

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

SB0015	Recalled	23
SB0015	Third Reading	24
SB0026	Third Reading	28
SB0026	Vote Intention	31
SB0027	Third Reading	29
SB0165	Recalled	31
SB0165	Third Reading	32
SB0175	Third Reading	32
SB0229	Third Reading	34
SB0234	Third Reading	35
SB0487	Recalled	67
SB0487	Third Reading	68
SB0593	Recalled	36
SB0593	Third Reading	37
SB0607	Recalled	38
SB0607	Third Reading	39
SB0650	Recalled	40
SB0650	Third Reading	41
SB0767	Recalled	53
SB0767	Third Reading	54
SB1318	Third Reading	7
SB1395	Concurrence	71
SB1397	Recalled	13
SB1397	Third Reading	14
SB1428	Recalled	57
SB1428	Third Reading	58
SB1435	Recalled	16
SB1435	Third Reading	17
SB1446	Third Reading	59
SB1448	Recalled	60
SB1448	Third Reading	61
SB1455	Recalled	63
SB1455	Third Reading	63
SB1529	Recalled	18
SB1529	Third Reading	19
SB1697	Third Reading	21
SR0179	Resolution Offered	2
SR0180	Resolution Offered	2
HJR0059	Adopted	77
HJR0059	Resolution Offered	76

Senate to Order-Senator DeLeo 1

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Prayer-Pastor Paul Black	1
Pledge of Allegiance	1
Journal-Approved	1
Committee Reports	2
Senate Stands in Recess/Reconvenes	6
Introduction of Guest-Senator Silverstein	11
Remarks by Consul General Barukh Binah	12
Messages from the House	76
Resolutions Consent Calendar-Adopted	77
Adjournment	77

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR DeLEO)

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 galleries please rise? The invocation today will be given by Pastor Paul Black, Jerome United Methodist Church, here in Springfield, Illinois. Pastor.

PASTOR PAUL BLACK:

(Prayer by Pastor Paul Black)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senate Journal of Wednesday, May 9th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Good afternoon, Senator Hunter. Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to approve the Journals just read by the Secretary. Being no objection, so ordered. ABC News Channel 20 here in Springfield asking leave of the Body to videotape the proceedings. Seeing no objection, leave is

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

granted. ...Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolution 179, offered by Senator Link and all Members.

And Senate Resolution 180, offered by Senator Koehler {sic} (E. Jones) and all Members.

They're both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions Consent Calendar. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports House Bills 201, 297, 709, 1019, 1020, 1741, 1833, 2106 and 3721 Do Pass; and House Bills 822 and 3614 Do Pass, as Amended.

Senator Trotter, Vice-Chairperson of the Committee on Environment and Energy, reports House Bills 120, 277, 351, 463, 736, 825, 894, 1011, 1303, 1638, 1888, 3638, 3728 and 3729 Do Pass; and Senate Amendment No. 1 to Senate Bill 661 recommend Do Adopt.

Senator Meeks, Chairperson of the Committee on Human Services, reports House Bill 17, 250, 254, 517, 570, 652, 909, 982, 984, 1535, 1708, 1758, 1775, 3455 and 3678 Do Pass; and House Bill 202 and 616, 734 and 1301 Do Pass, as Amended.

Senator Silverstein, Chairperson of the Committee on Executive, reports House Bills 166, 617, 1124, 1268, 1743, 1744, 1822, 3487 and 3649 Do Pass; and House Bills 1455 and 2304 Do Pass, as Amended.

Senator Demuzio, Chairperson of the Committee on State

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Government and Veterans Affairs, reports House Bills 28, 670, 978, 1332, 1460, 1509, 1778, 1832, 2023, 2179 and 3463 Do Pass; House Bill 3490 Do Pass, as Amended; and Senate Joint Resolution 17, 35, 37, 39, 40, 42, 46 and 47 Be Adopted; and Senate Joint Resolutions 29 and 43 Be Adopted, as -- Amended; Senate Resolution 72, 85, 121, 126, 129, 138, 151, 152 and 157 Be Adopted; House Joint Resolutions 1, 8, 17, 19, 26, 27, 30 and 47 Be Adopted; and Senate Amendment No. 1 to Senate Bill 767 recommend Do Adopt.

Senator -- Harmon, Chairperson of the Committee on Revenue, reports House Bills 282, 290, 576, 586, 1242, 1514, 1539, 1558, 1637, 1656, 2036, 2307, 3091 and 3434 Do Pass; House Bill 1519 Do Pass, as Amended; and motion to concur in House Amendment No. 1 to Senate Bill 1395 recommend Do Adopt.

Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bill 682 and 2194 Do Pass.

Senator Ronen, Chairperson of the Committee on Licensed Activities, reports House Bills 118, 126, 1284, 1406, 1423 and 1555 Do Pass; and House Bills 121 and 1947 Do Pass, as Amended.

Senator Lightford, Chairperson of the Committee on Education, reports House Bills 18, 438, 817, 1347, 1363, 1559, 1651, 1839, 1847, 1877 and 3730 Do Pass; and House Bills 913, 1030, 1330, 1647 and 1969 Do Pass, as Amended.

And Senator Haine, Chairperson of the Committee on Insurance, reports House Bills 147, 148, 415 and 1004 Do Pass; and House Bill -- 1319 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones, for what purpose you seeking recognition, sir?

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR J. JONES:

Thank you very much, Mr. President. With me here today, who's -- he's actually been here all spring with us here in Springfield, an intern that's been interning in my office. This will be his last day and I just wanted to recognize Kent Kiefer from Dahlgren, Illinois from Hamilton County, that's been interning with me this year. So I would like for you to give him a warm welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Welcome to Springfield, Illinois. Senator John Jones, for what purpose you seeking recognition?

SENATOR J. JONES:

Thank you, Mr. President. Another point of personal privilege, since we're kind of at ease right now. I'll take advantage of it.

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- please -- please state your point.

SENATOR J. JONES:

Up in the gallery right here, we have a group of students from Bluford Grade School in Jefferson County, along with a couple of their teachers - Terry Helm and Ken Strothmann and we would like to welcome them to the General Assembly.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the gallery please rise? Please rise and

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

be recognized? Welcome to the Illinois State Senate. Welcome to Springfield. I see a former labor leader and an IDOT official, Mr. DiIacova, joining us. Mr. DiIacova, welcome to Springfield today, sir. Senator Lauzen, for what purpose do you seek recognition, sir?

SENATOR LAUZEN:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LAUZEN:

Today, we have with us Lance Corporal Ryan Irvin from the United States Marine Corps. Ryan is here today with his father, Bob, and I believe that on the Internet his mom, Linda. Their whole family is from Elburn, Illinois. Ryan served for seven months in Afghanistan and then -- and then Ryan Irvin -- Lance Corporal Ryan Irvin served for four months in Iraq. He was very severely wounded, nearly lost his leg. He is now going through the process of recovering it. He and Senator Righter just compared the cast work that they have so... And Ryan's sister, Brooke, is stationed out in California as a United States Marine, and she is going to be deployed to Iraq in January. I would ask that the Senate welcome Ryan and his family.

PRESIDING OFFICER: (SENATOR DeLEO)

Would the Members of the General Assembly please rise and recognize Lance Corporal? Welcome to the Illinois State Senate, sir. Senator Righter, for what purpose do you seek recognition, sir?

SENATOR RIGHTER:

Thank you, Mr. President. The Senate Republicans would

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

request a caucus immediately in Senator Watson's Office for forty-five minutes, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That request is in order, sir. Ladies and Gentlemen, the -- the Senate Republicans have requested a caucus immediately in Leader Watson's Office. Ask all Senate Republican Members report to Senator Watson's Office. The Senate will stand in recess to the call of the Chair at the hour of 2:30. Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

For the purposes of an announcement: I'd ask all Members within the sound of my voice, please return to the Senate Floor immediately. We will -- going to Senate Bills 3rd Reading final passage. Would all Members please report to the Floor immediately? Okay, Ladies and Gentlemen, if you turn your Calendar, Senate Bills 3rd Reading. I'd ask the Members please turn your Calendar to page 30 at the bottom of page 30 is Senate Bill 1246. 1246. Senator Terry Link, would you like to proceed on Senate Bill 1246? Madam Secretary, out of the record. Senator Noland. Senator Noland, on 1267. Senator Noland, on 1267. Would you like to proceed, sir? Out of the record. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we'll go to page 31 of your Calendar. Page 31 on your Calendar comes Senate Bill 1279. Senator Don Harmon. Senator Don Harmon, on 1279. Out of the record. Senator Cullerton. Senator John Cullerton on Senate Bill 1291, sir. You wish to proceed? Out of



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

the record. Senator Jacobs. Senator Hunter, for what purpose are you seeking recognition, ma'am?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR HUNTER:

We have in the gallery, and I'm sure everyone in the building has noticed all of these fine young people who have been running all over the Capitol. They represent the Illinois Youth -- the Illinois Council of Area Projects and the Chicago Area Projects throughout the State of Illinois. So, will the guests in the balcony please rise to be...

