 voting Nay, 0 voting Present. Senate Bill 1362,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

having received the required constitutional majority, is declared passed. Senator Cullerton, on Senate Bill 1364, sir? Out of the record. Senator Clayborne, on 1366. Senator Clayborne, I believe, is seeking leave of the Body to return Senate Bill 1366 to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1366. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, on Floor Amendment No. -- explain Floor Amendment No. 1, sir.

SENATOR CLAYBORNE:

It's a...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. It's a technical amendment that puts the word "Deceptive" {sic} ("Business") back into the -- to the -- to the language of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator. Senator Clayborne moves the adoption of Floor Amendment No. 1 to Senate Bill 1366. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment's adopted. Madam Secretary, are there any further -- Floor amendments -- approved for consideration?

SECRETARY SHIPLEY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1366. Senator Clayborne, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1366.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to the bill, sir.

SENATOR CLAYBORNE:

Yes, thank you, Mr. President and Members of the Senate. Senate Bill 1366 addresses the requirement that there -- there be a licensure -- licensure of agent, broker or consultant engaged in the procurement or sale of retail electricity supply for third parties by the Illinois Commerce Commission. Includes provisions concerning requirements for licensure, the filing of an annual report with the Commission and penalties for violation. This bill is here to make sure that when -- when the -- when we do have choice, that we make sure that our constituents are dealing with people who are reputable and people that won't rip them off.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

To the bill: This bill passed out of Energy and Environment unanimously, and we support the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

...very much. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1366 pass. Those in favor, vote Aye. Those opposed will vote Nay. 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 54 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1366, having received the required constitutional majority, is declared passed. Senator Raoul, on Senate Bill 1380, sir. I believe Senator Raoul is seeking leave of the Body to return this to the Order of 2nd Reading for the purpose of amendment. That's correct, sir? Okay. Now on the Order of 2nd Reading is Senate Bill 1380. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to explain Floor Amendment No. 1, sir.

SENATOR RAOUL:

Thank you, Mr. President. Floor Amendment No. 1 deletes the underlying language and becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Kotowski, are you seeking recognition on the amendment, sir? Seeing no discussion on the amendment, Senator Raoul moves the adoption of Floor Amendment No. 1 to Senate Bill 1380. All those in favor will say Aye. All those opposed will say Nay. The Ayes

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

have it, and the amendment's adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1380. Senator Raoul, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to the bill.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1380, as amended, is a cleanup bill dealing with the State University Article of the Pension Code. It makes changes to a reporting requirement and brings the Universities Article into compliance with other systems regarding the use of female- and minority-owned businesses. It passed -- committee unanimously, and I know of no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, seeing no discussion, the question is, shall Senate Bill 1380 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 55 Ayes, 0 voting Nay, 1



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

voting Present. Senate Bill 1380, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, I'd ask you to turn your Calendars to page 37. On the top of page 37 is Senate Bills 3rd Reading. Senate Bill 1381. Senator Raoul, do you wish to -- Senator Raoul, I believe this is a recall. Senator Raoul seeks leave of the Body to return Senate Bill 1381 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order 2nd Reading, Senate Bill 1381. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to -- to explain Floor Amendment No. 1, sir.

SENATOR RAOUL:

I believe this is Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, could we correct the record for -- it's Floor Amendment No. 2, I believe. Is that correct, Madam Secretary?

SECRETARY SHIPLEY:

Floor Amendment No. 2, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. So, Madam Secretary, Floor Amendment No. 2 - we can change the board - was approved for consideration. Having the corrected board, Senator Raoul, to explain your amendment, sir.

SENATOR RAOUL:

Floor Amendment 2 deletes all and becomes the bill. I'll

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

explain it on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Senator Raoul moves the adoption of Floor Amendment No. 2 to Senate Bill 1381. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading, Senator Raoul, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1381.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to the bill, sir.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1381, as amended, deals with the concept of cooperative purchasing. Senate Bill 1381 determines that when it's in the best interest of the State, each chief procurement officer may authorize a State agency to procure supplies and services, including but not limited to technology supplies and services, without any method of source selection otherwise required by the Code, from a vendor with a current contract with

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

a unit of local government in -- in Illinois, an Illinois school district, or a Illinois community college district. It also creates a Section in the Procurement -- Code regarding cooperative purchasing, which determines that, when in the best interest of the State, each procurement officer may authorize the State agency to enter into agreements with other State governmental entities for the purposes of procuring supplies and services.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Peterson, for what purpose you rise, sir?

