

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

HB0001	Motion Filed	10
HB0003	Motion Filed	10
HB0029	Second Reading	97
HB0118	Second Reading	98
HB0133	Recalled	162
HB0235	First Reading	7
HB0271	First Reading	7
HB0334	Second Reading	97
HB0358	Second Reading	97
HB0405	Recalled	159
HB0411	Second Reading	98
HB0624	Second Reading	98
HB0699	Second Reading	98
HB0734	Recalled	160
HB0804	Recalled	163
HB0822	Recalled	160
HB0876	Postponed Consideration	153
HB0876	Third Reading	102
HB0909	Third Reading	108
HB0924	Third Reading	109
HB0928	Third Reading	110
HB0982	Recalled	114
HB0985	Third Reading	115
HB1011	Recalled	116
HB1019	Recalled	117
HB1071	Third Reading	118
HB1074	Second Reading	100
HB1080	Recalled	119
HB1146	Third Reading	120
HB1146	Vote Intention	124
HB1234	First Reading	7
HB1238	Third Reading	121
HB1254	Third Reading	121
HB1292	Recalled	166
HB1300	Third Reading	123
HB1330	Recalled	125
HB1384	Recalled	126
HB1403	Third Reading	126
HB1406	Recalled	127
HB1455	Third Reading	128
HB1455	Vote Intention	133

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

HB1491	Second Reading	99
HB1499	Recalled	129
HB1519	Recalled	130
HB1542	Second Reading	101
HB1628	Recalled	131
HB1641	Third Reading	132
HB1648	Recalled	134
HB1670	Recalled	135
HB1888	Second Reading	99
HB1947	Third Reading	136
HB2106	Second Reading	99
HB2179	Second Reading	100
HB3395	Third Reading	139
HB3490	Recalled	140
HB3512	Recalled	141
HB3586	Third Reading	142
HB3618	Recalled	143
HB3627	Recalled	144
HB3658	Third Reading	145
SB0006	Concurrence	180
SB0088	Concurrence	181
SB0100	Recalled	14
SB0100	Third Reading	15
SB0773	Recalled	17
SB0773	Third Reading	18
SB0775	Recalled	19
SB0775	Third Reading	21
SB0796	Recalled	36
SB0796	Third Reading	37
SB0797	Recalled	25
SB0797	Third Reading	26
SB0833	Recalled	28
SB0833	Third Reading	29
SB0834	Recalled	38
SB0834	Third Reading	39
SB0835	Recalled	43
SB0835	Third Reading	44
SB0847	Recalled	52
SB0847	Third Reading	53
SB0929	Recalled	58
SB0929	Third Reading	59
SB0941	Recalled	62

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SB1011	Recalled	63
SB1011	Third Reading	64
SB1014	Recalled	66
SB1014	Third Reading	66
SB1023	Recalled	67
SB1023	Third Reading	68
SB1042	Recalled	71
SB1042	Third Reading	72
SB1132	Second Reading	96
SB1173	Recalled	74
SB1173	Third Reading	75
SB1314	Recalled	94
SB1314	Third Reading	95
SR0202	Resolution Offered	2
SR0203	Resolution Offered	2
SR0204	Resolution Offered	2
SR0205	Resolution Offered	2
SR0206	Resolution Offered	2
SR0207	Resolution Offered	167
SR0208	Resolution Offered	167
SR0209	Resolution Offered	167
SR0210	Resolution Offered	167
SR0211	Resolution Offered	167
SR0212	Resolution Offered	167
SR0213	Resolution Offered	167
SR0214	Resolution Offered	167
SR0215	Resolution Offered	167
SR0216	Resolution Offered	167
SR0217	Resolution Offered	167
SJR0057	Resolution Offered	2
SJR0058	Resolution Offered	168
Senate to Order-Senator DeLeo		1
Prayer-Pastor Paul Olson		1
Pledge of Allegiance		1
Journal-Approved		1
Committee Reports		2
Messages from the House		5
Communications from the Senate President		6
Senate Stands at Ease/Reconvenes		25
Committee Reports		96

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Messages from the House	167
Senate Stands at Ease/Reconvenes	168
Executive Session	168
Committee Reports	169
Committee Reports	170
Committee Reports	171
Committee Reports	172
Committee Reports	173
Committee Reports	174
Committee Reports	176
Committee Reports	177
Executive Session Arises	178
Senate Stands at Ease/Reconvenes	179
Committee Reports	182
Adjournment	186

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

...(microphone disengaged)... Pastor Olson.

PASTOR PAUL OLSON:

(Prayer by Pastor Paul Olson)

PRESIDING OFFICER: (SENATOR DeLEO)

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

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 23rd, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Good afternoon, 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)

...you. Senator Hunter moves to approval the Journals just
read by the Secretary. There being no objection, so ordered.
Illinois Information Services seek leave of the Body to
videotape the proceedings. Seeing no objection, leave is
granted. For purposes of announcement, have all Members within
the sound of my voice please come to the Senate Floor. We will
be going to the Order of 3rd Reading, final passage. So I'd ask
all Members, please come to the Senate Floor immediately. We

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

will be going to the Order of 3rd Reading final passage. Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolution 202, offered by Senator Watson and all Members.

Senate Resolution 203, offered by Senator Clayborne and all Members.

And Senate Resolution 204, offered by Senator Brady and all Members.

They're all death resolutions, Mr. President.

I also have Senate Resolution...

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, death resolutions, Consent Calendar, please.

SECRETARY SHIPLEY:

Senate Resolution 205, offered by Senator Peterson.

Senate Resolution 206, offered by Senator Luechtefeld.

And Senate Joint Resolution 57, offered by Senator Maloney.

They're substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Cullerton, Co-Chairperson, and Senator Dillard, Co-Chairperson of the Committee on Judiciary-Civil Law, reports Senate Amendment 6 to House Bill 830 and Senate Amendment 2 to House Bill 3627 recommend Do Adopt.

Senator Crotty, Chairperson of the Committee on Local Government, reports Senate Amendment 1 to -- Senate Bill 833, Senate Amendment 1 to Senate Bill 835 and Senate Amendment 2 to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

House Bill 1542 recommend Do Adopt; and Motions to Concur in House Amendment No. 1 to Senate Bill 249, House Amendment 1 to Senate Bill 263 and House Amendment 1 to Senate Bill 305 recommend Do Adopt.

Senator Garrett, Chairperson of the Committee on Public Health, reports Senate Amendment No. 1 to Senate Bill 928, Senate Amendment No. 1 to Senate Bill 929 and Senate Amendment No. 1 to Senate Bill 941 recommend Do Adopt.

Senator Munoz, Chairperson of the Committee on Transportation, reports Senate Amendment No. 3 to Senate Bill 1173, Senate Amendment No. 1 to House Bill 133 and Senate Amendment No. 2 to House Bill 1499 recommend Do Adopt.

Senator Wilhelmi, Chairperson of the Committee on Judiciary-Criminal Law, reports Senate Amendment No. 3 to Senate Bill 100, Senate Amendment No. 1 to Senate Bill 1014, Senate Amendment No. 1 to Senate Bill 1023, Senate Amendment No. 1 to House Bill 1080, Senate Amendment No. 1 to House Bill 1517, Senate Amendment No. 1 to House Bill 3512 and Motions to Concur House Amendment No. 1 to Senate Bill 88 and House Amendments 1 and 2 to Senate Bill 300 recommend Do Adopt.

Senator Raoul, Chairperson of the Committee on Pensions and Investments, reports Senate Amendment No. 3 to House Bill 804 and a Motion to Concur in House Amendments 1 and 4 to Senate Bill 377 recommend Do Adopt.

Senator -- Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports Senate Amendment No. 2 to House Bill 822 recommend Do Adopt.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Amendment No. 2 to House

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Bill 1011 recommend Do Adopt.

Senator Meeks, Chairperson of the Committee on Human Services, reports Senate Amendment No. 1 to Senate Bill 773, Senate Amendment No. 2 to House Bill 734, Senate Amendment No. 2 to House Bill 982 and Senate Amendment No. 2 to House Bill 1628, and a Motion to Concur with House Amendments 1 and 2 to Senate Bill 6 recommend Do Adopt.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Joint Resolutions 52, 53 and 54 Be Adopted; Senate Resolutions 166, 168, 169, 170 and 178 Be Adopted. Did I -- I'm sorry, Senate Resolutions 166, 168, 169, 170 and 178 Be Adopted; House Joint Resolution 40 Be Adopted; and Senate Amendment No. 1 to House Bill 1384, Senate Amendment No. 2 to House Bill 3490 and Senate Amendment No. 1 to House Bill 3618 recommend Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 1 to Senate Bill 1042 and Senate Amendment No. 1 to House Bill 1670 recommend Do Adopt.

Senator Harmon, Chairperson of the Committee on Revenue, reports Senate Amendment No. 3 to Senate Bill 17, Senate Amendment No. 2 to Senate Bill 775, Senate Amendment No. 1 to Senate Bill 796, Senate Amendment No. 1 to Senate Bill 797, Senate Amendment No. 1 to House Bill 811, Senate Amendment No. 2 to House Bill 1519 and Senate Amendment No. 1 to House Bill 3091 recommend Do Adopt.

Senator Lightford, Chairperson of the Committee on Education, reports Senate Amendment No. 1 to Senate Bill 847, Senate Amendment No. 2 to House Bill 1330 and Senate Amendment

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

No. 1 to House Bill 1648 recommend Do Adopt.

Senator Forby, Chairperson of the Committee on Labor, reports Senate Amendment No. 1 to Senate Bill 834 and Senate Amendment No. 5 to Senate Bill 1314 recommend Do Adopt.