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise and be recognized? And welcome to the Illinois State Senate. Welcome to Springfield. Okay, continuing on Senate Bills 3rd Reading is Senate Bill 1314. Senator Jacobs. Out of the record. Senator Munoz. Senator Munoz, on 1318, sir. Senator Munoz. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz, to the bill, sir.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen to the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senate. This bill targets repeat offenders or people who continuously abuse disability parking placards and license plates. The bill also clarifies the proper usage of placards and disability license plates by making them not transferable and requiring the authorized holder of the placard or disability license plates to be present and to enter or exit the vehicle at the time the parking privileges are to be used. The issue at hand is that there is no progressive fine for violations. Now it is the same fine whether you are not commit the first time offense or it is your fifth offense. This bill keeps the first-time offense fine at five hundred dollars, second offense would be seven fifty and third or -- subsequent offense would result in a thousand-dollar fine. I know of no opposition and I will answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The Chair would like to recognize one of the famous trial lawyers, Steve Pearlman. Steve Pearlman, welcome to Springfield. Senator Bomke, for what purpose you seek recognition?

SENATOR BOMKE:

Thank you, Mr. President. To the bill. It came out of...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BOMKE:

Thank you. It came out of Transportation with no opposition. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Haine. Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Bill 1318 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 1318, having received the required constitutional majority, is declared passed. Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HAINE:

I would ask the -- our -- our Senate Chamber to welcome four youths, in fact, all of the youths. I want to name just four - Alexis Hoven, Jarrod Mangrum, Paige Wendell and Mary Flanigan, who are from not only Alton, but from my neighborhood, and the many other young people that came up from the Alton area for Youth Democracy Day. And I think that our gallery is filled with young people observing democracy and certainly they're going to be the future of this great land that we call the greatest democracy on earth. I would like a welcome for them, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Would our guests from Alton, Illinois, please rise and be recognized? And welcome to the Illinois State Senate. Senator Demuzio, how are you ma'am?

SENATOR DEMUZIO:

How are you? Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

...purpose do you seek recognition?

SENATOR DEMUZIO:

Yes, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, ma'am.

SENATOR DEMUZIO:

Yes, I'm very proud to have a guest here in the gallery today from Jersey County and the Jersey County Business Association. And I'd like to have them rise. They're seated up -- right over here on this side, and let's give them a warm welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests from Jersey please rise and be recognized? Welcome to Springfield. Welcome to the Illinois State Senate. Senator Althoff, for what purpose do you rise, ma'am?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR ALTHOFF:

Thank you. I have a very special guest with me today. Her name is Cera Wrocke. She goes to Westwood Elementary School in Woodstock, Illinois. She's in third grade, nine years old and her mom, Josie, works for State Representative Jack Franks, but she chose to be with me in the Senate today.

PRESIDING OFFICER: (SENATOR DeLEO)

She chose to be with the big tippers. Welcome to the Illinois State Senate. Ladies and Gentlemen, could I ask all staff to retire to the rear of the Chamber? Please take your

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

conversations -- hold your conversations down for a minute. All Members please be -- all Members please be in their seats. I'd ask -- we have a special presentation at this time. Senator Silverstein in the Chair.

SENATOR SILVERSTEIN:

Thank you, Senator DeLeo. I -- I -- I'm joined with my other colleague, Senator Schoenberg, here. We have the honor today of introducing to you the Consul General of Israel to the Midwest, Barukh Binah. A member of the Israeli Foreign Service since 1979, Mr. Binah has held various positions in diplomacy, research, policy planning and media relations. Overseas posts include an appointment as an Israeli Spokesman and Press Officer in New York. In 1992, he was assigned to Washington, D.C. as a Counselor for the Congressional Affairs at the Embassy of Israel. He later became the Embassy's Minister-Counselor for Public Affairs. And on August 24th, 2005, he assumed his new position as General Consul of Israel in the -- to the west -- to the Midwest, which is based in Chicago. In -- in Jerusalem, Mr. Binah served as Spokesman of the Ministry of Foreign Affairs and Director of Press Division. He also served as a Director of the North American Affairs. He has held various research and policy positions, including Comptroller of Research Quality. And since 2002, he has served as the Head of the International Affairs Bureau in the Center for Political Research for -- of the Foreign Ministry. Mr. Binah holds degrees from Hebrew University of Jerusalem and Haifa University. In 1998, he graduated from the -- Israel's National Defense -- College, where he wrote a dissertation, Israel and the American Jewish Community: a Brotherhood in Distress. He has served as Consul of the --

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Israel Oriental Society and has contributed to its literary periodicals. Ladies and Gentlemen, I wish you'd give a warm welcome to the Consul General from the Midwest, Mr. Binah.

CONSUL GENERAL BARUKH BINAH:

(Remarks by Consul General Barukh Binah)

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, for what purpose do you seek recognition, ma'am?

SENATOR COLLINS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR COLLINS:

Thank you. If my colleagues would indulge me, I have members here - a part of the Chicago Area Projects, but they are members of my church - five eighth graders: TeAndre Martin, Tadar Muhammad, Eric Jones, Quinton Jordon, Aamir Walton, with their director of the Arch of St. Savino, Leonard Langston, a graduate of Morehouse, the same university or college that Dr. Martin Luther King graduated from. I would like for my colleagues to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

...our guests in the galleries please rise and be recognized? And welcome to the Illinois State Senate. Welcome to Springfield. Okay, Ladies and Gentlemen, we have some work to do, so let's go -- turn Calendars to page 31 of your Calendars - Senate Bills 3rd Reading. Senate Bills 3rd Reading. In the middle of page 31, comes Senate Bill 1328. Senator Schoenberg, do you wish to proceed with that, sir? Out of the record.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator John Cullerton. Senator John Cullerton, on Senate Bill 1364, sir. Do you wish to proceed with that? Representative Feigenholtz, it's nice to see you. Welcome to the Illinois State Senate. Senator John Cullerton, wish to proceed with that? Out of the record. Senator Harmon. Senator Don Harmon, on 1392, sir. You wish to proceed? He indicates he wishes to proceed. Madam Secretary -- I'm -- excuse me -- out of the -- sponsor indicates out of the record. Senator Harmon, on 1397. I think the gentleman seeks leave of the Body to return Senate Bill 1397 to the Order of 2nd Reading for the purposes of amendment. Is that correct, sir? Now on the Order of 2nd Reading is Senate Bill 1397. 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 Floor Amendment No. 2, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment 2 becomes the bill. I'd ask that we adopt it and debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon moves the adoption of Floor Amendment No. 2 to Senate Bill 1397. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments -- approved for consideration?

SECRETARY SHIPLEY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1397. Senator Harmon, do you wish proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1397.

(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. The driving force behind Senate Bill 1397 is actually a constituent of mine, Muriel Schnierow, a passionate advocate for children and -- to fight against predators. Several years ago after -- in the wake of the abduction of Jessica Lunsford, the State of Florida adopted Jessica's Law among the most comprehensive sex offender legislative measures in this -- in the country. Since then, we've spent a great deal of time here working to make sure Illinois law is in harmony with federal law, but at the same time, adopting the best elements of Jessica's Law. We've done a great deal of work in the bill that's before us today. Senator Brady and I are continuing to work on some bipartisan amendments. We've simply run out of time to deal with them in the Senate. We've secured the support of a cooperative House sponsor who will make sure we are able to work with those amendments on the other side of the building. I'd ask your support and let us send this bill to the Senate -- from the



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senate to the House so that we can finish the work we've begun.  
I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Thanks. Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1397 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, take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1397, having received the required constitutional majority, is declared passed. Senator Jacobs, on Senate Bill 1400, sir. Out of the record. Senator Sandoval. Marty Sandoval, on 1428, sir. Out of the record. Senator John Cullerton, on 1429, sir. Out of the record. Ladies and Gentlemen, turn your Calendars to page 32 - Senate Bills 3rd Reading. On the -- top of page 32, is Senate -- Senator Althoff. Pam Althoff, on 1430, ma'am. Do you wish to proceed? Out of the record. Senator Mattie Hunter, on Senate Bill 1435, ma'am. Senator Hunter, while you're preparing, Senator Hendon, for what purpose do you seek recognition, sir?