SENATOR PETERSON:

Thank you, Mr. President. Regarding the bill...

PRESIDING OFFICER: (SENATOR DeLEO)

Take your time, Senator. Take your time.

SENATOR PETERSON:

I believe, Senator, that Senator Garrett asked you to amend the bill in committee, to put one word in or two words. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

That -- I -- I believe that's another bill that should be coming along a little bit later.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Peterson.

SENATOR PETERSON:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

To the bill, sir.

SENATOR PETERSON:

This bill gives unprecedented authority over the Procurement Code. It -- it leaves little to having to bid out, without any method of source selection. If they think it's in the best interest of the State, if there's a bidded product from, say, the City of Chicago or the County of Cook, they can use that instead of bidding it out at the State level, even though bidding it out at the State level may get a better price. I think there's too much discretion in this bill for procurement of services, and I believe it should be defeated. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Senator Righter, for what purpose do you seek recognition, sir?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Raoul, what's the origin of this bill? Who brought this to you and said this would be a good idea to create this exception in the Procurement Code?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Well, they're -- they are suppliers, and usually they're -- they're small business suppliers to local government agencies, that haven't had an opportunity to compete for State -- for State contracts and they've indicated that, as a result of contracts that they -- may have with local government entities, they could actually save the State money by allowing the piggybacking onto the local government contract.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, if they can save the State money, then can't we go through the normal procurement process and they can demonstrate that, just like any other potential supplier has to go through the process who maybe didn't have an in with a local government in order to get a contract first? Do you see what I'm saying? I mean, you're creating a hole here. I'm -- the concern is you're creating a hole here for businesses or who -- suppliers who have been able to get a contract with a local government entity and then they're sweeping through that, and you're leaving others out there to do more paperwork, maybe just because they didn't have an in with a local government and couldn't get a contract in the first place. I mean, how do you answer the businesses in my district, and I suspect yours, the most of whom don't have a contract with a local government, but would like to do business with the State?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

I think -- I think the answer is that, you know, in -- in

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

this bill -- within the provisions of this bill is that it would have to be established that it's in the -- it's in the best interest of the State. In addition, there -- there is a fourteen-day challenge period that any one of those contractors that you're referring to in your district or any other district can challenge whether it is, in fact, in the best interest of the State to -- to access the -- the services or supplies through this cooperative purchasing process.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator, who makes the determination that it's in the best interest of the State that they do this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

The -- the chief procurement officer.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Then -- and then if another business is fortunate enough to find out within fourteen days that someone else has gotten the contract because they had a contract with a local government, who decides their appeal, Senator? Who decides the outcome of their appeal?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

I believe it would be the procurement officer.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you. I want to make sure that the Body heard that answer and understood it. The -- the chief procurement officer will make the decision about whether or not it's the best interest in the State, and then if someone who didn't get the contract appeals that decision, the person who decides the appeal is the chief procurement officer as well. Is that right, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Yes. Within the -- the process shall contain all statutory provisions required by State Illinois -- and rule. So you have to be consistent with the State of Illinois bidding process -- procedures.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you. Then, obviously, the next question is, who decides whether or not all of the rules and regulations were followed? Might that be the chief procurement, also?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

It -- it'd be consistent with the way we do it right now with the regular bidding. Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Ladies and Gentlemen of the Senate, earlier this morning, we passed a bill tightening regulations with regards to the Procurement Code. We do that here at least once a month because we are tired, and our constituents are tired, of reading in the newspaper time and time and time again how someone is skirting the rules, slipping outside of the process, insider dealing, whatever term you want to use, but -- because the notion, and sometimes the reality, that the process is not fair for people who want to do business with the State. With all due respect to the sponsor, this blows a gaping hole in the safeguards that we've been able to build into this system. It provides a huge exception for someone who might know someone who sits on the city council and got 'em a contract to do some kind of services. That is clearly not the direction that we want to go, either as a Senate or as a State government. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? No further discussion. Senator Raoul, to close, sir.