Senator Ronen, Chairperson of the Committee on Licensed Activities, reports Senate Amendment No. 1 to House Bill 1406 and Motions to Concur with House Amendments 1 and 2 to Senate Bill 214 recommend Do Adopt.

Senator Haine, Chairperson of the Committee on Insurance, reports Senate Amendment No. 1 to Senate Bill 873 recommend Do Adopt.

And Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Amendment No. 3 to House Bill 497 recommend Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages, please.

SECRETARY SHIPLEY:

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

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

Senate Bill 355.

We have received like Messages on Senate Bill 397, with House Amendment 1; Senate Bill 404, with House Amendment 1; Senate Bill 426, with House Amendment 1; Senate Bill 472, with House Amendment 1; and Senate Bill 505, with House Amendment 1. All passed -- all of which passed the House, as amended, May 23rd, 2006. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Madam Secretary, communications, please.

SECRETARY SHIPLEY:

A letter dated May 23rd, 2007, from Emil Jones, Jr., Senate President.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator Jeffrey Schoenberg to temporarily replace Senator -- Ira Silverstein as a member of the Senate Judiciary-Criminal Law Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr.

Another letter, dated May 23rd, 2007.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator Debbie Halvorson to -- temporarily replace Senator Ira Silverstein as a Member of the Senate Judiciary-Civil Law Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

A letter dated May 23rd, 2007.

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

Sincerely, Emil Jones, Jr., Senate President.

A letter dated May 23rd, 2007.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator Dave Koehler to temporarily replace Senator Ira Silverstein as a member of the Senate Licensed Activities Committee. This appointment is effective immediately.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Sincerely, Emil Jones., Jr., Senate President.

A letter dated May 23rd, 2007.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator William Delgado to resume his position on the Senate Education Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

A letter dated May 23rd, 2007.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator William Delgado to resume his position on the Senate Human Services Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

And a last letter dated May 23rd, 2007.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator William Delgado to resume his position on the Senate Public Health Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading, please.

SECRETARY SHIPLEY:

House Bill 235, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 271, offered by Senator Burzynski.

(Secretary reads title of bill)

And House Bill 1234, offered by Senator Sieben.

(Secretary reads title of bill)

1st Reading of the bills.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl, for what purpose you seeking recognition, sir?

SENATOR DAHL:

Moment of a personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR DAHL:

I have with me today a number of Pages: Alex Cusick is here with me. And his parents, Dan and Mary Cusick, and his sister, Christina, are -- are up in the galley {sic}. And I also have Grace, Maggie and Laura Wenzel and their mother, Crystal, from Ottawa.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests from Ottawa, Illinois, please rise and be recognized? And welcome to the Illinois State Senate. Welcome to Springfield. Welcome. Senator -- Senator, did you tell -- Senator Dahl, did you tell your honorary Page for the Day the tips are better on this side? Senator Althoff, for what purpose do you seek recognition, ma'am?

SENATOR ALTHOFF:

Point of personal -- privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR ALTHOFF:

I, too, have a Page with me today. This is Jamie Robar. She's in fifth grade at Marion Jordan School in Palatine. Her Senator is Senator Murphy. She's here paging with me today and her father and her younger brother, Robert, are up in the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

gallery. Might we -- welcome them to Springfield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Will our guests rise and be recognized? Welcome to the Illinois State Senate. Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR LAUZEN:

I would like -- we have guests from my district in the gallery here. I -- it is -- we're joined today by Ted and Jackie Rotzoll from -- they are on their way -- they're residence is in Huntley, Illinois. They're on their way to the Memphis, Tennessee area to celebrate their grandchild's high school graduation, and they decided to stop here in Springfield and see a little of the people's business conducted today. So, I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests from Huntley please rise and be recognized? Welcome to Springfield. Welcome to Illinois State Senate. Senator Radogno, for what purpose do you seek recognition, ma'am?

SENATOR RADOGNO:

Inquiry of the Chair, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your inquiry, Senator.

SENATOR RADOGNO:

Yeah. Yesterday I raised the issue that I had filed some

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

motions in writing for discharge of House Bills 1 and 3 last Thursday. They were not on the Calendar yesterday and you were going to find out what happened to those. They are not on the Calendar again today. So, could you explain what's going on?

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, do we have any motions on file, ma'am?

SECRETARY SHIPLEY:

Yes, Mr. President. I have two motions with respect to House Bill 1 and House Bill 3.

Filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR DeLEO)

They'll be -- Madam Secretary will have them printed on the Calendar. Senator Haine, for what purpose do you seek recognition, sir?

SENATOR HAINE:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

...privilege -- for a point of personal privilege, sir. Please go ahead.

SENATOR HAINE:

Thank you. I wish to introduce to the distinguished Members of the Senate three individuals from my district, three citizens. Doris Johnassee, Harry Johnassee and Tom Caffey, here to observe the workings of the Illinois Senate and the Illinois House and to lobby us for their interests as citizens. Ladies and Gentlemen of the Senate, if they would stand and be recognized by the Members of the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized by the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Illinois State Senate. Senator Dillard, how are you today, sir?

SENATOR DILLARD:

Great, Mr....

PRESIDING OFFICER: (SENATOR DeLEO)

For what purpose do you rise, sir?

SENATOR DILLARD:

Mr. President, I just want to, on a point of personal privilege, commend you for having House Bill 1 and House Bill 3's motion in writing put on the Calendar. You know, clearly there are forty sponsors of House Bill 1, so I hope that we take this pay-to-play bill seriously. You know, unfortunately, yesterday, we read that the Governor's campaign fund records are subpoenaed with pay-to-play allegations and I -- I commend you for at least printing those motions on the Calendar. But, since there are forty sponsors of House Bill 1 in this Chamber, many of whom are Democrats - it's bipartisan - and House Bill 3, as I notice, has, of its first three sponsors, two are Democrats - I would hope that this Chamber would take very seriously these motions on House Bill 1 and House Bill 3, considering that most of the Chamber are cosponsors of these motions and also the seriousness of which we hopefully take these pay-to-play allegations. Thanks, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks, Senator. Ladies and Gentlemen, NewsChannel 20 ABC here in Springfield seeking leave of the Body to videotape the proceedings. Hearing no objection, leave is granted. Ladies and Gentlemen, I'd ask -- Senator Wilhelmi, for what purpose do you seek recognition, sir?

SENATOR WILHELMI:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR WILHELMI:

Thank you, Mr. President. I'm very honored to have my legal assistant here, up in the President's Gallery behind you with her husband, Ron. She is a delight to work with and she's here to visit to see what we do in the Illinois Senate. I'd like to give her and her husband, Ron, a warm welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

...our guests please rise and be recognized. Welcome to the Illinois State Senate. Okay, Ladies and Gentlemen, it's time to go to work. I'd ask you to turn -- before we go to work, Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. For purposes of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Millner is not with us today. He is back in the district - important family business.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The record will so reflect.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Sullivan, for what purpose do you rise, sir?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SULLIVAN:

I have some guests with me here today. My wife, Joan, is -
- is here somewhere back in the back over here. And my son,
Matthew, is sitting here beside me and his friend, Carla. I'd
like to -- everybody to welcome them to the -- to the Senate and
then I have another announcement also.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Would -- would the Sullivan family and extended
family please rise and be recognized? Welcome to the Illinois
State Senate. Welcome to Springfield. Senator Sullivan.

SENATOR SULLIVAN:

Also, I just want to take a second to -- to thank my
Legislative assistant for the last four years. Liz Moody is
taking another position, is going to be moving on. We came into
this Chamber together. We were both very green, but very
ambitious. We've worked well together. She, of course, as --
as all of you know, our -- our staff is what make us look good.
And Liz has -- Liz has done that very well for the last four and
a half years. We have cake and refreshments up in my office in
Room 417. We'd like everybody to come up and wish her well in
her future and I certainly would like to wish her well in -- in
her future endeavors. She's on the Floor back here. Liz, if
you would stand.

PRESIDING OFFICER: (SENATOR DeLEO)

Liz, please rise and be recognized by the Senate.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Congratulations. Congratulations on a job well done. Senator Link, for what purpose you rise, sir?

SENATOR LINK:

Thank you, Mr. President. Just an announcement. Senator Silverstein will be absent today due to religious reasons.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. The record will so indicate. Okay. Ladies and Gentlemen, let's try this one more time. Let's go to Senate Bills 3rd Reading. Page 2 of your Calendar. For purposes of an announcement, we'll be going to Senate Bills 3rd Reading. We will be going to bills that recent amendments have just been out of committee. We'll adopt the amendment and proceed on the bill. So we'll be going only to those amendments -- bills that have amendments pending on the Floor. Having said that, we'll go to Senate Bills 3rd Reading on the page 3 of your Calendar. On page 3 of your Calendar. Senate Bill 100. Senator John Cullerton. Senator Cullerton seeks leave of the Body to return Senate Bill 100 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 100. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 3, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain your amendment, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a bill that comes from the CLEAR Commission, which is a commission