SENATOR HENDON:

Purpose -- purpose of a quick announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- Ladies and Gentlemen, we have your attention?  
Senator Hendon, for an announcement, sir.

SENATOR HENDON:

Behind you in the President's gallery is some young people from my district, the Agape Youth Development team. Give them a big hand by welcoming them to the Senate.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the galleries please rise and be recognized? Welcome to the Illinois State Senate. Welcome to Springfield. Senator Hendon.

SENATOR HENDON:

Quick reminder for all the guys and ladies who are playing on the softball team, bring your sports gear next week. We're going to have our practice either Tuesday or Wednesday. And the game is the week following that. And we going to crush the House, so be prepared.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Hunter, on 1435, ma'am. Are you seeking leave to return this to the Order of 2nd Reading? Yes, she is. Madam Secretary, we'll return Senate Bill 1435 to the Order of 2nd Reading for the purpose of -- of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1435. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment 1 to Senate Bill 1435 retains this bill, as introduced, and I'll explain it more on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Hunter moves the adoption of Floor Amendment No. 1 to Senate Bill 1435. All those in favor will say Aye. All

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

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. Now on the Order of 3rd Reading is Senate Bill 1435. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 1435.

(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, Mr. President and Ladies and Gentlemen of the Senate. As amended, the Business Corporation Act and the General Not For Profit Corporation {sic} (Act) -- to prohibit the Secretary of State from allowing another company to use the name of a domestic corporation that has undergone administrative dissolution until the end of a three-year reinstatement period. We simply changed the time from five years to three years.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1435 pass. All those in favor will say Aye. All those opposed will say Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

all voted who wish? Madam Secretary, take the record. On that question, there are, 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1435, having received the required constitutional majority, is declared passed. Senator Hunter, on 1436, ma'am. Senator Hunter, would you... Out of the record. Senator Sandoval. Marty Sandoval, on Senate Bill 1446, sir. Senator Sandoval. Out of the record. Senator Sandoval, on 1448. Out of the record. Senator Harmon. Senator Don Harmon, on Senate Bill 1454, sir. Out of the record. Senator Sandoval, on 1455. Senator Sandoval. Out of the record. Senator Lightford, on 1462, ma'am. Senator Kimberly Lightford, on 1462. Out of the record. Senator Kotowski, on 1471, sir. Out of the record. Senator Lightford. Senator Lightford, on 1473, ma'am. Senator Lightford, on 1473. Out of the record. Madam Secretary. 1475. Senate Bill 1475. Senator Lightford. Out of the record. Senator Demuzio, on 1478, ma'am. Out of the record. Ladies and Gentlemen, turning to page 33 of your Calendar - Senate Bills 3rd Reading on the top of page 33, is Senate Bill 1482. Senator Lightford, on 1482. Out of the record. Senator Althoff. Pam Althoff, on 1493, ma'am. Out of the record. Senator Althoff, on 1494, ma'am. Out of the record. Senator Wilhelmi, on 1497. Senator Wilhelmi, on 1497, sir. Out of the record. Senator John Cullerton, on 1527, sir. Out of the record. Senator Forby. Senator Gary Forby, on 1529. Senator Gary Forby, on 1529, sir. Do you want... Madam Secretary, the gentleman will seek leave of the Body to return Senate Bill 1529 to the Order of 2nd Reading for the purposes of amendment. Is that correct, Senator? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1529. Madam Secretary, has there been any amendments approved for

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR FORBY:

Floor Amendment No. -- 2 becomes the bill. I will explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator -- Forby moves the adoption of Floor Amendment No. 2 to Senate Bill 1529. 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?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading, comes Senate Bill 1529. Senator Forby, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1529.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby, to the bill, sir.

SENATOR FORBY:

Thank you, Mr. President. Requires contractors to keep payroll from five years instead of three years. All it does is

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

that contractors keeping payroll -- keeping the payroll reports for three years - this makes it five years and technical change. This is a cleanup of the bill for the Department of Labor. Far as I know now, there's no opposition to this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HULTGREN:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HULTGREN:

Thank you. Real quickly, I just want to say there was significant debate about this. The amendment does take away any of the opponents, mentioning to our side of the aisle. There were some prevailing wage language that was taken out by the sponsor, and so I'd encourage your support.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Senator. Senator Forby, to close, sir. The gentleman -- seeing no further discussion, the question is, shall Senate Bill 1529 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1529, having received the required constitutional majority, is declared passed. Senator Susan Garrett, on 1583, ma'am. Out of the record. Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

1587, Senator Frerichs. 1587. 1606, Senator Dahl. 1606, Senator Dahl. 1620. Senator Schoenberg. 1620. Senator Schoenberg. 1675. Senator Collins. 1687. Senator Harmon. Ladies and Gentlemen of the Senate, we're going to move at a very brisk pace. Be ready. 1692. Senator Harmon. 1692. 1697. Senator Jacobs. 1697. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 1697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senate Bill 1697 exempts gas used by any business enterprise as designed by the Standard Industrial Classification Manual prepared by the federal Office of Management and Budget. I know of no known opposition. I appreciate your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1697 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1697, having received the required constitutional majority, is declared passed. Senate Bill 1701. Senator Collins. Senate -- Senate Bill 1733. Senator Link. 1733. Senator Link. Out of the record. We will

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

now turn to the top of the order, Ladies and Gentlemen, please -- turn your Calendar to page 2. Page 2 on your Senate Calendar. And if you want your bill called, you need to -- you need to be ready and -- and call it today. Senator Brady, for what purpose do you seek recognition, sir?

SENATOR BRADY:

Thank you, Mr. President. A point of order.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR BRADY:

Mr. President, we are in tumultuous times here in Illinois. The business community has been held hostage since last March in the Governor's State of the Union and Budget Address. On the Calendar in front of us is Senate Bill 1, and I would simply rise to ask Senator Jones to immediately call Senate Bill 1. I believe we have the votes here to kill Senate Bill 1. The House has done so. It's time for the Senate to do...

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator -- Senator Brady. Senator Brady. We both know today's "go home day". I plan on getting us out of here. If Senator Jones decides to call his bill, then you can speak on it. If he does not, that's -- simply up to him. So, sir, please do not make this any longer and more drawn out than it has to be. Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I -- I agree with you about long and drawn out. Millions of dollars are being shelved in investments in my district alone because of this piece of legislation and this gross receipts tax. Senator Jones is here.



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

We can put this to rest I think rather quickly, Senator. I simply ask Senator Jones to call the bill so that we can make a decision and move Illinois forward.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Brady. Let's move on. Madam Secretary. Now before you is Senate Bill 2. Senate Bill 1. Out of the record. Senate Bill 2. Top of page 3, Senator Schoenberg. Senator Schoenberg. Out of the record. Senate Bill 3, Senator Trotter. Senator Trotter. Out of the record. Senator Trotter. Out of the record. Senate Bill 5. Senator Trotter. Out of the record. Senate Bill 7. Senator Demuzio. Senator Demuzio. Senate Bill 10. Senator Halvorson. Senator Halvorson. Senate Bill 10. Senate Bill 11. Senator Clayborne. Senate Bill 15. Senator Harmon. Madam Secretary, read the bill. ...Harmon seeks leave of the Body to return Senate Bill 15 to the Order of 2nd Reading for the purpose of amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 15. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senate -- Amendment No. 1 becomes the bill. I'd ask that it be adopted and we can debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

adoption of Amendment No. 1 to Senate Bill 15. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Floor Amendment 2 makes some technical changes to the bill, as amended by Floor Amendment No. 1. Again, I'd ask it'd be adopted and we can discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves adoption of Amendment No. 2 to Senate Bill 15. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

...further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 15. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 15.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 15 creates the Perinatal Mental Health Disorders Prevention and Treatment Act to address what is commonly referred to as postpartum depression. It was brought to my attention by a mom who I grew up with, but who lives now in Senator Lightford's district. She had suffered a bout of perinatal or postpartum psychosis. The bill in itself is very simple. It provides for assessment of pregnant moms and new moms by the various doctors that they see. We have one amendment left to make in the House to satisfy some concerns raised by the Medical Society, but once we do that, we will have overcome all the objections to the bill. I'd ask for your Aye votes so that we can finish the process and enact a very good law.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Pankau.