SENATOR RAOUL:

Thank you. It -- it should be made clear that the contracts that these cooperative purchasing efforts would go towards are contracts that are competitively bid - competitively bid, consistent with the same process as -- that the State of Illinois



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

uses right now. The decision maker in the case of -- of these contracts that would -- would -- would be let is the same decision maker that would be making the decision under the regular competitive bidding process of the State right now. So I urge your support on this. This could save the State money. It could keep some contracts with -- with Illinois businesses and it could encourage business going to some small business people in the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, the question is, shall Senate Bill 1381 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 29 -- 29 Yeses, 26 Nays, 0 voting Present. Senate Bill 1381, having not received the required constitutional majority, is declared failed. Senator Raoul, are you seeking recognition?

SENATOR RAOUL:

Yeah, I -- I'd ask that it be placed on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman requests that Senate Bill 1381 be on the place of Postponed Consideration. The bill will be placed on the Order of Postponed Consideration. Thank you. Senator Kotowski, for what purpose you seeking recognition?

SENATOR KOTOWSKI:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SENATOR KOTOWSKI:

Thank you, sir. At this time, I would just like to introduce my brother, Jim Kotowski, who is here. Please stand up, Jim. Jim is here visiting from Champaign, Illinois. He's a teacher at Parkland College. He's a great older brother, and as you can see, he has a lot more hair than I do and -- but he's a terrific guy and please give him a round of applause and welcome to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Our guest from Champaign, Illinois, welcome. Welcome to Springfield. Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on the top of page 37 comes Senate Bill 1383. Senator Raoul is seeking leave of the Body to return Senate Bill 1383 to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1383. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to explain Floor Amendment No. 1, sir.

SENATOR RAOUL:

Floor -- Floor Amendment No. 1 allows Parks and Recreation Association to participate in -- IMRF only if the -- IRS certifies that it is a government entity.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

discussion? Seeing no discussion, Senator Raoul moves the adoption of Floor Amendment No. 1 to Senate Bill 1383. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1383. Senator Raoul, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1383.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to the bill, sir.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 1383 would allow employees of the Parks and Recreation Association to participate in IMRF. I -- I know of no opponents to the bill. I ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any... Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I stand in support of the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

gentleman's bill. Thank him for his cooperation in amending it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Any further discussion?  
Senator Lauzen, for what purpose you seek recognition?

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Senator, can you tell us approximately how many people will be put into the plan and who will be making the employer contribution?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

There are currently thirteen employees of the Illinois Park and Recreation Association. And -- and it would be the Association.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any... Senator Lauzen.

SENATOR LAUZEN:

And the -- the other part of the first question was, and who will be making the contributions into the plan to cover the -- these benefits? I think it probably -- there's probably an employee portion and then an employer, maybe, matching portion. Could you tell us about that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

That was the part where I said the Association.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Very sorry. Is there any unfunded mandate -- or unfunded liability in this bill? And do -- I -- my analysis shows that, at least in a previous version, IMRF was an opponent. But through your work, have you removed their opposition?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

Through my hard work, I have removed their opposition. They are currently a proponent.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Just a final question, then. What is the amount of the unfunded liability that this will create?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul.

SENATOR RAOUL:

I -- I believe this is cost-neutral, so it -- it -- it -- zero would be the answer.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion? Senator Raoul, to close.

SENATOR RAOUL:

I urge a Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1383 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 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1383, having received the required constitutional majority, is declared passed. Senator Mattie Hunter, on Senate Bill 1391, ma'am, do you wish to proceed? I believe the lady's requesting a recall. Senator Hunter seeks leave of the Body to return Senate Bill 1391 to the Order of 2nd Reading for purposes of amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1391. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter, to explain Amendment No. 1, ma'am.