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

that Senator Dillard and I serve on, which is rewriting the Criminal Code. This particular aspect of the rewrite is to recodify the sentencing provisions of the Code of Corrections. Does not make any substantive changes, but -- recodifies them and puts them in a different order. And it does codify some Illinois Supreme Court decisions that control the implementation and the effect of these provisions. The purpose is to make the sentencing provisions easier for judges and attorneys and -- to understand and to reduce the number of resentencing hearings caused by improper dispositions. No opposition. Move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Cullerton moves the adoption to Floor Amendment No. 3 to Senate Bill 100. Those in favor will say Aye. Those opposed will say Nay. And the Ayes have it. The amendment's adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 100. Senator Cullerton, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 100.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to the -- to the bill, sir.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I just explained the amendment, which becomes the bill. This is -- the CLEAR Commission is made up of people interested in criminal law from throughout the entire State of Illinois, including State's attorneys from throughout the State, Joe Birkett, Lisa Madigan as the Attorney General is involved, the State's Attorney of Cook County, the Public Defenders in Cook County, Fraternal Order of -- Police, every -- everybody involved in criminal law. It's a very significant change, but yet at the same time, there's no substantive provisions. But it's important because now it'll be much easier for all the judges and the attorneys to deal with Criminal Code to understand the -- the sentencing provisions. It's been very convoluted, hard to follow. It's resulted in resentencing hearings. This addresses the issue. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Righter, for discussion, sir.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...the bill, sir.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill and want to offer both my thanks and congratulations both to Senator Cullerton and Senator Dillard and the members of the CLEAR Commission. And particular thanks to the herculean efforts that were made by staffs on both sides in -- in making this cleanup possible. Thank you, Mr. President.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Ladies and Gentlemen, the question is, shall House Bill 100 -- excuse me. Senate Bill - correction - Senate Bill 100 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 100, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, I've asked you to turn your Calendars to page 7. Page 7 of your Calendar. In the middle of page 7, we will go to Senate Bill 773. Senator Demuzio. I'm sorry. Senator Lightford is seeking to return this bill for the purpose of an amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 773. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Lightford, to explain your amendment, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Committee. Floor Amendment No. 1 to Senate Bill 773, it creates the Council on Responsible Fatherhood Act of 2007. It's an Act that we put together a few years ago that will promote fatherhood initiatives, aimed at keeping families together through awareness and assistance. We've built upon that and we

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

now have the Department of Human Services very active. We're trying to look at all of our State rules and regulations and see how we can best provide both family members -- the best that we can to provide for their children, when parents -- fathers are missing from the household. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Lightford moves the adoption of Floor Amendment No. 1 to Senate Bill 773. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment's adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 773. Senator Lightford, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 773.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, to the bill, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. The amendment became the bill. I'd be happy to answer questions. I ask for an Aye vote.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, seeing no discussion, the question is, shall Senate Bill 773 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 773, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 775. Senator Hunter, do... Okay. Ladies and Gentlemen, Senate Bill 773. Senator Hunter will seek leave of the -- correction. Let the board indicate the change. Madam Secretary, let the board show Senate Bill 775. Senator Hunter will seek leave of the Body to return 775 to the Order of 2nd Reading for the purpose of amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 775. 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, Madam Secretary. Senator Hunter, to explain the amendment, ma'am.

SENATOR HUNTER:

Thank you, Mr. President. Floor Amendment 2 keeps the underlining {sic} bill and makes changes. First it stipulates that fifty percent of all grants created from the Ticket for the Cure Grant Fund must go to community-based organizations. There's a definition that defines community-based organizations

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

and it changes the number of board members, and I ask..

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, Senator Hunter moves the adoption of Floor Amendment No. 1 to Senate Bill 775. Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, on Floor Amendment No. 2, ma'am.

SENATOR HUNTER:

...basically keeps the bill -- the -- makes the bill -- the underlining {sic} bill and it makes the appropriate changes. The oversight for the Ticket for the Cure Fund is transferred from the Department of Human -- from the -- from the Department of Public Health to the Department of Human Services. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Senator Hunter moves the adoption of Floor Amendment No. 2 to Senate Bill 775. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it. The amendment's adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Now on the Order

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

of 3rd Reading is Senate Bill 775. Senator Hunter, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 775.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, to the bill, ma'am.

SENATOR HUNTER:

I just ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

Senator Hunter, there's a couple of changes in here that I have questions about. You're changing the -- sort of, host agency from Department of Public Health to Department of Human Services. Could you explain why that is?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

We're making the changes, Senate -- Senator, because there were some problems with appropriately implementing this program in the Department of Public Health and there were also some --

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

some problems dealing with the type of grants that were given out. They were -- grants were supposed to have been focusing -- some of the grants were supposed to have been focusing on community-based organizations in designated community areas throughout the State and that did not happen.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

So, essentially, you were unhappy with the way the grants were given out. Was that the primary problem in Department of Public Health?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

That was one of the problems, Senator. There was another problem in that when we first drafted the legislation, we did not stagger the terms of office and this bill also corrects that situation as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Another provision of the bill provides the Senate President with an additional appointment. Does he have the same number of appointments now as all the other Leaders, or does he have an additional one?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

No, he does not have the same number. And the reason why

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

is because we needed an odd number that made up this advisory board. In the original legislation that was drafted it was simply an even number. So, we always need an odd number to break ties.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you. Well, typically when that situation arises, there is more of a neutral third party that has the appointment. It seems to me that it's highly unusual that when we're putting together a board that one of the caucuses would have more members than any of the others. Can you point to any other boards or commissions or situations where that is the case?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

No, I cannot, Senator. However -- however, it is always important that as we continue to create advisory boards, we should always have an even -- an odd number, as opposed to an even number to allow for absenteeism.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR HUNTER:

And -- and to break ties.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Thank you. You know, I think this -- the -- the underlying bill the concept itself is good. What causes me a lot of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

concern about these amendments is it seems like we are maneuvering where this program is, who the appointments are, in order to affect the outcome of the grant program. And when that situation happens, it sets up a scenario where it could end not being fair to all the -- to everyone in the State in terms of having access to the grant program. Even though I think it's a good idea, generally, due to those concerns, I would urge people to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HUNTER:

Thank you, Mr. President. This is a wonderful bill. The majority of you voted for this bill in 2005 to address the issues of breast cancer. The purpose of having amendments is to correct issues that we've identified that we did not identify beforehand. And, it also addresses new issues that come up after legislation has been passed. I ask that everyone on this Floor vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 775 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 43 Ayes, 13 Nays, 1 voting Present. Senate Bill 775, having received the required constitutional majority, is declared passed. I'd ask you to turn your Calendars. Continuing on Senate Bills 3rd Reading, I'd ask you to go to page 9 of your Calendar. Hold on one moment. We have a little technical

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

problem. Page 9 of your Calendar. We just ask the Body to stand at ease for just a moment. We have a technical problem with the board. Just stand at ease for just one second while our technicians check out our technical problem.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary. Okay. Will the Senate come back to order, please? The Senate come to order. Okay. Ladies and Gentlemen, fortunately we -- our technical difficulties -- our board is back up and running. We will continue on Senate Bills 3rd Reading. We'll go to page 9. We'll go to page 9 of your Calendar. Senate Bills 3rd Reading. Page 9. On the top of page 9 is Senate Bill 796. Senate Bill 796. Senator John Cullerton. Leave of the Body we will come back to that. Senate Bill 797. Senator Demuzio. Senator Demuzio seeks leave of the Body to return Senate Bill 797 back to the Order of 2nd Reading for the purpose of an amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 797. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Demuzio, to explain your amendment, ma'am.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. Floor Amendment No. 1

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

actually be -- creates an income tax checkoff and it really becomes the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Jacobs, on -- any discussion? Seeing no discussion, Senator Demuzio moves the adoption of -- Floor Amendment No. 1 to Senate Bill 797. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment's adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now, on the Order of 3rd Reading is Senate Bill 797. Senator Demuzio, you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

Senate Bill 797.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, to the bill, ma'am.

SENATOR DEMUZIO:

Thank you very much, Mr. President. Floor Amendment No. 1, as I indicated, amends the State Finance Act regarding the Auto-immune Disease Research Fund and an income tax checkoff. Senate Bill 797 creates an income tax checkoff for the Autoimmune Disease Research Fund and limits the number of tax checkoff

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

funds on any individual tax return form to fifteen. Department of Revenue is a proponent on this, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. To the bill: This passed out of Revenue unanimously. I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, the question is, shall Senate Bill 797 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 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 797, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading... Senator Jacobs, for what purpose do you seek recognition, sir?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR JACOBS:

Like a lot of Illinois residents, I wake up in the morning and I read the paper. And this morning I read in the paper that the State is going to spend four hundred and fifty thousand

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

dollars to study -- prison systems -- to decide what -- what repairs need to be made. I would just like to remind Department of Corrections that I have a hundred-and-forty-million-dollar prison, sixteen hundred beds that was built in 2001 that stands nearly empty. And I would hope the Department of Corrections would use the money to open that prison, rather than studying -- a study to see if we need to open the prison or whatever they're trying to do here.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. Ladies and Gentlemen, let's go back to Senate Bills 3rd Reading. On the top of page 11 of your Calendar is Senate Bill 833. Senator Noland, on Senate Bill 833, sir. He's seeking -- Senator Noland's seeking leave of the Body to return Senate Bill 833 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 833. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Noland.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Noland, on Floor Amendment No. 1. To the bill, sir.

SENATOR NOLAND:

Thank you, Mr. President. Floor Amendment No. 1 to -- to Senate Bill 833 simply appoints, after the bill is enacted, no more than three of the five commissioners of the Fox River Water Reclamation District may be of the same political party. It also, through this enactment, sets term limits -- consecutive

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

term limits for the Fox River Water Reclamation District. I ask for its unanimous approval. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Noland moves the adoption of Floor Amendment No. 1 to Senate Bill 833. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment's adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 833. Senator Noland, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

..Bill -- Senate Bill 833.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland, to the bill, sir.