SENATOR PANKAU:

Yeah, this has gone through a few changes here. You told us what wasn't in it now and that the opposition was gone. What is in it? Could you briefly tell us what it's going to do?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

SENATOR HARMON:

Thank you, Mr. President. I'm sorry, Senator, I thought that I said that. It will provide for the routine assessment of -- of pregnant moms, expectant moms, and new moms by the doctors that they see for the symptoms of perinatal mental health disorders.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

And wasn't there some discussion in committee that it not be in the last trimester, that it be any time the doctor feels? And if there's more than one doctor in a group, any of the doctors can ask these questions?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, Senator, as I said in my opening remarks, there is one more amendment we need to make in the House to satisfy those concerns raised by the Medical Society. We are happy to ensure that there's no prohibition on assessing an expectant mother during the second trimester. It's pretty clear to me from the bill that if one doctor in the practice has done it, then every doctor in the practice wouldn't have to do it, but we're happy to make sure that the language reflects that intention.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

You -- and you have been in touch with the House sponsor and

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

that sponsor is willing to put that amendment on?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, Senator, we have a very cooperative House sponsor, one of my State Representatives, and she has indicated a willingness to ensure that the bill that is sent to the Governor's desk reflects the agreements we've reached.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

And with all these understandings, I urge my -- colleagues to vote Yes on this.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. I -- I'm a cosponsor of this bill. I applaud the sponsor for his work in the negotiations. I've seen the updated version. Compared to the original version, a lot of concessions have been made - good concessions that have strengthened this bill. I'm eager to see the end result in the House, but I urge an Aye vote from my colleagues on this side of the aisle.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 15 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

voting Aye, none voting Nay, none voting Present. Senate Bill 15, having received the required constitutional majority, is declared passed. Senate Bill 17, Senator Sullivan. Senate Bill 18, Senator Martinez. Senator Martinez. Senate Bill 26, Senator Burzynski. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 26.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This bill amends the Illinois Vehicle Code. Provides that a local highway jurisdiction may issue permits for the movement, to or from a farm or other production agricultural facility, of divisible, non-divisible loads. There was some concern in committee from the Illinois Department of Transportation relative to local township officials and local highway officials being able to waive the weight requirements on bridges and structures. I have a feeling that's something that we're going to have to address in the House at this time. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President, to the bill. As much as I'd like to support my colleague's bill, the one piece that's very important that missing from this bill is the money that it would take to repair the roads if we allow eighty-thousand-pound

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

vehicles on all the roads, especially those roads that are posted for, and cannot -- does not have the base and cannot withstand the continuous pounding of vehicles of that size. So until we get that in place, I would urge that we vote No on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. With all due respect to my esteemed colleague, the engineer, I would expect nothing less from him; however, I would also suggest that local township road officials and county officials have a better idea of what their roads can handle than perhaps we do here in the General Assembly. I would encourage an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 26 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 8 voting Nay, 2 voting Present. Senate Bill 26, having received the required constitutional majority, is declared passed. Senate Bill 27. Senator Crotty. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 27.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Thank you, very much. Senate Bill 27 amends the Property Tax Code concerning the payment of refunds. Provides that upon a request of a school district whose revenues are affected by the refund, the collectors shall not within any twelve-month period make refunds in excess of a hundred thousand dollars due from taxes that were collected for that school district for any particular parcel if the refunds are attributable to more than one taxable year, but instead, the collector must divide the refunds due to any final orders of the property tax appeal board or a court into at least twelve-month periods as the number of taxable years for which the refunds are due.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a report out of Revenue Committee from the Republican side, this came out of committee with an eight to one vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 27 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, 1 voting Nay, none voting Present. Senate Bill 27, having received the required constitutional majority, is declared passed. ...Bill 61, Senator Haine. Senator Haine. Senate Bill -- Senator Brady, for what purpose do you seek recognition, sir?

SENATOR BRADY:

To clarify my position on a vote.

PRESIDING OFFICER: (SENATOR HENDON)



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Go right ahead, Senator Brady.

SENATOR BRADY:

Thank you. I was so focused on voting No on Senate Bill 1, I voted No on Senate Bill 26. I want the record to reflect I meant to vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Senate Bill 100, Senator Cullerton. Out of the record. Senate Bill 123, Senator Silverstein. Madam Secretary -- no, out of the record. Senate Bill 125. Senator Link. 125. Senator Link. Senate Bill 133. Senator Garrett. Garrett. 133. Senate Bill 141. Senator Silverstein. 141. Senate Bill 146. Senator Demuzio. Senate Bill 147. Senator Demuzio. Senate Bill 165. Senator Sandoval. Senator Sandoval. 165. Madam Secretary, please read the bill. Senator Sandoval seeks leave of the Body to return Senate Bill 165 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 165. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Millner.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner, to explain Amendment No. 1.

SENATOR MILLNER:

Thank you, Mr. Chairman. It just takes care of the Farm Bureau's concerns.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner seeks leave of the Body -- I mean Senator Millner seeks adoption of Amendment No. 1 to Senate Bill 165.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

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

SECRETARY SHIPLEY:

Further -- no further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 165. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Illinois Senate. Senate Bill 165 amends the Criminal Code Act as it relates to criminal damage to property and criminal defacement of property. As a matter of expediency, I'd ask your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 165 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 165, having received the required constitutional majority, is declared passed. Senate Bill 175, Senator Sandoval. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senate Bill 175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Illinois Senate. Senate Bill 175 amends the Energy Assistance Act as it relates to an outreach program. For purpose of expediency I'd ask your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 175 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 175, having received the required constitutional majority, is declared passed. Senator Meeks, for what purpose do you seek recognition, sir?

SENATOR MEEKS:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR MEEKS:

Today is the birthday of Senator Kimberly Lightford. And I want everybody to wish her a happy birthday. Senator Lightford, it's her birthday today.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Lightford. Happy Birthday to you. How old is she today, Senator Meeks, seventy -- seventy-one?

SENATOR MEEKS:

I -- I'm not quite sure, but I know that there's cake in her office, so count the candles and then we'll be able to reach that.

PRESIDING OFFICER: (SENATOR HENDON)

...was down there. There wasn't enough candles. She didn't put candles on the cake. Happy Birthday, Senator Lightford. And there is cake in her office and a little Champale, too. All right. Moving right along, Senate Bill -- Senate Bill 200. Senator Cullerton. Out of the record. Senate Bill 229. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 229.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Code of Civil Procedure to clarify and streamline the rights of creditors, debtors and employers. It will allow a judgment creditor to recover a corporate judgment debit property from {sic} (for) the creditor's use. It also has the -- streamlines other processes regarding citation proceedings and the collection of judgments. Take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

shall Senate Bill 229 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 229, having received the required constitutional majority, is declared passed. Senate Bill 230. Senator Collins. Senate Bill 234. Senator Righter. Madam Secretary, please read the gentleman's bill.

SECRETARY SHIPLEY:

Senate Bill 234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President and Ladies and Gentlemen of the Chamber. Senate Bill 234 amends the Mental Health and -- Developmental Disabilities Code with regards to involuntary commitments. This is legislation this Chamber has seen, I think three times now in the last five years. It provides for a definition of -- of "dangerous conduct" and is supported by the National Alliance for Mentally Ill. I want to thank the members of the Human Services Committee in the Senate who voted unanimously to support the legislation. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, shall Senate Bill 234 pass. All those in favor will vote Aye. Opposed, vote Nay.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 234, having received the required constitutional majority, is declared passed. Senator Bomke, for what purpose do you seek recognition, sir? Senate Bill 268. Senator Collins. Senate Bill 311. Senator Cullerton. 311. Senate Bill 322. Senator Harmon. Senate Bill 328. Senator Hendon. Out of the record. Senate Bill 346. Senator Sieben. Out of the record. Senate Bill 378. Senator Harmon. Senate Bill 399. Senator Demuzio. Senate Bill -- out of the record. Senate Bill 399. Senator Demuzio. Out of the record. Senate Bill 445. Senator Martinez. Out of the record. Senate Bill 482. Senator Harmon. Senate Bill 487. Senator Harmon. Senate Bill 494. Senator Jacobs. Senate Bill 536. Senator Raoul. Senate Bill 537. Senator Cullerton. Senate Bill 539. Senator Sullivan. Senate Bill 549. Senator Delgado. Senate Bill 551. Senator Cullerton. Senate Bill 570. Senator Sullivan. Senate Bill 593. Senator Cullerton. 593, sir. Madam Secretary, recall? Senator Cullerton seeks leave of the Body to return Senate Bill 593 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 593. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 4, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This retains the underlying bill and exempts as places of public accommodation, proprietor-occupied buildings with five or fewer units for rent or hire and sectarian adoption agencies. This is a request of the -- some of the committee members, and move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves adoption of Amendment No. 4 to Senate Bill 593. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 593. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 593.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill updates the current definition of "public accommodations" to conform to the definition used in the ADA that already applies to Illinois public accommodations. It goes no further than existing