SENATOR HUNTER:

Thank you, Mr. President. Floor Amendment 1 is basically a cleanup bill of Senate Bill 1391. And I'll explain more on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Seeing no discussion on the amendment, Senator Hunter moves the adoption of Floor Amendment No. 1 to Senate Bill 1391. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order is -- 3rd Reading is Senate Bill 1391. Senator Hunter, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1391.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, to the bill, ma'am.

SENATOR HUNTER:

Thank you. As amended, Senate Bill 1391 provides that thirty {sic} (ninety) days of early release from parole or mandatory supervised release shall be awarded to any person who receives their GED while they are on parole or mandatory supervised release. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MILLNER:

Thank you, Mr. President. I rise in support of the bill and I wanted to thank the sponsor for all her hard work and -- and fixing it and crafting that amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Thank you. Is -- is there any further discussion? Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1391 pass. All those in favor, vote Aye. All the 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 51 Ayes, 1 voting Nay, 0 voting Present. Senate Bill 1391, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 1392, sir? Out of the record. Senator Harmon, on 1395, sir? And I believe the gentleman was requesting -- he's going to seek leave of the Body to return Senate Bill 1395 for the -- to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1395. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to explain Amendment No. 2, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment becomes the bill, but it is, in fact, just some technical cleanup. I'm happy to talk about the entire bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Senator Harmon moves the adoption of Floor Amendment No. 2 to Senate Bill 1395. All those



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1395. Senator Harmon, would you like to proceed, sir? He indicates he'll -- would like to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill -- Senate Bill 1395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to the bill, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1395 is an initiative of the Department of Revenue. It is a modernization of our employer withholding and deduction rules to make the Illinois rules look more like the federal rules. I'm not aware of any opposition, and I would ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1395 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

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

voted who wish? Madam Secretary, please take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1395, having received the required constitutional majority, is declared passed. Senator Harmon, on 1397? Out of the record. Senator Harmon, on 1398, sir? And I also believe this is a recall. Senator Harmon's seeking leave of the Body to return Senate Bill 1398 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1398. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, on Floor Amendment No. 2, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment adds five words to the bill to ensure that credit unions are treated the same way that banks are treated. I'd be happy to debate the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon moves the adoption of Floor Amendment No. 2 to Senate Bill 1398. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Thank you, Madam Secretary. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1398. Senator Harmon, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to the bill, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1398 is an initiative of the Illinois Attorney General. It provides for an amendment to the Illinois Collection Agency Act to harmonize State law with federal law and thereby provide better protections for Illinois consumers. I am aware of no opposition, as amended, and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Harmon. Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1398 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 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1398, having received the required constitutional majority, is declared passed. Senator Jacobs, on Senate Bill 1400, sir? Out of the record. Senator Jacobs, on 1409, sir, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

SECRETARY SHIPLEY:

Senate Bill 1409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This provides the issuance of the Sudden Infant Death Syndrome license plate. The cost is forty-five dollars - thirty-two dollars for renewal. There's an additional forty dollars on top of that that goes to charity. And the Secretary of State's Office will not provide these plates unless there are eight hundred and fifty that are produced. I know of no opposition. I appreciate your affirmative support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1409 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 52 Ayes, 1 voting Nay, 1 -- 0 voting Present. Senate Bill 1409, having received the required constitutional majority, is declared passed. Senator James Clayborne. Senator James Clayborne, on 1415, sir, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1415.

(Secretary reads title of bill)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me. Ladies and Gentlemen, could we have... Senator Schoenberg, Senator Garrett, Senator Viverito, the -- Senator Clayborne is speaking, presenting the bill. Senator -- Senator Clayborne, on Senate Bill 1415, sir.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President, Members of the Senate. Senate Bill 1415 seeks to protect Medicaid patients with a transplanted organ - liver, kidney, heart - from having their highly precious and regimented -- precise and regimented drug therapy from being altered without physician consent. We are all aware that transplant organs have literally given life to millions of Americans and thousands of Illinoisans. Our Illinois Secretary of State, the Honorable Jesse White, has been a heroic champion for urging people to donate their organs and give the gift of life. What this bill says is that a doctor must remain in control of patient care. This bill says that if the doctor prescribes a certain drug, branded or generic, that direction must be upheld, may not be altered, may not be switched from brand to generic, generic to brand or between generics without the consent of the physician. Basically, this legislation requires that once the physician checks the box, then that medicine must be prescribed whether it's generic or brand. It also does not allow that drug to be changed if the physician decides -- or, makes a mistake on not checking that box. To save lives and to make sure that -- that these organs remain viable and that we don't jeopardize those organs, I would ask for your favorable vote.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Radogno, for what purpose you seeking recognition?