SENATOR NOLAND:

Yes. Thank you, Mr. President. Stating once again that this bill just simply allows for the appointment, after the bill is enacted, for no more than three members -- three of the five commissioners of the Fox River Water Reclamation District being of the same political party. It also sets consecutive term limits for the Fox River Water Reclamation District. I ask for an Aye vote.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ALTHOFF:

Thank you. Senator, do any other water reclamation districts have this policy in place with regard to a term limitations?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

I am not aware of any. But, at the same time, there are no other water reclamation districts that allow for five commissioners or board members to be of the same political party either.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Senator, was there a reason -- a specific reason why we elected to put term limitations into place and we just didn't let the bipartisan method go into place through attrition?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

It's because we attempted that through a non-legislative means, but that was not effective. And in order to give the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

effect of the election last November its true meaning and effect and to countermand the effect of the appointments that my predecessor made in the waning hours of the election - that is in December of 2006 - it is necessary to put term limits, or consecutive term limits, in place. But I would say these are consecutive term limits. These individuals might come back for consideration at another time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

And my last question, Senator, when does this actually take place? When does this go into effect, this term limitation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

...you. Thank you, Mr. President. Upon the signing of the Governor. Passage and then enactment by way of the Governor's signature.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Senator, let me understand -- let me ask you a question. Are you saying that through this -- through your legislation, and I -- do I understand the facts of this situation correctly, that no other water reclamation district in the State is going to do this? But it -- doesn't this affect -- is it one individual or is it two individuals on the board, through a law here in the General Assembly, you're going to kick 'em off?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senator Lauzen, were you asking the gentleman to yield for a question?

SENATOR LAUZEN:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman will yield for a question. Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. To respond directly, I am not certain whether or not any other water reclamation district in the State does this. I can tell you that it is not imperative that the two individuals that may end up having to resign their positions would not be coming back at another time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senator, I'm -- I'm trying to get a -- a direct answer to the question. I don't know all the facts and I know that this is in an area that both you and I serve. Isn't the effect of this bill to kick one or two members of that board - I mean, that this will apply to that, maybe they've served six terms - won't, as soon as the Governor signs this bill, won't either one or two members be jettisoned off of that board?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

Yes. Let me repeat. Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR LAUZEN:

Then -- then to the bill: I understand when any of us get frustrated with things not moving as we would like them to move quickly enough. But I think that there is a respect for a process. I think that there is respect for local control. There's respect for previous decisions that are made. The idea of passing legislation to get our way on a -- one or two individuals back home on a board that should be about what's the best policies for the people who this district serves, I think this is way over the top in having Illinois State government reach back home and take a couple of people off of a board. It is -- it is a wild kind of thing to do, an exercise of muscle that I think is just frankly wild.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Viverito, for what purpose you seek recognition, sir?

SENATOR VIVERITO:

I rise in strong support of the sponsor. And, obviously, most of us realize on most governing boards you must have a two-party system. To have one party representing the entire board is not in the best interest, whether it be statewide, whether it be countywide, whether it be a park district, a sanitary district, whatever it may be. Most of the boards are, in fact, of Republicans and Democrats and Independent, not just one party to be the dominant party, but to be fair and equitable to the public. And I certainly commend the Senator for trying to straighten this condition out. And I'm not playing politics, I'm playing strictly for the people of the State of Illinois. And I commend this sponsor on what he's trying to do and I hope

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

there's going to be a -- a Yes vote on both sides of the aisle.
Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Noland, to close, sir.

SENATOR NOLAND:

Thank you, Mr. President. And, to follow up on some of the comments made by my esteemed colleague from the Kane County area. You know, my predecessor, in the waning hours of the election following the election of 2006, after we had won and the people had spoken and had asked for a change, not only in the Senate seat, but also in any of those seats and offices that may be affected by the person who holds that seat, to then reappoint four members of his party, and then to have other members of his party come back and ask for an appointment of the fifth member to maintain full control over that board in our district, was an -- an exercise of muscle, political muscle that was over the top. All I am asking for, and all I am saying here, is that we need to, in a very measured and tempered way, undo something that was -- unfair. That to delay the appointment of these two individuals who may happen to be of an opposing political ideology or party or having a difference of opinion - to delay their appointment is to delay justice. And, justice delayed is justice denied. I urge a Yes vote on both sides of the aisle. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 833 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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Secretary, take the record. On that question, there are 34 Ayes, 19 Nays, 0 voting Present. Senate Bill 833, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you seek recognition? Senator Trotter.

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR TROTTER:

Thank you very much. Want to -- the Body to acknowledge that we have a former Member, presently a school teacher out in the Evanston District, Jeff Schoenberg, who's joined us with his class.

PRESIDING OFFICER: (SENATOR DeLEO)

Teacher Schoenberg, please rise and be recognized and your guests please rise. All -- all the children, please rise and be recognized and welcome to Springfield. Senator Clayborne, for what purpose you seek recognition, sir?

SENATOR CLAYBORNE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR CLAYBORNE:

In the President's Gallery behind you, I have members from -- constituents from my district, Wanda Clayton, Esther Crossland and June Ramano. I'd like -- like for the Senate to recognize them.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Guests please rise and be recognized and welcome to the Illinois State Senate. Welcome to Springfield. Ladies and Gentlemen, with leave of the Body, we'll ask you to go -- return your Calendar to page 9. Page 9. On the top of page 9 is Senate Bill 3rd Reading. Senate Bill 796. Senator Cullerton. Senator John Cullerton. And Senator Cullerton will seek leave of this Body to return Senate Bill 796 to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 796. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain your amendment, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an amendment that creates an income tax checkoff for the Lung Cancer Research Fund. Move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Senator Cullerton moves the adoption of Floor Amendment No. 1 to Senate Bill 796. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment's adopted. Madam Secretary, has there been any further amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 796. Senator Cullerton, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 796.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to the bill.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This actually was a -- House Bill 2472 that passed the House, but didn't come over in time to be considered, and so this is an amendment to a Senate bill to send back to the House. The -- the bill, basically, sets -- creates a tax checkoff for the Lung Cancer Research Fund. It's interesting that lung cancer -- actually there's much less research done for lung cancer, as compared to breast cancer or prostate cancer or colon cancer. And, yet, it -- it's also a cancer that has a very low five-year survival rate, compared to those other cancers. So there's a need for the research. And many people in Illinois are dying from lung cancer, about seven thousand people a year. I think it's a very good idea and would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

To the bill, Mr. President. This passed out of Revenue unanimously. I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the -- the question is -- Senator Hendon, are you seeking recognition, sir?

SENATOR HENDON:

Mr. Chairman, I apologize, but I -- I had to get up. Did Senator Lauzen say he's for something? Oh, my God! It must be in trouble. I'm -- I was just joking, Senator Lauzen. You're my friend. You're for it, I'm voting for it. But every now and then we need to break up the, you know, okay.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 796 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, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 796, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we'll go back to page 11 of your Calendar. We will go to Senate Bills 3rd Reading. Senate Bill 834. Senator Halvorson. Senator Halvorson is going to seek leave of the Body to return Senate Bill 834 for the purpose of an amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 834. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Halvorson.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Halvorson, to explain your amendment, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. House -- or, the Floor Amendment No. 1 to Senate Bill 834 amends the Illinois Municipal Code and the Fire Protection District Act, regarding non-certified firefighters. If we adopt the amendment, I'd like to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Is there any discussion? Seeing no discussion, Senator Halvorson moves the adoption of Floor Amendment No. 1 to Senate Bill 834. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it and the amendment is adopted. Madam Secretary, is there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 834. Senator Halvorson, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

Senate Bill 834.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Halvorson, to the bill, ma'am.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR HALVORSON:

Thank you. As was said, this amends the Illinois Municipal Code and the Fire Protection District. Senate Bill 834 requires -- firefighters substituting for certified members of a fire department to qualify for regular appointment in a particular jurisdiction. It has no way -- it has -- does not prohibit the use of part-time, paid on-call or volunteer -- employees as firefighters. All it's saying that it's a permissive part of the collective bargaining, that the firefighters have the right to say that if they aren't going to be working one day, that someone qualified should be taking their place. It's a matter of safety, that we make sure that the person who is filling in for a firefighter is actually certified. The certification is not done on a State level. The certification is done on the local municipal level. So they're the ones that set the standards. All we're saying is that whatever those standards are, that someone certified should be able to take the place. Again, I want to reiterate, this does not have any effect on the -- the -- the fire departments that have paid on call or they have volunteers, this is just where there has been certification standards set.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HULTGREN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HULTGREN:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Quickly, I'd ask -- or encourage Members just to take a close look at this one. There was some No votes coming out committee. And this went through the Labor Committee. And -- and there are some questions. I think all of us agree with the sponsor that we want to make sure those individuals, who are serving as our firemen and firewomen, have qualifications and are able to do the job well. The problem is, many communities have small fire departments, volunteer fire departments, have very few full-time staff and have a lot of part-time staff. That's the only way that they can staff their departments. My fear is, on this is, not that you would have unqualified people serving. Reality is they have -- are making sure -- these fire departments make sure that they have qualified people who are serving in these part-time positions. Problem is, with these new restrictions, I think we're going have a real problem staffing some of these fire departments. So we will have fire departments that don't have firemen available if there's an emergency there. So be very careful. All of us agree, we want to make sure that those who serve in fire service have qualifications and training that's necessary. But there are certain circumstances - this is a very diverse State - where smaller communities do have to rely on volunteers and might have part-time people who are serving in other than front-line fire service. So, again, be careful on this one. You know, Illinois Municipal League, I know is opposed to it. Many municipalities are opposed to it, again, because it will be damaging and there really could be a possibility that fire departments will not have proper staffing if there's an emergency, to be able to address that. So, would encourage you to take a close look at

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

this bill before you vote on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Halvorson, to close, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President. With regards to the previous speaker's comments, there are many of the smaller downstate fire departments that have an agreement, that they aren't fully staffed. And, so, their local agreement allows them to make the substitutions and to have volunteers. All we're saying -- and I don't know a person in this building that would not want someone who is capable of being a firefighter actually stepping in to be one. This is about safety. And I think that this is something that we all believe should happen. The local people -- the local -- municipalities set the standards. All we're saying is we need to abide by them, in a case of a substitution, and that it's mutually agreed upon. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 834 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 42 Ayes, 13 voting Nay, -- 0 voting Present. Senate Bill 834, having received the required constitutional majority, is declared passed. Senator Schoenberg, for what purpose do you seek recognition, sir?