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

law. It's supported by Equip for Equality, Epilepsy Foundation of Greater Chicago, Access Living, the AIDS Foundation, Coalition of Citizens with Disabilities and a number of other organizations. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill. Thank you. I just simply want to rise and thank Senator Cullerton. He was extraordinarily responsive to a number of concerns that were raised by members on the committee and others, and has taken a large and complicated topic and -- and put together a bill that I think everyone can support. And I would urge the Members on our side of the aisle to do just that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 593 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 593, having received the required constitutional majority, is declared passed. Senate Bill 607. Senator Cullerton. Madam Secretary, read the bill. Senator Cullerton seeks leave of the Body to return Senate Bill 607 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 607. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Cullerton.



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a recodification of the DUI Law, as well as the vehicle forfeitures and it's just a recodification, not any substantive changes, with the exception of vehicle forfeitures there are a couple of minor changes with this amendment. It provides protection from forfeiture for the spouse of the owner of a forfeited vehicle who makes a showing in court that the seizure would be a hardship to the family. I move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves adoption of Amendment No. 2 to Senate Bill 607. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 607. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Thank you, Mr. President, Members of the Senate. This is a initiative of the Cook County State's Attorneys Association, supported by the State Police. It's a recodification of the DUI laws with no substantive changes and the -- some minor changes to the vehicle forfeiture, the spouse protection, as I indicated earlier, and some clarification that the State's attorneys have the authority to release seized vehicles under settlement agreements with their owners. Move for its passage.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Seeing none, the question is, shall Senate Bill 607 pass. All those in favor will vote Aye. Opposed will vote Nay. -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 607, having received the required constitutional majority, is declared passed. Senate Bill 629. Senator Harmon. Out of the record. Senate Bill 632. Senator Harmon. 632. Senate Bill 635. Senator Harmon. Senate Bill 637. Senator DeLeo. Senate Bill 650. Senator Cullerton. Mr. Secretary, Senator Cullerton seeks leave of the Body to return Senate Bill 650 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 650. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

...Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Yes. Thank you, Mr. President, Members of the Senate. This amendment was suggested actually, I think, by Senator Righter in the committee. This bill deals with medical marijuana. This amendment was an effort to tighten up the eligibility to be a primary caregiver for -- and -- and would -- say that if someone is a primary -- they cannot be a primary caregiver if they've had a drug-related conviction in the past. So I'd like to adopt the amendment and then explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves adoption of Amendment No. 1 to Senate Bill 650. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any -- further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 650. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 650.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. We may have to slow down just a little bit for this one because it's potentially controversial, obviously. This is a bill that deals with medical marijuana.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

I'll just tell you just briefly what it does. It -- it -- it says that a qualifying patient or a patient's caregiver would not be subject to arrest if they possess medical -- marijuana for the use -- for medical purposes. They are limited to twelve plants, 2.5 ounces of useable cannabis. To be a qualifying patient, they have to have been diagnosed with a serious debilitating medical condition. They -- Department of Public Health issues a registry card to the person and it has to be with a written certification of a physician. The Department would develop rules and it also authorizes for the non-for-profit dispensaries under the Act to be available to provide the marijuana to the patients. -- I -- I -- I think...

PRESIDING OFFICER: (SENATOR HENDON)

Go ahead, Senator Cullerton.

SENATOR CULLERTON:

I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Cullerton, first, I appreciate the -- I do appreciate the amendment that you -- that you put on there that I think I raised an issue in committee. It -- to some of us it makes a bad idea just a little less bad. I want to ask with regards to that particular issue, who is responsible for running the background check on the people who want to be caregivers?

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

I would say that would be covered by the Department of Public Health developing rules and I'm sure they could do that through the State Police.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank -- thank you, Mr. President. Senator Cullerton, how long is a certificate, I think that's the term used, that a -- if a caregiver is given a certificate by the Department to -- to be able to grow marijuana, how long is that certificate good for?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

You know, I really -- I think you did raise that question before and I don't -- I don't know if we addressed that in -- in this bill. I think what we're talking about -- I -- I guess the reason for that is what we're talking about are people who have some very serious illnesses that they probably won't expect to be recuperating from - people who have -- have cancer, who are -- are -- are doing chemo, perhaps might be someone who could recuperate, people who have MS, hopefully could recuperate, but I don't think we have specifically addressed that. It's probably a good point. I imagine we could say that this thing could be renewed every year - it's not in the bill now - just to determine that the person still was in need for it.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Righter.

SENATOR RIGHTER:

On that point, Senator Cullerton, is there -- there's not a requirement that the patient - I mean, you talked about not expecting to live any longer - there's no requirement that the patient have a terminal illness is there?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Not terminal, but it is defined in the statute and it's a very debilitating is defined in the statute and it's very serious, not just someone who has a headache and decides they want to get a doctor to sign a prescription. This is meant to be limited and that's why I indicated I tried to make this a very tightly drafted bill compared to what they have in California, which is like one sentence long. So, that's -- that's my answer. It's -- it's a debilitating chronic disease. It would be a chronic or debilitating disease or medical conditions that produces severe chronic pains, severe nausea, seizures, epilepsy, severe muscle spasms, the type of things that are characteristic of Multiple Sclerosis, Crohn's Disease. It's -- that's who it's meant to cover and you need to get a physician to sign a written prescription, if you will.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Senator, if a individual - and I understand the bill caps the number of patients that a caregiver can be a caregiver for, at three - is there some kind of check in place that, if because

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

either a patient passes away or a patient decides for one reason or another to stop smoking marijuana under your bill, or at least getting it from this particular caregiver, that that automatically -- is -- is there some check on the caregiver insofar as the amount of cannabis they're allowed to grow and hold in their house?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

If I understand your point, if the -- if the patient is deceased, then -- then it's illegal for the caregiver to possess any marijuana and actually the penalties for violating this Act are even higher than the current existing penalties for possession of marijuana.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, to the bill, sir. Senator Righter.

SENATOR RIGHTER:

My last question and then -- thank you...

PRESIDING OFFICER: (SENATOR HENDON)

Go right ahead, sir.

SENATOR RIGHTER:

One more question, if I might, Mr. President, and then to the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Certainly, sir.

SENATOR RIGHTER:

Senator Cullerton, it's my understanding that there is on the books right now here in Illinois, a law from 1978 that empowers the Department, along with the State Police, to engage

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

in this kind of service, if you will, by which physicians are able to provide marijuana for patients who need it. It's my understanding that all it requires is for the executive branch of government to make a decision to go forward with that. Why not simply implore the Governor's Office, or the executive branch, to move forward through the State Police and the Department to do this that way?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

I'm very glad you asked that question. That bill was drafted back in 1978 with none of the protections that I feel we have in this bill. And it -- you're right, it wasn't implemented by the executive branch, but it did pass amazingly -- it passed the House in 1978 with a hundred forty-one to sixteen. It passed the Illinois Senate in -- in that same year. They had -- Senator Pate Philip voted for the bill. Senator Weaver voted for the bill. It had only four negative votes and unfortunately it wasn't implemented by the Department. So, it -- it is -- it is interesting. I was going to actually raise that in closing, but the reason why we shouldn't just ask the executive branch to implement it, because we don't have the protections that we have in -- in this bill - the criminal penalties, the requirement that there be -- be a physician sign -- to sign the prescription. That's -- that's why I thought it would be better to go ahead with this bill, which, by the way, is -- there's the, I believe, thirteen states now - with New Mexico just recently - has a bill that -- just like this.

PRESIDING OFFICER: (SENATOR HENDON)



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Righter, to the bill.