SENATOR RADOGNO:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am. Ladies and Gentlemen, could you give the speaker your attention, please, and your courtesy? Thank you. Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I just want to share with the Body some of the discussion in committee on this bill. Of course, nobody wants to jeopardize organ transplant patients. We want them to get the best care possible. But what this bill will do is prevent the Department from putting generic -- the brand name on prior authorization. And that's entirely counter to the direction we've been trying to go to make more use of generic drugs. The fact of the matter is that, right now, if a physician wants their patient to have the brand-name drug, they can have that drug, and they simply have to check "do not substitute". So there's already a -- something in place that prevents that substitution. Interestingly, as well, there is a new generic drug just about to come on the market and the timing of this is somewhat suspect and it looks like what it's really going to do is just try to continue the business of the more expensive drug. I don't think this is necessary. There's already protections in place and I believe we should vote No if we want to keep health care affordable.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Thank you, Senator. Any further discussion? 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:

You know, Senator Clayborne, I'm going to refer to Senator Radogno's comments in my question. She said that the current law is, is that if, in filling out the prescription, the doctor simply marks the box that says "do not substitute", then there can't be any substitution. Is that an -- is that an accurate characterization of what the law is today?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- that is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Then I guess, Senator, I'm not clear on what we're doing here. I mean, currently the physician is empowered by State law to make a determination on behalf of their patient that their condition is so sensitive that we can't risk a substitution. The doctor already has the ability to do that. And we've also got on the other end some measure of flexibility, because if the physician chooses not to do that, then it's a fair assumption the physician is okay with a switch to -- substitution to generic. I mean, the doctor's making an

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

informed decision on behalf of their patient. What kind of onerous burden is it that you're lifting off of the physician by -- or the patient with this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Basically, Senator, to answer your question, the only difference that we're saying is if the doctor forgets to sign -- to check the box, then the pharmacy has to call him to make sure that it's okay to substitute the brand to the generic. So we're actually putting the onerous {sic} on the -- on the pharmacy to -- to call to make the change. That's all we're doing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne. I'm sorry. Senator Righter. You look alike. I apologize.

SENATOR RIGHTER:

Thank you. Thank you very much, Mr. President. Senator, do you have a record or do we have a record of how many times the doctor has forgotten to check the "do not substitute" box and that has somehow led to some adverse consequence to a patient? I mean, do we have examples you can cite?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

No, I don't. But, you know, having a father who had a -- had a kidney transplant, you would not want to take a chance that there would be a possibility of a rejection just by having the pharmacy call the doctor and say, "Is it okay to substitute?" So having a father who's had a -- a kidney transplant, I would think



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

that, just like any other situation where prescriptions expire, then they call the doctor to see if it's okay. So this is between -- what -- what -- what we're asking is, is it okay for the pharmacy to call the doctor and make sure he's not allowing a substitute, so that that person can continue to live. I don't think that's onerous. I think that's the right thing, and we should make sure that we're saving lives.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen, this bill assumes that the doctor is going to forget to take an action that is critically -- important to the patient, although there is no record or no example we can provide that that has ever happened. As Senator Radogno said, we are moving in a direction where we are trying to make prescription drugs more affordable for the people in this State. This takes us backward with regards to that path and I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Any further discussion? Any further discussion? Senator Dillard, are you seeking recognition, sir? Seeing no further discussion, Senator Clayborne, to close.