SENATOR SCHOENBERG:

Thank you, Mr. President. I'm rising on a point of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SCHOENBERG:

My dear friend and colleague, Senator Trotter, was a little premature and I -- he introduced the group behind us, before they were all in the room. But I would like to take the pleasure, now, before the Body, to introduce my friends and neighbors from the Chute Middle School who are here from Evanston today. And, I will particularly note that our dear, former colleague, Senator Alice Palmer's granddaughter, Alexis, is part of the group. So please welcome the Chute Middle School from Evanston. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Guests from Evanston, Illinois, please rise and be recognized. Will all the students from Evanston -- welcome to the Illinois State Senate. Welcome to Springfield. Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on page 11 of your Calendar comes Senate Bill 835. Senator Jacobs. Senator Jacobs is seeking leave of the Body to return Senate Bill 835 to the Order -- returning it to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 835. Mr. Secretary, has there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Jacobs, to the amendment, sir.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR JACOBS:

Should I go ahead? Excuse me, Mr. President. This amendment will allow counties to hold a referendum to decide whether or not they should levy a local sales tax. A retail sale tax would not be imposed unless the local voters have approved it. The bill limits the amount of tax. The tax cannot exceed one percent. The tax will not apply to groceries, pharmaceuticals, medical supplies. The proceeds can only be used to construct schools, life safety, maintenance and land purchase, and cannot be used for salaries. This is a front-door referendum. Voters have the final vote and I'd appreciate your consideration in this matter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Seeing no discussion on the amendment, Senator Jacobs moves the adoption of Floor Amendment No. 1 to Senate Bill 835. All those in favor will say Aye. All those opposed will say Nay. The amendment is adopted. Mr. Secretary, has there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now, on the Order of 3rd Reading is Senate Bill 835. Senator Jacobs, do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill -- excuse me. Senate Bill 835.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Jacobs, to the bill, sir.

SENATOR JACOBS:

This bill simply allows counties to raise necessary funds to repair aging schools and to make other capital improvements. Cook County exempt from this bill and -- it only affects counties outside of Cook. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Sir. Is there any discussion? Senator Peterson, for what purpose do you rise?

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PETERSON:

Senator Jacobs, in committee we talked about several ways that we could improve this bill. We liked the -- the original part, but we wanted to tweak it a little bit and you said you were open to that. Are we going to have a trailer bill on this or how are we going to take care of the concerns that you said you were open to work with us on?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Yes, Senator. We will come with a trailer bill. I give you my word, as a Senator, that I will work with communities that want to expand this. There're some folks in Cook County who wanted to expand it, and to make sure that it doesn't become

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

a problem for taxpayers as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. So, Senator Jacobs, I know Senator Sandoval had some questions about Cook County and there were other people. So you will be working with those folks on a trailer bill of some sort to try to -- and also we talked about the distribution of the funds. Possibly, not giving those districts that are, you know, fairly wealthy the same access to those funds as a poor district. I know Senator Link also had talked about that. So, I will be happy to work with you on a trailer bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Burzynski, for what purpose you rise?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Senator, I'm looking at our analysis and I'm just trying to grab this real quickly here. And it -- the -- from what I read here is that property taxes actually back up this particular tax that you're trying to allow counties to impose. So, that, if there's not enough money generated from those other taxes, then it automatically falls to the property tax without referendum - if -- if there's a shortfall?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Well, we would hope that there is no shortfall, for one. Second, we're not changing any of the -- any of the current line items to allow them to take care of their current problems. What we're simply trying to do is allow local communities to take care of local problems. And of course, you know, local -- local voters will make the decision. And they know, at the end of the day that if things go -- don't go as planned, that -- that they will be holding the bag. I mean, there's no way that taxpayers can ask for a new school and not know that at some point they may be -- be responsible for funding the school. And that's sort of the simple idea. I know it's not perfect, but I believe it's something. All of us, in this building, are for education. We all want to see some positive things happen in our district on school construction. And, I believe, this is one way for us to get control over our own communities and to ensure that we have the dollars available to us.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. To the bill: I -- I just was looking at this and -- and I applaud the Senator's creativity in trying to find a way to -- to do some of these things. But, I do think it's important to point out that if there -- once a referendum is passed and a project is underway, if there are not -- enough funds generated by the occupation tax or the service occupation tax, that the taxpayers, indeed, are left holding the bag,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

without referendum. It will go, automatically, onto their property taxes. So, I think it's important that we take note of that. Vote your conscience.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Righter, you seeking recognition, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Jacobs, in your opening, you used the terms front-door referendum, I believe, which in this building contain almost as much magical powers as the three words "subject to appropriation", as I'm sure you've seen. I'm looking at page 23 of the bill and I want to be clear, Senator Jacobs, for myself and the other Members here about -- and I want to give you a hypothetical and I want you to tell me what happens. The voters of a school district approve a referenda in -- to increase property taxes in order to fund a three-million-dollar school construction project. And when all is said and done, the project costs not three million, but four million. According to the way your bill is currently drafted and before us, that extra million dollars will be paid for, not by going back to the voters and asking for an increase in that approval from three million or four million -- to four million, excuse me, but rather by a levy not approved by the voters to increase their property taxes. Is that your understanding of the bill, Senator?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

No. My understanding is that a school district would come forward and say, look we have to build this school. My understanding is that they would budget out for that school funding and they would pay for the school funding. My understanding is the school would not try to be over budget. If, in fact, they were over budget, they couldn't just say, look we're no longer going to do this tax. Because once they impose that one-percent tax on themselves, they have to continue to pay until that bond is retired.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Jacobs, I'm not sure I -- I understood what you said there. I'm looking at page 23 of the bill. Beginning on line 12, there are a number of areas which, if there are not funds available in certain types of funds, it triggers this .05 percent increase in the levy to make up the shortfall, without a voter referendum. You've added this local school construction component to that. So, that allows for the property tax increase to go up, without voter approval. Am I wrong in reading that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Never -- I never want to say you're wrong, but I would say that that line currently exists in statute, life safety. And so

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

we are not expanding anything along that, because we already have the life safety. And, so, what you fear currently is already the situation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

...bill, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Mr. President, Ladies and Gentlemen of the Chamber. Senator Jacobs, I think, is correct, in part, in what he says is that there are already areas in law where school districts are allowed to increase their resident's property taxes without the approval of voters. And, one example of that is life safety bonds. You are adding another one, through this bill. So, the example I gave, if a school district wants to do a school construction project and gets voter approval for a certain amount and it runs over, those school districts' residents' property taxes will go up to pay for the shortfall without voter approval. So, this is a front-door referendum, to some extent, Mr. President. But, if there's a shortfall, and there often is a shortfall these days in construction projects, property taxes will go up without the consent of the voters. Based on that clause, I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Sandoval, for what purpose do you seek recognition, sir?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR SANDOVAL:

Thank you, Mr. President. I rise in support and ask Members on both sides of the aisle to vote green on Senate Bill 835. History in regards to school construction is such, over the last four years, the State of Illinois has been negligible in regards to providing one dime. We have not provided not one cent towards building any schools or the repair and maintenance of any schools in the State of Illinois. This is an innovative, creative approach to trying to resolve that issue in many of our communities from downstate Illinois, to the suburbs, to Chicago, to upstate Illinois. We need to find creative solutions. And, since we cannot, to this very minute, find any creative solutions to providing funding for school construction, school repair or school maintenance, we, at a minimum, should allow local governments to try to raise the appropriate revenue to take care of that business that is much still needed in the State of Illinois. I ask an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

I would point out that this law has proven very popular in Iowa and all ninety-seven counties have adopted this and been running this since 1998. And, Senator, they have never had a failure. So, what I'm asking -- asking you today is to vote to let your people make a decision whether this is a good -- good or bad idea. Senator, I trust the voters. I think the voters can determine if they want to increase their one-cent tax or not. And, if they don't, I'm sure they'll raise that issue

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

during the campaign. So, I just hope that we'd have an affirmative vote, to allow people to have an affirmative vote themselves.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, the -- the question is, shall Senate Bill 835 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? Mr. Secretary, take the record. On that question, there are 31 Ayes, 24 Nays, 0 voting Present. Senate Bill 835, having received the required constitutional majority, is declared passed. ...and Gentlemen, continuing on Senate Bills 3rd Reading is Senate Bill -- on page 11, 847. Senator Collins. Senator Jacqui Collins. The lady seeks leave of the Body to return Senate Bill 847 to the Order of 2nd Reading for a purpose of amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 847. Mr. Secretary, has there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Mr. Secretary. Senator Collins, to explain the amendment, ma'am.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Bill 847 amends the School Code to add the Pontian Greek Genocide to the curriculum that addresses Holocaust and genocide study.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the amendment? Is there any discussion on the amendment? Seeing no discussion, Senator Collins moves the adoption of Floor Amendment No. 1 to Senate Bill 847. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment's adopted. Mr. Secretary, any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 847. Senator Collins, do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, to the bill, ma'am.

SENATOR COLLINS:

Thank you, Mr. President and, again, Ladies and Gentlemen of the Senate. I -- the genesis of this legislation, in 2005, I passed legislation requiring public elementary schools to include in its curriculum unit -- a unit of instruction studying the events of the Nazi atrocities, as well as other genocides, Armenian Genocide, the Famine-Genocide of Ukraine, the more recent genocides, Cambodia, Bosnia, Rwanda and Sudan. I had a group of Greek-Americans approach me indicating that they were

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

having difficulty to get recognition for the Pontian Greek Genocide, which they have prepared a teaching curricula for. And, so, this just adds their name to validate that the Pontian Greek Genocide really occurred. And, I would appreciate a affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Haine, are you seeking recognition, sir?