SENATOR RIGHTER:

...you. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 650. I appreciate very much the intent that Senator Cullerton has behind this bill. He has worked to improve this legislation. I want to remind the Body of a few points before we go on with the debate. First of all, there is available to patients, not just here in Illinois, but all across the country, a prescription drug that contains the active ingredient in marijuana called THC. It's called Marinol. I've spoken to a personal friend of mine who is an oncologist back in my district. I know other Members have spoken to doctors such as that, as well. They use Marinol. That doesn't require us to go forward and allow people to begin growing marijuana plants in their homes. This bill is uniformly opposed by law enforcement, the Illinois Association of Chiefs of Police, the Illinois Sheriffs' Association, the Illinois State Police. All are opposed to this. The Illinois Drug -- Education Alliance is opposed to this. There's a whole host of entities that are opposed to this and here's why: Is because they've thought through this idea and they've also looked at California, and I appreciate that what California has put in law, which has been -- can be described as nothing other, fairly, as other than a disaster. But this is a -- this is somewhat different than what they've put in place in California. But it lies on a faulty premise, and that is this: It treats marijuana or cannabis as a medicine and this is the concern -- this is the core concern I have. If any of us stood up on this Floor and suggested that we wanted to treat as a medicine something that had not been tried

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

and tested and approved, if not by the FDA, at least in an FDA-like process, many, if not all of us would object and say, no, we don't want to provide that under the -- under the guise of a medicine to these patients. And I appreciate what -- Senator Cullerton says about the fact that many of these patients may be terminal, but many may not. We don't know what the long-term effects of smoking marijuana, in whatever quantities they'll be allowed to smoke it under this bill, may be. In which case, I think calling this a medicine is very much a misnomer. For all the reasons above, Mr. President, I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, is it your thought that -- that people who are sick should be treated like criminals?

SENATOR CULLERTON:

Well, I certainly don't think they should. No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

...Williams, a talk show host, revealed on television that he has Multiple Sclerosis and he's having searing pains in his leg and his doctor has said that he should use -- medical marijuana. Now, you know, the good Senator makes a good point. Some drugs

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

shouldn't be legal, but I would point out that OxyContin is legal, heroin is legal. You can get anything you want from a doctor, but for a plant that we grow indigenously in Illinois, it doesn't make much sense to me.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Murphy.

SENATOR MURPHY:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Murphy.

SENATOR MURPHY:

Senator, there -- my understanding is from our staff analysis, the American Glaucoma Society, the American Academy of Ophthalmology, the American Cancer Society, the National Medical -- Multiple Sclerosis Society are opposed to this bill. Given the fact that many of the people suffering those terrible afflictions are precisely who we are purporting to help with this, do you have any indication, first of all, whether that's correct, our staff analysis, but second of all, why those groups would stand in opposition of this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

I -- I only know that the -- on Multiple Sclerosis I had people down here, you know, lobbying us last week and I asked them to find out if there was an official position by their national organization, and they came back and said that there was not. So, that's the only one I can address. You know, let's face it. This -- this thing flew out of here in 1978 because

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

there was a different atmosphere about -- about this issue. There's -- all of those organizations could have people on their boards that -- that, you know, feel that this is in somehow an encouragement for spreading drugs in our culture or that it's going to encourage young people. I just don't happen to believe with that. So the point is there might be a different agenda on those boards that would result in them taking that position. My only information on this was -- came from the people that came down and testified in -- in Springfield, who had these diseases who said they needed this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy. Senator Murphy.

SENATOR MURPHY:

With the possible exception of the Multiple Sclerosis, those other groups whose entire reason for being, is to advocate on behalf of -- of people with those conditions. As far as we know, they oppose this. I mean, that is a fair statement and you've -- you've answered and this is really more of a comment. But I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. And we've talked about, one, that there have not been any kind of reports or studies done on this. Quoting from an -- the editorial from the Chicago Tribune, it says that there was a 1999 report by the Federal Government Institute of Medicine which concluded scientific data indicate the potential therapeutic value of cannabinoid drugs -- primarily THC for pain relief, control of nausea and vomiting and

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

appetite stimulation. Also, there was a study done just as recent this year that was in the Medical Journal from a Dr. Abrams. Dr. Abrams said that -- had a -- randomized, double-blind, placebo-controlled trial, which was designed to consider the gold standard of medical research and -- and a majority of his patients had a greater than thirty percent reduction in pain after smoking marijuana. For many, the level of relief means having a significantly improved quality of life and for some, actually patients returned to careers cut short by the pain that they had rendered. So there has been studies and one as recent as February 13th. So there is proof that this can work.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to close.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Appreciate the time. First of all, I wanted to address some of the issues raised in debate. The -- the Senator talked about a pill that exists that people can take. We had testimony from this lady, -- Julie Falco. She is in the -- featured in the Sun-Times article. Came twice to Springfield. She has Multiple Sclerosis. She is my expert. She said she eats marijuana and it's the only thing that relieves her pain. And she is a person who apparently, and this is going to come not as a shock to you, apparently it's not very hard in our society to obtain marijuana. And -- so people who have these diseases are getting it. The only issue is whether or not we should have it be a crime for them to possess it. So, that's the -- the -- that's what the point is. The California law, you know, they have referendums out there, guys, they don't have the -- they pass laws without the give and take

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

and the committee system that we have here. Some -- they passed this thing and it's being abused. I admit that. That's why we have a piece of legislation that's meant to be tight. The most compelling argument for this bill came from a woman in the Connecticut Legislature - a state representative - who came here and testified. Last year, she came here and lobbied some of you. She happens to be a Republican. Her husband died of cancer. For a year, she was forced at -- at his request to go out and get marijuana, illegally obviously, and present it for her husband to relieve the pain. That's why -- and she's in the legislature and she's breaking the law, and she came here to testify for this bill. It was the most compelling argument I -- I -- for this bill that I -- I've seen. The -- I don't believe that by doing this, come on, we're not going to encourage young people to all of a sudden think this is a -- something they should all go out and start doing, if they're not already. It's just meant to be - - provide compassion for the people who are -- who are suffering. If you really feel, because of whatever reasons, even though there's a overwhelming support from the editorials, even though the polls show that -- two-thirds of the people or more think this is a good idea, if you still can't vote for it for whatever political reasons, then vote Present and show that you -- at least you -- you care about the -- the patients who would be -- benefit from this bill. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 650 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

are 22 voting Yea, 29 voting Nay, and 4 voting Present. Senate Bill 650, having not received the required constitutional majority, is declared failed. Ladies and Gentlemen of the Senate, we spent half an hour on that bill. We do not -- we know it's important, but we do not intend to spend that much time on anything else today. Senate Bill 660. Senator Link. 660, Senator Link. Out of the record. Senate Bill 661. Senator Link. Senate Bill 663. Senator Link. Senate Bill 698. Senator Sullivan. 698. Senate Bill 673. Senator Hultgren. Senate -- 678. Senator Hultgren. Out of the record. Seven -- Senate -- that was Senate Bill 738. It's out of the record. Senate Bill 751. Senator Demuzio. Senate Bill 752. Senator Martinez. Senate Bill -- with leave of the Body, please turn to page 8 of your Calendar. We're going to go to Senate Bill 767. Senator Demuzio. 767. Out of the record. Senate Bill 7... With leave of the Body, we're going to continue down on that same page. Senator Kotowski, for what purpose do you seek recognition, sir? Just a moment, please. There's been a change in sponsorship on Senate Bill 767. The new sponsor is Senator Kotowski. Mr. Secretary, Senator Kotowski seeks leave of the Body to return Senate Bill 767 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 767. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Mr. President, the amendment becomes the bill. Permission to talk about it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Kotowski moves adoption of Amendment No. 1 to Senate Bill 767. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 767. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 767.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 767 is a -- is a quality good government -- transparency in -- in -- transparency in the way we do business here in Springfield. It's got great bipartisan support. It requires the Procurement Policy Board to maintain on its official website a searchable database containing all information required to be included in the Illinois Procurement Bulletin with regard to contracts let and awarded in emergency purchases. The posting of procurement information on the website and on the online



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

electronic bulletin must be prior to the execution of the contract or for emergency purposes within three business days after the execution of the contract. Each agency with a chief procurement officer must provide the Board information and resources necessary and in a manner to effectuate these requirements.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Radogno.