SENATOR CLAYBORNE:

You know, this is about saving lives. You know, I -- I hear a lot of things in this Chamber, but when you hear a non-

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

physician, a Senator who's not a physician, to get up and say that this is the wrong thing to do, it really amazes me, when we're talking about saving lives. All this bill does is says, if the box is not marked, then the pharmacy calls the doctor, to make sure that -- that someone's life is not put in jeopardy. Now we have a non-Senator {sic} who stood up. This bill is supported by the Organ Transplant Clinic pharmacists at the University of Chicago Medical School, not by a non-physician Senator. This is supported by the Chief of Transplant at the University of Illinois at Chicago, not by a non-physician Senator. This is supported by transplant physicians from Northwestern University and the University of Chicago Hospitals, not by a non-physician Senator. This is supported by the Chapter of the American Living -- American Liver Foundation. This is supported by the National Kidney Foundation of Illinois. This is supported by the American Society of Transplantation. This is supported by the Illinois Medical State -- Illinois State Medical Society. This is supported by the American Society of Transplant Surgeons and this is also supported by the Children's Memorial Hospital, not by a non-physician Senator. I would ask that you vote in favor to save lives and not to make a mistake. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1415 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 a wish? Madam Secretary, please take the record. On that question, there are 42 Ayes, 13 Nays, 0 voting Present. Senate Bill 1415, having

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading, on the bottom of page 37 is Senate Bill 1419. Senator Halvorson, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill. Senator Halvorson is seeking leave of the Body to return Senate Bill 1419 to the Order of 2nd Reading for the purpose of amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1419. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson, to explain Floor Amendment No. 2, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 becomes the bill and it becomes an agreed-upon bill. And I can answer any questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Halvorson moves the adoption of Floor Amendment No. 2 to Senate Bill 1419. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment's adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Senate Bill 1419. Senator Halvorson, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1419.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. This is an EPA bill that was negotiated so that it would allow the Illinois -- allow Illinois to comply with the federal Clean Air Act. So, everybody's happy. It's all agreed upon. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, Ladies and Gentlemen, Senate Bill 1419 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 55 Yeses, 0 voting Nay, 0 voting Present. Senate Bill 1419, having received the required constitutional majority, is declared passed. Okay. Ladies and Gentlemen, for the purposes of an announcement -- Ladies and Gentlemen, for the purposes of announcement: There's already been a committee announcement made. Let me remind you, Energy and Environment will meet immediately - immediately in Room 212. The Senate will stand in recess to the call of the Chair. But let me remind all Members, we will be coming back to the Senate Floor immediately after the committee

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

adjourns. We will be reconvening and going back to 3rd Readings, final passage. The Senate will recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Communications, please. Excuse me, Madam Secretary. Ladies and Gentlemen, the Senate will come to order. Madam Secretary, Communications, please.

SECRETARY SHIPLEY:

Yes, Mr. President. A letter, dated April 19th, from Emil Jones, Jr., Senate President.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator Debbie Halvorson to temporarily replace Senator Donne Trotter as a member of the Senate Executive Appointments Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Amendments No. 1 and 2 to House Bill 719 recommend Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

The Chair would like to recognize Mr. Anthony DiIacova up in the gallery. Mr. DiIacova, welcome to Springfield. Okay. Ladies and Gentlemen, on your desk is Supplemental Calendar No. 1. It's

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

been printed and distributed. On Supplemental Calendar, becomes House Bills 2nd Reading. House Bill 719. Senator James Clayborne, on House Bill -- House Bill 719. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 719.

(Secretary reads title of bill)

2nd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Clayborne, to -- to explain Floor Amendment No. 1, sir.

SENATOR CLAYBORNE:

Thank you, Mr. President. House Bill 719, Floor Amendment No. 1 retains the underlying bill. Provides that public utilities must respect any franchise, contract, written agreement, mutual agreement or municipal ordinance that governs tree-trimming practices of a municipality in the execution of their vegetation management schedule. It also requires the ICC to promulgate these sanctioned practices on a dedicated section of their website in those instances where the sanction practices differ from those set out in House Bill 719. It also clarifies that the only electric generation facilities affected by this provision of this bill are those electric generation facilities

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

that are owned by public utilities.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