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...the bill, Sir.

SENATOR HAINE:

I congratulate Senator Collins for this -- the -- the addition of the -- of the Greek community to this bill. I congratulated her last Session when she brought forth the underlying bill. It's important for the students in our schools to remember these acts. Most of 'em are state-sponsored genocides, as this one was. It -- it -- and it -- there is an anecdote, an historical anecdote, that, in 1941, the inner circle of the Nazi party met in a suburb of Berlin to discuss the destruction of the Jewish community in Europe. And the question was posed by one of the gangsters present: What will the world think? And the response of Herr Hitler was: The world will think of nothing about it. Who now remembers the Armenians? That was the response. By this amendment and this bill, which this distinguished Senator brought forward two years ago, the people of Illinois answer Herr Hitler and his gangsters, "We remember the Armenians and we remember Jews of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Europe. We remember the Cambodians, the Ukrainians, who suffered under Stalin's terror." So, I congratulate the Senator and rise in support of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Thank you for your remarks. Further discussion? Further discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. I rise in support of this bill. And I want to explain - particularly in response to some concerns that were expressed on this side of the aisle - you need to understand that we have in law already and has been the law in this State of Illinois for sometime that a unit of instruction concerning acts of genocide must be included in the curriculum. All we're doing today is including another experience, another atrocity, if you will, to the list of -- that includes the -- the Famine-Genocide in the Ukraine - I think Senator Burzynski sponsored that provision last Session - Cambodia, Bosnia, Rwanda and the Sudan. So, this is just adding a little more information to a unit that has already been mandated. It has been mandated for as -- long time, longer than I've been around here. So, I wanted to put that in perspective. And, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator John Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR CULLERTON:

Senator, in this discussion that -- Senator Haine raised a question. Are we -- in requiring this to be taught, are we going to dictate exactly what the curriculum will say or are we going to raise the issue and have the arguments be presented to the schoolchildren? I -- I would only point this out because I -- as many people might know from following world events in Turkey today, there's a great controversy and debate as to whether or not there was an Armenian Genocide. It's a very sensitive issue for the Turks. I'm just curious. If -- if we are -- I think, obviously, both sides, if there is a second side, should be taught, but I don't think we in the Legislature should be telling the teachers what the outcome is. So -- so, how does the -- how is the -- the language in the amendment drafted?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton. Senator Collins.

SENATOR COLLINS:

Thank you, Senator Cullerton. This is no change of what we already have mandated. It -- and as it works now, the State Superintendent of Education prepares the materials and -- for the unit of genocidal and holocaust studies. But the local school boards have the determining nation, or have the -- the -- the decision-making capacity to determine how it is taught and what time limitations are placed on it, whether it's just a mention or a more elongated or elaborate history class. So, the determination, the control is still with the local school boards. And, it could even qualify with just mentioning that there was a Pontian Greek Genocide. So, that would make the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

discretion and the determination and the power up to the local school boards.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Well, I'm just looking at the actual language here. I'm just wondering, do we, in a preamble, make any judgments as to whether or not these issues have been determined? Or, is it still, in your opinion, just study the issue?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

I have not received any pushback from any Turkish representative. But, the information I did receive from the Greek-American community -- that three hundred and fifty thousand people died between 1912 and 1923, following the fall of the Ottoman Empire, where the Turks were engaged in killing off ethnic Christians along with the Armenians. And, so, this does not in any way establish one way or the other, but it's a matter of fact, that it's been recorded, three hundred and fifty thousand Greeks died.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Further discussion? Seeing no further discussion, Senator Collins, to close, ma'am.

SENATOR COLLINS:

I thank my colleagues for their support. Senator Cronin and as well as Senator Haine. I think Senator Haine gave me a very good closing remark. I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 847 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? Mr. Secretary, take the record. On that question, there are 52 Ayes, 3 voting Nay, 1 voting Present. Senate Bill 847, having received the required constitutional majority, is declared passed. If I could ask the Members to turn your Calendars to page 17. Page 17 of your Calendar. We will be going to Senate Bill 3rd Reading, in the middle of the page, Senate Bill 929. Senator Ronen. Senator Carol Ronen. Senator Ronen seeks leave of the Body to return Senate Bill 929 to the Order of 2nd Reading for the purpose of amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 929. Mr. Secretary, has there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1 is offered by Senator Ronen.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen, on Floor Amendment No. 1, ma'am.

SENATOR RONEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment becomes the bill and I'd be happy to explain it and answer questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Seeing no discussion, Senator Ronen moves the adoption of Floor Amendment No. 1 to Senate Bill 929. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it and the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

amendment is adopted. Mr. Secretary, has there been any further Floor amendments approved for consideration, sir?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 929. Senator Ronen, do you wish to proceed, ma'am? She indicates she wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 929.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen, to the bill, ma'am.

SENATOR RONEN:

Thank you, Mr. President. This bill now is identical to House Bill 980 that came over, if people are following this. The bill came too late for us to act upon, so we took the substance of that bill and it is now Senate Bill 929. It deals with the testing of HIV positive individuals - very important bill. A lot of work went into this, this last -- these last five months in the House. Representative LaShawn Ford, Representative Mary Flowers, working with lots of the different advocacy groups and our Department of Public Health. The CDC has changed their position on the issue of HIV testing, whereas before the CDC had recommended that it all be upon written request. There has been a sea change in the way we now are able to deal with the disease of AIDS and people who are HIV

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

infected. And the goal of the -- these new procedures are -- is to make HIV testing more routine and as a -- kind of routine part of one's physical exam. There is no opposition to this. This is an agreed-to bill. It's something we can do now. I mean, five years ago I might have been objecting to this because there were no medications and the -- the record was not as positive as it is now as the people are tested early and are -- are being given the drugs that they need to keep them healthy. So, I would ask all my colleagues to support this and I'd be very happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Pankau, for what purpose do you seek recognition, ma'am?

SENATOR PANKAU:

Thank you, Mr. President. To the bill: This bill passed out of committee unanimously. And the whole purpose of it is to increase the amount of testing so everybody knows where they're at. It's a great bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Ronen, as we talked about yesterday in committee a little bit there, this bill deals with two different issues. One is the issue of no longer requiring a written consent to be tested, but allow for oral and documented consent.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

The second has to do with the privacy issues. And I wonder if you can walk through, in a -- in a nutshell, what changes are being made in that regard and why you have a high degree of confidence that the changes will not endanger the privacy of the -- any of the individuals who wish their identity to be protected with regards to an HIV positive test.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Thank you for that question, Senator Righter. And we did speak of this in committee. We appreciate your -- your concern about that. Let me just say that this -- the bill, as drafted now, an individual can still request to be tested anonymously. And, the only instance in which an anonymous test is not done is when there's some type of law enforcement incident or when the person has -- comes in contact with the blood of the alleged criminal. So, it's only instances where it might help law enforcement or help the person who might have come in contact with somebody who might have HIV. The other thing I would say is that this State and this Department of Public Health has had a great record of keeping names anonymous. They hold to that very dearly. And, I think we heard very compelling testimony by the Director of that division in Public Health, who himself is HIV positive, and -- and talked very eloquently about why this is -- is necessary and why he believed that the anonymous nature would still be upheld.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

...please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

...the bill, sir.

SENATOR RIGHTER:

Thank you. Rise in support of the bill and thank Senator Ronen for her -- her comments in regard to my question. The Department has a long and impressive record of protecting individuals' privacies in this regard. Even though there were concerns raised initially with regards to that issue, they have been answered and answered in a very convincing and eloquent manner. And, I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RONEN:

I thank the Members for their support and I would ask everybody to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

...Ladies and Gentlemen, the question is, shall Senate Bill 929 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? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 929, having received the required constitutional majority, is declared passed. Continuing, Senate Bills 3rd Reading on page 17 is Senate Bill 941. Senator Collins. Senator Jacqui Collins. She's seeking leave of the Body to return this bill to the Order of 2nd Reading for the purpose of amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Order of 2nd Reading is Senate Bill 941. Mr. Secretary, has there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Collins, to explain your amendment, ma'am.

SENATOR COLLINS:

The amendment, Floor Amendment No. 1, becomes the bill and I would -- debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Seeing no discussion, Senator Collins moves the adoption of Amendment -- Floor Amendment No. 1 to Senate Bill 941. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment's adopted. Mr. Secretary, do you have any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading, Senator Collins, do you wish to proceed? The -- the lady asks to take the bill out of the record. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we will turn your Calendars to page 22. Page 22 of your Calendar. In the middle of page 22 is Senate Bill 1011. Senator Delgado, do you wish to proceed, sir? Senator Delgado is seeking leave of the Body to return Senate Bill 1011 back to the Order of 2nd Reading for the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1011. Mr. Secretary, has there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Delgado, to explain the amendment, sir.

SENATOR DELGADO:

Thank you, Mr. President. The amendment is -- basically makes a technical change in a Section concerning the use of force in a defense of a person, for the purpose of moving this bill out.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Seeing no discussion, Senator Delgado moves the adoption of Floor Amendment No. 1 to Senate Bill 1011. 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, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1011. Senator Delgado, you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senate Bill 1011.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Delgado, to the bill, sir.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Senate Bill 1011, as amended, would be exempted from the definition of "gambling device" in the Criminal Code, the wholesale value of a crane game or redemption machine prize may not exceed twenty-five dollars - currently, the lesser of seven items -- or seven times the cost charged to play the amusement device or five dollars, whichever is less. According to Department of Corrections, there's no corrections population or fiscal impact on the Department. Which incident in which a person would not be sentenced to prison for a Class 4 felony, if indeed the offense involving a crane game or redemption machine, as outlined by my original bill, would have saved the Department approximately twelve thousand dollars. And I'm available for questions and your Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Is there any discussion? Is there any discussion? Seeing no discussion, the question is, Ladies and Gentlemen, shall Senate Bill 1011 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? Mr. Secretary, take the record. On that question, there are 45 Ayes, 5 voting Nay, 0 voting Present. Senate Bill 1011, having received the required constitutional majority, is

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

declared passed. Ladies and Gentlemen, continuing on Senate Bills comes Senate Bill 1014. Senator Bond. Senator Bond is seeking leave of the Body to return Senate Bill 1014 back to the Order of 2nd Reading for the purpose of amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1014. Mr. Secretary, has there been any amendments approved for consideration, sir?