SENATOR RADOGNO:

I do think this is a good bill and good government bill, but the question is we're asking the Department -- or the Procurement Board to implement this. How much is the cost of doing this?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I met with the Procurement Policy Board today. They said they're -- they're willing to work with all the different departments together to assemble the resources in order to make this happen. The issue here is the cost should be minimal and the ability to get it done should be -- we should be able to get this done in a timely fashion and good government it may -- it may cost some money, but the point is we're going to be able to save money in the process.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Radogno.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

SENATOR RADOGNO:

Just to clarify. Even though it's not in the budget, they think that existing resources can be redirected to fund this?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

At -- at this point, what we're going to be doing is working with -- working with the Budget Department to make sure that we have the resource necessary to make it happen and -- and possibly secure a staff person in order to make this happen.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 767 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 767, having received the required constitutional majority, is declared passed. With leave of the Body, we're going to go down and skip to 775. Senator Hunter. Out of the record. Page 15 of your Senate -- with leave of the body, we're going to go page 15 of your Senate Calendar. Senate Bill 884. Senator Hunter. Out of the record. Out of the record. With leave of the Body, we're going to go to the bottom of page 936. Senator Martinez. 936. Out of the record. With leave of the Body, and be a little patient, we are almost done. Isn't that wonderful? Page 30 of your Senate Calendar. Senate Bill 1166. Senator Raoul. Out of the record. Senate Bill 1173. Senator DeLeo. Out of the record. Senate Bill 1188. Senator Harmon. Out of the record. Senate Bill 1189. Senator Halvorson. 1189. Senate Bill 1190.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Halvorson. Senator Halvorson. 1190. Senate Bill 1230.  
Senator Cronin. 1230. Senator Cronin. Out of the record.  
Senate Bill 1237. Senator Delgado. Senate Bill -- Senate Bill  
1246. Senator Link. Out of the record. -- Senate Bill 1267.  
Senator Noland. Out of the record. Top of page 31. Senate Bill  
1279. Senator Harmon. Out of the record. Senate Bill 1291.  
Senator Cullerton. 1291. Out of the record. Senate Bill 1314.  
Senator Jacobs. Out of the record. Senate Bill 1328. Senator  
Schoenberg. Schoenberg. Out of the record. Senate Bill 1364.  
Senator Cullerton. Out of the record. Senate Bill 1392.  
Senator Harmon. Out of the record. Senate Bill 1400. Senator  
Jacobs. Senate Bill 1428. Senator Sandoval. Mr. Secretary,  
Senator Sandoval seeks leave of the Body to return Senate Bill  
1428 to the Order of 2nd Reading for the purpose of amendment.  
Hearing no objection, leave is granted. Now on the Order of 2nd  
Reading is Senate Bill 1428. Mr. Secretary, are there any  
amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 1428 amends the  
Abused and Neglected Child Reporting Act. For purpose of  
expediency, I'd like a favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Sandoval  
moves the adoption of Amendment No. 1 to Senate Bill 1428. All  
those in favor, say Aye. Opposed, say Nay. The Ayes have it,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

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

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval, on Amendment No. 2.

SENATOR SANDOVAL:

For -- for purpose of expiation {sic}, I'd like to -- favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Sandoval moves adoption of Amendment No. 2 to Senate Bill 1428. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1428. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1428.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. I ask your favorable vote. Thank you.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1428 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting aye, none voting Nay, none voting Present. Senate Bill 1428, having received the required constitutional majority, is declared passed. Senate Bill 1429. Senator Cullerton. Out of the record. Senate Bill 1430. Senator Althoff. Out of the record. Senate Bill 1436. Senator Hunter. Out of the record. Senate Bill 1446. Senator Sandoval. 1446. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1446.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. -- Mr. President and Members of the Senate. Senate Bill 1446 amends the Public Community College Act and it creates the We Want to Learn English Initiative, subject to the appropriation. I'd ask your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1446 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Aye, 2 voting Nay,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

none voting Present. Senate Bill 1446, having received the required constitutional majority, is declared passed. Senate Bill 1448. Senator Sandoval. Senator Sandoval seeks leave of the Body to return Senate Bill 1448 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1448. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Senate. Senate Bill 1448 creates the Access to Governmental Services Act. I'd ask your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Peterson. Any discussion? Senator...

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR HENDON)

This -- on the amendment, sir?

SENATOR PETERSON:

We'll wait for the amendment be adopted...

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, sir, and I'll come right back to you. Senator Sandoval seeks -- moves to adopt Amendment No. 3 to Senate Bill 1448. All those in favor, say Aye. Opposed, say Nay. The

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

amendment -- the Ayes have it, and the amendment is adopted. Are there any further Floor amendment approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 5, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval, on Amendment No. 5.

SENATOR SANDOVAL:

Thank you, Mr. President. I ask your favorable consideration?

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Seeing none, Senator Sandoval moves adoption of Amendment No. 5 to Senate Bill 1448. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1448. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Peterson.

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will yield. Senator Peterson.

SENATOR PETERSON:

Senator Sandoval, where are we with the agencies that have to implement this legislation? Do you have their support? Are they neutral?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Peterson, I agreed to -- in committee to work with the House sponsor on that subject matter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Peterson.

SENATOR PETERSON:

And this is a pilot program.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval. Yes. Senator Peterson.

SENATOR PETERSON:

Further discussion? Seeing none, -- the question is, shall Senate Bill 1448 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Aye, none voting Nay, none voting Present. Senate Bill 1448, having received the required constitutional majority, is declared passed. Senate Bill 1454. Senator Harmon. Out of the record.



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senate Bill 1455. Senator Sandoval. Senator Sandoval seeks leave of the Body to return Senate Bill 1455 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1455. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 1455 establishes a Higher Education Revolving Loan Fund act in the State treasury. I'd ask your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Sandoval moves adoption of Amendment No. 2 to Senate Bill 1455. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1455. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1455.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. I ask your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. You know, we've got this train rolling down the tracks but I think it's important just to point out just a couple of things on this particular piece of legislation that the Senator's bringing. First of all, I would like to point out to my colleagues a couple of the provisions within the bill itself, and number one being that you do not have to be a U.S. citizen to qualify for this -- particular program. And number two, it's my belief that this fund would also be subject to fund sweeps by the administration. So I think we want to be very careful about that. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, Senator Sandoval, to close.

SENATOR SANDOVAL:

Ask your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Bill 1455 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 20 voting Nay, none voting Present. Senate Bill

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

1455, having received the required constitutional majority, is declared passed. Senate Bill -- my good friend, Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. You know it's that time of year. It's that time of the day we want to get out of here, but I would request a verification of the roll call on that last bill, please.

PRESIDING OFFICER: (SENATOR HENDON)

A man after my own heart. Senator Burzynski has requested a verification. Will all Members be at their seats? Mr. Secretary, please read the affirmative votes.

ACTING SECRETARY KAISER:

The following Members voted in the affirmative: Bond, Collins, Crotty, Cullerton, Delgado, Frerichs, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Koehler, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Noland, Raoul, Ronen, Sandoval, Schoenberg, Silverstein, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Does the -- my esteemed colleague, Senator Burzynski, question the presence of any Member voting in the affirmative?

SENATOR BURZYNSKI:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Yes. Thank you, Mr. President. I -- you know, I don't have my contacts in or my glasses on, so it's a little hard to -- to

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

see, but I appreciate everybody waving. It really does help and I just want to let you know that, but I don't believe I see Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Who was that, sir?

SENATOR BURZYNSKI:

Senator Raoul. Oh, thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, yes, is that Senator Raoul right there? With the receding hairline, that's him. That's -- a little shave maybe. Senator Raoul -- is Senator Raoul in the Chamber? Senator Kwame Raoul is he in the men's room? Telephone? Senator Raoul.

SENATOR BURZYNSKI:

Going once.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR BURZYNSKI:

Going twice.

PRESIDING OFFICER: (SENATOR HENDON)

Not. Mr. Secretary, strike the name from the roll. Does the Senator question the presence of any other Member voting in the affirmative?

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. I appreciate your consideration.