To have a little discussion with the Senator. And I'm not a doctor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Senator Clayborne, I know we're talking about the amendment, but because you're saying that it puts back in something different from the underlying, I'm going to talk a bit about the amendment and then the -- in cousin to the underlying. What we're about to be considered here in this and, as amended, in 719 is going to be changing dramatically a vegetation management system that was put together in the State of Illinois that took approximately three years in the making. This was back in the early -- back in the late 1990s and early 2001. We have in place today a vegetation management standard in the State that was an agreement with all of the utilities, the Illinois Commerce Commission, the Municipal League and all of the entities to put together a standard that would be followed by the ANSI standard, would be promulgated with the ICC, and would be in the best interest of the reliability of the delivery of power. What this Amendment 1 does is put back in the municipalities from what your underlying bill changes. So to that extent, that's probably good. My question for you then, Senator Clayborne, is if this is going to be changed in the underlying bill, this amendment puts

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

back in the municipalities, what about those areas that are not served by a municipality then?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James -- Senator James Clayborne.

SENATOR CLAYBORNE:

The -- well, I mean, that's a good question, Senator. This just respects those current -- current agreements. So, it -- it doesn't specifically say. It could be a county ordinance, but it doesn't say county ordinances, so...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Senator Clayborne, I -- I stand as I did in committee today. I stand in opposition to this amendment, and then as we get to the underlying bill, we'll get into some of those further details. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further discussion, Senator Clayborne moves the adoption to -- Senate Bill... Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Thank you, Mr. President. We request a -- roll call on the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

That request is in order. Ladies and Gentlemen, the question is, shall amendment -- Floor Amendment No. 1 to Senate Bill 719 be adopted. 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?



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

Madam Secretary, please take the record. On that question, there are 41 Ayes, 13 Nays, 0 voting Present. Senate Bill 719, having received the -- I'm sorry, the amendment -- the amendment is adopted. ...Secretary, has there been any further Floor amendments -- approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Clayborne, on Floor Amendment No. 2, sir.

SENATOR CLAYBORNE:

Floor Amendment No. 2 retains the underlying bill and adds to -- the requirement to the Public Utilities Act that a public utility serving at least a hundred thousand customers -- one hundred thousand customers on December 31st of '05 may not terminate electric service to a residential customer for nonpayment prior to September 1st of 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Just -- Senator Clayborne, we have to do a clarification on the board. The board is reading Floor Amendment No. 1, but that -- Floor Amendment No. 1 has already been adopted. Right now you're speaking to Floor Amendment No. 2, sir. Is that correct?

SENATOR CLAYBORNE:

That is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Just give us one moment. We have a technical problem. Okay. Is there any discussion? Is there any discussion? Seeing

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

no discussion, Senator Clayborne moves the adoption of Floor Amendment No. 2. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Okay. Ladies and Gentlemen, for the purpose of announcement, we'll have committee announcements for tomorrow. Senator Jacqui Collins, for what purpose do you rise, ma'am?

SENATOR COLLINS:

For the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR COLLINS:

The Financial Institutions Committee -- Committee will meet tomorrow morning at 9 in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Senator. Thank you very much. Senator Hunter. Senator Mattie Hunter, for what purpose do you rise, ma'am?

SENATOR HUNTER:

For the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR HUNTER:

The Appropriations III Committee will meet tomorrow at 9:30 in Room 212.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

28th Legislative Day

4/19/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Leader Halvorson, good evening.

SENATOR HALVORSON:

Hello, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

For what...

SENATOR HALVORSON:

The Executive Appointments Committee will meet at 8:30 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Ladies and Gentlemen, at this time, we're about to adjourn till 10:30 tomorrow morning, but before we do that, I'd like to make an announcement. The Governor has proclaimed tomorrow, April 20th, a day of mourning for the Virginia Tech victims. And he's asked all citizens to join in a -- a ringing of the bells at 11 a.m. in memory of those people that lost their lives. So we've asked the Sergeant-at-Arms, tomorrow at 11 o'clock, to -- to join in that memorial service here. So we will have a short memorial service here at -- on the Floor at 11 a.m. So we'd like all Members to -- please, to be here and be in their seats while we honor those poor victims. Having said that, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 10:30 a.m., tomorrow, April 20th, the year 2007.