ACTING SECRETARY KAISER:

Floor Amendment No. 1 is offered by Senator Bond.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BOND:

The amendment becomes the bill. Be happy to...

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the amendment? Is there any -- seeing no discussion, Senator Bond moves the adoption of Floor Amendment No. 1 to Senate Bill 1014. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. And the amendment's adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1014. Senator Bond, do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1014.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Bond, to the bill, sir.

SENATOR BOND:

Thank you, Mr. President. This bill is identical to House Bill 2853, which passed unanimously out of the House. What this does is it sets up the Internet Gang Crime Unit pilot program. Three communities across the State will be chosen to empower local police officers to use the Internet to observe gang activity like MySpace. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1014 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? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill -- 1014, having received the required constitutional majority, is declared passed. Turn your Calendars to page 23. In the middle of page 23 is Senate Bill 1023. Senator John Cullerton. Senator Cullerton is seeking leave of the Body to return this to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1023. Mr. Secretary, has there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Yes, Mr. President. Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to the Floor amendment, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The amendment expands the motions for testing not available at trial to include ballistic testing and amends the Code of Criminal Procedure. Like to move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the amendment? Seeing no discussion, Senator Cullerton moves the adoption of Floor Amendment No. 1 to Senate Bill 1023. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment's adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1023. Senator Cullerton, do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1023.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Cullerton, to the bill, sir.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The Integrated Ballistic Identification System refers to a joint program formed in the year 2000 by the FBI and the ATF to provide a computerized database system which contains digitized photographs of markings left on bullets from many guns. The system has a network that's basically a ballistic fingerprinting network, which is operated by the ATF, which connects with the database and contains over a hundred and twenty images from crime scenes. What this bill does is to say that in our current Code of -- Criminal Procedure, when you have a motion for testing, which now is limited to fingerprints and forensic testing, that was not available at the time of trial, this would be added - Integrated Ballistic Identification Systems would be added. It also makes a -- a change, which is pretty obvious, if -- if evidence is previously tested pursuant to this program, if -- if it reveals an unknown fingerprint from the crime scene that does not match the defendants, the court shall direct the prosecuting authority to request the Illinois State Bureau of Forensic Science to submit the unknown fingerprint evidence into the FBI's Integrated Automatic Fingerprint Identification System. I don't believe there's any opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

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

SENATOR MURPHY:

What is the -- what is the cost of this program expected to be, and -- and who is it that's going to bear that cost?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know that there would be -- I have no idea how much additional cost there would be. The Illinois State Police Bureau of Forensic Science is an established entity which is operating now. I -- I'm certain if there was a concern about having to have additional employees or whatever, they would notify us. I think -- I think all you're doing is basically checking a database. You're just submitting some information and checking to see if there's a match. So, I -- I don't think there would be much -- much cost, if any.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. So, what's the -- what's the obligation then of the prosecutor's office under this new proposal? What are we making them do under your bill that they don't have to do now, logistically?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. We're not asking the State to do anything more. What we're really saying is that upon a motion by the defendant, the -- the court is authorized to ask for this type of testing. The

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

way the -- the bill is -- the way the current law reads is that in a -- in a -- in a motion for testing, not available at trial, regarding actual innocence, that's -- this is the more limited situation where this occurs, there just happens to be two areas where they can test, fingerprinting and forensic testing. We're just adding this relatively new system to that list.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Seeing no further discussion, Senator Cullerton, to close, sir.

SENATOR CULLERTON:

Yes. I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall Senate Bill 1023 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? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1023, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, Channel 5 NBC in Chicago seeking leave of the Body to videotape the proceedings. Hearing no objection, leave is granted. Senator Halvorson in the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Continuing on page 24 is Senate Bills 3rd Reading. We have Senate Bill 1042. Senator Frerichs seeks leave of the Body to return Senate Bill 1042 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House -- Senate Bill 1042. Mr. Secretary, have there been any amendments approved for

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Frerichs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Frerichs, to explain your amendment.

SENATOR FRERICHS:

Thank you much -- Madam President. This is a -- it deletes all the language and the -- and inserts quick-take authority granted to the cities of Champaign, Village of Savoy and the County Champaign for the construction of the Curtis Road project. This is a project very important for economic development in my area, dealing with a new Interstate exchange on Route 57 in southwest Champaign. And I would entertain any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussions on the amendment? Hearing none, the -- Senator Frerichs moves the adoption of Amendment No. 1 to Senate Bill 1042. All those in favor will say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Now on the Order of 3rd Reading -- or are there any further amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1042. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1042.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Frerichs.

SENATOR FRERICHS:

Thank you much, Madam President. I got a little ahead of myself with that amendment. I should reiterate what I said. This is something -- a necessary project for economic development for my area. Has a lot of support locally and I request a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. I -- to comment on the bill, if I may, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

To the bill.

SENATOR RUTHERFORD:

And I stand in support of Senator Frerichs' effort here. He and I have abutting Senate districts and this project is one that both of our districts share. And Senator Frerichs, thank you for moving this legislation forward.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1042 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, 2 voting Nay, none voting Present. And Senate Bill 1042, having received the required constitutional majority, is declared passed.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Continuing on to page 28 is Senate Bill 1173. Senator DeLeo seeks leave of the Body to return Senate Bill 1173 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1173. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Madam President. Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo, to -- Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you. Excuse me. This is Floor Amendment No. 1 to Senate Bill 1173 and permits the Toll Highway Authority to contact {sic} (contract) another public or private entity to prevent {sic} (provide) immobilization or tow, impounded {sic} vehicles. The amendment redefines what a vehicle is. And I ask for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator DeLeo moves the adoption of Amendment No. 1 to Senate Bill 1173. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Madam President. Floor Amendment No. 3, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senator DeLeo, to explain Amendment No. 3.

SENATOR DeLEO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. This amendment -- which retains the underlying bill. This adds hotels to the list of facilities for which a toll highway authority may enter into leases, operating agreements, concession agreements. This amendment authorizes the tollway to enter into leases up to fifty years. I ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any -- any discussion on the amendment? Senator Radogno, on the amendment? Is there any discussion on the amendment? Seeing none, Senator DeLeo moves the adoption of Amendment No. 3 to Senate Bill 1173. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1173. Senator DeLeo, do you wish to proceed? So, on Senate Bill 1173, Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Thank you very much, Ladies and Gentlemen of the Senate, Madam President. As I explained, Amendment No. 1 identifies what a vehicle is. It also deletes the language that the current law -- it disallows those plastic -- those cover for license plates so the IPASS can read them. It also lowers the -- fine on the violation. And, then, it -- the last amendment we just adopted is the lease amendment. And we're allowing the tollway to -- enter up to fifty-year leases so they could redefine their concessions in the hope to attract the -- some tenants like hotels to their properties.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

...you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ALTHOFF:

For Legislative intent, Senator, Amendment 3, as you stated, amends the Illinois Procurement Code and further amends the Tollway Act. Under current law, the Tollway can sign contracts, leases and agreements for a maximum term of twenty-five years. The amendment increases the maximum -- term to fifty years. Additionally, it allows the tollway to sign such a contract or agreement with hotels, which is then built on tollway right-of-way. In committee, you stated that it was your intent that these hotels would only be built at tollway oases and, thereby, -- compete as little as possible with the hotels who have spent a great deal of money to purchase land near these tollway exits. For Legislative intent, would you agree that it

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

is your intent that if the tollway leases part of its right-of-way for the construction of a hotel, that these leases would only be at the tollway oases?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Senator Althoff. And -- and after the very vigorous debate in committee yesterday, I spoke with the officials from the tollway and it is the intent of this bill, as amended, it's only to permit hotels at the current located oases. One of the things that should be noted that the oases are the only - and I repeat, the only locations where there's enough room to locate a hotel facility. There will be -- they will not, and this is a quote from the tollway officials yesterday, they will not be located at interchanges or in any other tollway right-of-way. And they said simply there's not enough room for that to happen. So, it's totally the attempt of this bill only to be at the oases.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you for that clarification. And then in addition, the other question that we asked is, these hotels that would be built, would they have to follow all of the local zoning laws and ordinances?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Senator Althoff. Once again, local

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

health, safety codes, ordinances would be applicable. Water sprinklers, food sanitation, all would be treated in regard to zoning to the area.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. A couple of questions, both on Amendment 3. Why -- what is the need that -- for us to allow the Tollway Authority to enter contracts up to fifty years up from twenty-five?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Senator. That's the marketplace. There's -- you cannot get construction financing with a lease of ten or five or twenty years. It just -- it just -- in the industry -- they won't enter into a construction loan. So, the industry standards are fifty years or more.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Well, it's twenty-five years. I mean, you said ten or fifteen or twenty. We already have twenty-five. Has there been a problem to date with us only being able to enter into a twenty-five-year agreement?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Those are concessions. And when we enter into concession

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

leases that's not a problem. When we enter into a construction to build a -- a -- a hotel -- we don't have any hotels, Senator. And we're hoping by changing the legislation and allowing the Toll Highway Authority to give them this authorization to go up to fifty years, that we'd be able to attract some large tenants such as a hotel.