PRESIDING OFFICER: (SENATOR HENDON)

On a verified roll call, there are 29 Ayes, 20 Nays, and none voting Present. Senate Bill 1455, having not received the required -- constitutional majority, is declared failed. Senator

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. In the name of all students in Illinois, I'd ask Postponed Consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Postponed Consideration. Senator Sandoval requests that Senate Bill 1455 be postponed. The bill will be placed on the Order of Postponed Consideration. 1471. Senator Kotowski. 1462. Senator Lightford. Birthday Senator. Out of the record. -- 1462 is out of the record. 1471. Senator Kotowski. Out of the record. 1473. Senator Lightford. Out of the record. 1475, Senator Lightford. Out of the record. 1478. Senator Demuzio. Out of the record. 1482. Senator... Out of the record. 1493. Senator Althoff. 1494. Senator Althoff. 1497. Senator Wilhelmi. 1527. Senator Cullerton. 1583. Senator Garrett. 1587. Senator Frerichs. 1606. Senator Dahl. 1606. Out of the record. 1620. Senator Schoenberg. 1675. Senator Collins. 1687. Senator Harmon. 1692. Senator Harmon. ...more to go. 1701. Senator Collins. 1733. Senator Link. Out of the record. With leave of the Body, we're going to return to page 5 of your Senate Calendar is Senate Bill 487. Mr. -- Senator Harmon seeks leave of the Body to return Senate Bill 487 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 487. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I'd ask to adopt it and debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Harmon moves adoption of Amendment No. 1 to Senate Bill 487. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 487. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciate your indulgence in returning to this. Senate Bill 487 is a rewrite of the Carbon Monoxide Detector and Alarm Act that we adopted last year. It addresses concerns raised about the practical aspects by the Hotel and Motel Association, as well as the Long Term Care Industry. Whether you liked the bill last year or not, it is a better bill because of

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

our rewrite, and I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there a brief discussion? Yes, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will yield for a question. Senator Burzynski.

SENATOR BURZYNSKI:

Multipurpose question. Thank you, Senator. You indicate that the bill is a little better than what we did last year. I have a couple questions relative -- do penalties change for noncompliance or anything of that nature or are we making it a little bit more lenient as far as the placement of the detectors? I think that's what the bill does, but I -- I just wanted to check.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, Senator, we are -- we are adapting the requirements to the reality that certain settings require different types of systems. We're just comporting to a - a reality without compromising safety. In addition, we've made one of the noncompliance issues a -- a petty offense, rather than a misdemeanor. That's for purposes of civil enforcement.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski -- or, Senator Rutherford.

SENATOR RUTHERFORD:

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

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

please.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. Senator Harmon, are there any additional places that a carbon monoxide detector will be required to be placed in this bill compared to the one that has already become law?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. No, there are no additional places. There are alternatives that make sense in the context of that particular building.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 487 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Aye, none voting Nay, none voting Present. Senate Bill 487, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, you have a Supplemental Calendar on your desk. Please pull it out. On -- I'm sorry, President Jones, sir.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. At the conclusion of our business today, which shall be -- will be very shortly, it is our intent to cancel Monday's Session and come back in Session on Tuesday. That -- that'll give Senator Brady and his cohorts time



STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

to decide what the revenue measures they're going to support to help education and health care and the other issues of the State of Illinois. Otherwise, I would call for the -- the vote today, but maybe by Tuesday, you -- if you are against something, then you should be for something and it'll give you enough time to think as relate to what we plan to do. The Speaker and I had a long meeting this morning on this and other -- and a variety of other issues and trying to come to a resolve as to what direction we're going to go in. But be prepared to work hard and long on Tuesday. And we do welcome the ideas to what you're for. The easiest thing that you can do in the General Assembly is to say what you are against and I've seen that happen over the years. I'm against this. That's the easiest thing to do, but sometime in life you got to be for something. So perhaps between now and Tuesday, we'll find out what you're for.

PRESIDING OFFICER: (SENATOR HENDON)

Session on Tuesday. Monday is cancelled. Senate Bill 1395 should be on your desks. The Supplemental Calendars have been distributed. Senator Harmon, you wish to proceed? Yes. Okay. Now on the Order of Concurrence, Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption with their Amendment No. 1 to Senate Bill 1395.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senate. When Senate Bill 1395 left the Chamber, it was a cleanup bill for the Department of Revenue. In the House, it was amended to address the situation in Senator Syverson's district. The City of Rockford adopted a front-door referendum. Because it was an April election, it -- there's a disconnect between the date of the election and the date for submitting your paperwork to the Department of Revenue in order to be able to collect the tax on July 1st. I'm happy to help the City of Rockford to accommodate their request and to use this bill as a vehicle, and I'd ask you to join me in my motion to concur in the House amendments.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Murphy.

SENATOR MURPHY:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Murphy.

SENATOR MURPHY:

You handled this one so eloquently in -- in -- in the Revenue Committee, Senator, that I thought we should share it with the whole Body. Given the Governor's firm stance that he will veto any sales tax increases in this Session, this one due to take effect July 1st, do we have any assurances that he will sign this -- this bill into law?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I have not spoken to the Governor about this. Whether the Governor chooses to sign the bill or to veto it, I would hope it would be done in a way that leaves time to address the issue in a

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

timely fashion. I suspect when we see the votes on the board, we'll know that we would have the votes to override a veto if necessary, but I would hope we would take the simpler path of it being signed into law.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. I want to rise, first of all, and thank Senator Harmon for helping us on this legislation. As you know, we passed similar legislation out of here, I think last week, but because of the timeliness of this legislation, we needed to amend that onto a bill that was in the House and move it over here. As the Senator mentioned, this is legislation that is front door. The City of Rockford had passed a referendum and their goal is to be able to start collecting this tax in July, as opposed to waiting until January of the following year, which would allow them to begin construction -- a one whole construction season sooner on a number of projects in the Rockford area that need to get done. So, again, I appreciate the sponsor, and also be -- also be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just for general information for -- for those who it might matter to, the referendum that was passed by the people of Rockford said that this was going to take effect January 1st of 2008, not, you know, at the end of June or beginning of June. So the people have approved something that has a later effective date than this piece of legislation. For

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

that reason, I would suggest a No vote and that we stick with what the people approved back home.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Harmon, it's my understanding that the referendum, as approved by the voters, has had a sunset date and therefore limited the tax increase to a certain period of time. Is that -- is that an accurate characterization?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. As I indicated in Committee, this amendment has been attached to a bill of mine, and I'm happy to help accommodate Senator Syverson's interests. I am not familiar with the particulars of the referendum in Rockford. I'd be happy to defer to Senator Syverson or if you all would like me to take it out of the record, we could do it that way, too.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Syverson. Senator Syverson.

SENATOR SYVERSON:

Thank you. Yes. To answer the question, it was a five-year referendum or -- with a sunset at the end of a five-year -- five-year period when it was passed. I have a copy of the -- I do have a copy of the referendum here if you need that information,

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

but it was a five-year sunset.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Senator Harmon, your move -- this bill -- your bill would move the start date forward. Does it also move the sunset date forward so the length of time that the tax increase in place remains consistent from what the voters approved to what the law would read if -- if this bill became law?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon or Syverson, whichever can address it. Wave your hand in the air. Senator Syverson.

SENATOR SYVERSON:

Thank you. That is correct. Currently, the legislation does sunset on December 31st and so this increases that five years by that six-month period; however, I have been assured by the mayor that -- that the city council would take this into consideration and they would anticipate that if all things went well, they would ask for another referendum before that five-year period was up, and so they could still honor the intent of -- of the referendum which would have been five years.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill. Ladies and Gentlemen of the Senate, in the interest of time, I would not ask anymore questions. I think obviously there's a -- an issue here where it appears that the tax increase if this bill becomes law, the tax increase that's going to be imposed upon the citizens of

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Rockford is not going to be what the voters of Rockford themselves asked for, and I would urge, particularly the Members on this side of the aisle, caution in voting on this particular bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to close.

SENATOR HARMON:

I would ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall -- this is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 1395. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 4 voting Nay, 1 voting Present. The Senate concurs in House Amendments No. 1 to Senate Bill 1395. And the bill, having received the required constitutional majority, is declared passed. -- Mr. Secretary, Messages from the House.

ACTING SECRETARY KAISER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 59.

(Secretary reads HJR No. 59)

Adopted by the House, May 10, 2007.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

38th Legislative Day

5/10/2007

Senator Link moves to suspend the rules for the purpose of immediate consideration of -- adoption of House Joint Resolution 59. Those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the rules have -- are suspended. Senator Link moves the adoption of House Joint Resolution 59. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the resolution is adopted. We will now proceed to the Order of Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

ACTING SECRETARY KAISER:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the motion carries. The resolutions are adopted. Pursuant to House Joint Resolution 59, the Senate stands adjourned until the hour of 12 noon on Tuesday, May 15th, 2007. The Senate stands adjourned.