PRESIDING OFFICER: (SENATOR HALVORSON)

...Radogno.

SENATOR RADOGNO:

Does the fifty years just apply to the hotels?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

No, it does not.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Well, thank you. To the hotel issue, though. When was the policy decision made that the Toll Highway Authority was entering into the hotel business?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

When the marketplace hopefully calls for it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Well. Thank you. I -- you know, I'm going to vote No on this, based on this amendment. One, I think it's entirely too

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

broad. All the contracts can now be up to fifty years. That is certainly not necessary for the food concessions and the kinds of things we currently have. And if and when we go down the road of entering into the hotel business, I think we need to have a thorough discussion about that concept. A lot of those oases are right by suburban communities. I'm thinking in my own district, next to Western Springs, Burr Ridge, Hinsdale. Building a hotel at those oases would be extremely controversial, in my view, and I'm not willing, before we've made a conscious policy decision to go down that road, to authorize that and authorize things that would allow for the funding of -- of the hotels. So, I would vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. Would the sponsor yield for a couple questions?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR DILLARD:

Senator DeLeo, does the Illinois Hotel and Motel Association or the convention people have a position on this bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

They were not in committee, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR DILLARD:

Do you have any reason to believe they are aware of this, or will this catch 'em by surprise?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I don't know. I don't lobby for the hotel industry. I don't know, Senator. I -- I -- I have no idea.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Senator DeLeo, so would we -- if we're going to get into the hotel business on the tollway, would this be a well-known chain that would operate these, like Marriott or Hyatt or Motel 6? Pat Quinn wants to know if Motel 6 might -- might have one of these, or would we operate this as the State of Illinois?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I'm assuming -- and I -- and I hope -- I hope that I'm right, when they've done the Mobil leases - the tollway - which now currently has the lease for gas at -- at the toll plazas that that went out with an RFQ and an RFP. I'm sure that the Toll Highway Authority Board will put this out for -- for bid and get the highest and best use.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

If we're in the hotel business, would a prohibition with

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

respect to land-based casino gaming apply to one of our hotels?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Well, Senator Dillard, I -- you use the expression we're in the hotel business. I don't -- we're not -- as we -- as we lease to McDonald's or we lease to Dunkin Donuts or we lease to Panda Express or we lease to Mrs. Fields, we're not in the cookie business, we're not in the oriental food business, we're not in the cellular phone business. We're in the business of leasing and getting the value out of that property back, so the Tollway operates in a very efficient way. We're looking to extract revenues, additional revenues from, as they would say, from -- in the people that do real estate law in Chicago would say, from air space, vacant air space. So, if we can take those properties and bring value to 'em, that's -- that's what I think what the board is trying to accomplish here by extending the lease program. We're not in the hotel business. And I don't think the Tollway is going to be in the hotel business. They're going to be in leasing some space to some developer to build something that will bring -- bring profit to the taxpayers and the people that use the tollway.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

...you. Senator DeLeo, you know, I'm -- I believe I'm going to vote for your legislation. I mean, we clearly have a Toll Highway Authority Board that comes before this Body for advice and consent and we can certainly not reconfirm anybody to this

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

board if we don't like what they're doing. But, can you give me your assurance that Senate Bill 1173 will not be used to promote the leasing, privatization or sale of the tollway to say, like a company from Australia or France?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I believe -- and I believe that it's -- it's actually, Senator Dillard, I think it's actually in the legislation to prohibit what you -- your comments are on page -- on Amendment 3 that we just adopted. On page 1, the last two lines actually says that -- that we'll -- we'll not -- that will not be given the authority or the power to enter into sale or lease of this. So it's actually in -- in Amendment No. 3.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard, to wrap it up, please.

SENATOR DILLARD:

To the bill then. I rise in support of the bill. You know, like Senator DeLeo, I think we need to be innovative, any chance, in government. And, we have a system where I -- hopefully, we can control what we do here, through the appointees to the tollway. I just wanted make sure that we're not going to use this as the vehicle, if we're going to look at actually spinning off or privatizing or having a ninety-nine-year lease on the Illinois Toll Highway Authority. I just want to make sure that this isn't a vehicle for that. So, I intend to vote for the gentleman's bill and would urge my colleagues to probably do likewise.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Any further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield one more time.

SENATOR RISINGER:

Senator DeLeo, Senator Garrett went through a -- a lot of public hearings and so forth on eminent domain. And I think the Tollway Authority has eminent domain and probably purchased some of the properties that they have through eminent domain. Would you envision that the Tollway Authority could enter into a -- a agreement, a lease agreement, for a hotel on property that was acquired for highway purposes by eminent domain?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Senator, I -- I think we just addressed this and I'm sorry if you didn't hear the -- earlier in the debate what -- what Senator Althoff and I -- for Legislative intent, the tollway -- the intention of this bill, as amended, Amendment No. 3, would only permit hotels -- their intent, once again, is only to permit hotels at -- located at the oases. It's not -- this isn't a quick-take bill. This isn't a go seize property to build hotels. It's only for the oases. Once again, let me say that for the fourth time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

So it's only on property that they already own right now,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

not expanding any -- and not -- and even if they obtained that oasis property through eminent domain, they could still use it for that purpose?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I can stand here today and tell you that's not going to happen. But, twenty-five years or a hundred years from now and -- and -- and Lisa Madigan's the Governor, I can't tell you. But today, as the -- the intent of this bill is only at the oases. And that's directly from the Tollway officials as of -- within twenty-four hours.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Yeah. I'll wrap it up. I guess -- I guess, you know, I understand you keep saying it at -- only at the oases - only at the oases. But, you got to understand, that property was purchased somehow and it could have been purchased through eminent domain. I don't know whether that's the case or not. So you could -- it be end up building something on eminent -- property that was purchased through eminent domain for highway purposes. I don't know whether that's legal or not. I understand where you're coming from. I have real questions about the bill. I think there needs to be a lot more discussion before we get into the hotel business.

PRESIDING OFFICER: (SENATOR HALVORSON)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Thank you, Madam President. Just a couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR SYVERSON:

First one is, and I'm sure the answer is yes, but will all this fall under the same procurement codes? When they go to choose these -- when they go to choose who is going to be running these facilities or which hotels are going to be getting the contracts, what -- what rules are going to be in place to make sure that it is -- that they're under the -- under current code?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

I'm sure the State Procurement Code would be put in place, when they're doing these RFQs and RFPs. We're not selling property. This would be a lease. And, as you know, in any agency, IDOT, the Illinois Toll Highway Authority, Public Aid, Public Health, Mental Health, we, in the General Assembly, we do not do leases. We do not do contracts. We do not pick contractors. We do not pick road builders. We, here in the General Assembly, make the laws and appropriate the money to the agencies. We don't make those decisions. And in retrospect, thank the Lord that we don't make those decisions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson.

SENATOR SYVERSON:

But like you say, the -- the concern is that there has been

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

a history -- a recent history of the Tollway leasing to individuals, who then in turn lease to other individuals and people that have questions. And, so, the concern is, how open or how public is the process going to be in selecting, for example, which firm is going to be -- or which hotel chain is going to be -- is going to be getting this facility? Or will it just be given to some developer who will in turn decide which hotel gets on there? So, I guess I'm just trying to figure out, what is -- how open is this process is -- going to be, or is this going to be something where the -- the Tollway will be able to hand pick and choose who they want to develop each one of these sites?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Once again, that's a decision made by the Toll Highway Authority Board. But if -- let's just walk back a little bit. On the reconstruction of the oases, when they -- they chose the board, they had a master developer. They put an RFQ for a master developer. We're not in -- we're not leasing agents. We're not in the retail business. And, so, they picked a master developer. And, I believe - and I don't know - but, I believe it was a -- a group called Wilton Partners who got the master lease. And, in turn, they went out and sublet the space and tried to encourage tenants to come to these facilities - again, the -- the number of chains that I just mentioned - they have not been a success. They have not been a success. And, you can see from the figures and -- and the Krispy Kreme chain has -- has decided to close up on the oases because of lack of sales.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

The hot dog chain - I can't think of their name - they closed up for lack of sales. The only body that's actually doing a wonderful business at the oases, from what we are told, are the Mobil gas franchise and some of the McDonald's stores are carrying their own and paying the rent on a current and active basis. So, in -- in the year 2007, where families load up their car and put the DVDs in and the kids put the wireless headphones on and -- and -- and they put XM radio on, people fill up the car and go to Wisconsin and go to Iowa and they go -- they travel. We're -- we're -- so, what happened on these oases, it's not being as profitable as they thought they were going to be and they're looking for ways to -- for advantages to make these profitable. So we keep -- we keep tolls down and we let the people keep using the tollway at a very reasonable cost. And, I think it's admirable that the Tollway's taking actions like this to look for better tenants to keep this a very profitable situation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Let me -- let me jump to another issue - and it was -- it was asked earlier - about the fifty-year leases. I understand when you're doing a -- when you're doing a large hotel project, that there may be a need for a fifty-year lease. But the language of this bill allows the Tollway to adjust all their existing contracts for any contractor - whether it's for inside sales, whether it's the gas. They could -- the board can give fifty-year leases to anybody under this. Is there a reason why we can't tighten this language up to say that the -- the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

long-term or the fifty-year lease would only be involved with the hotels and not with all the other contractors that are with -- with the Tollway?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Senator, thank you for that question. This is a cap. We're setting a ceiling it can go up to. And what we're doing here is trying to make it all -- they can -- the -- the board can issue a five-year lease, a three-year lease, a twenty-year lease. And, if we get big projects, like what the intent is, that's why we're putting the cap on at fifty.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson.

SENATOR SYVERSON:

I guess that's the question, why don't we give that direction -- you know, we have a lot of programs in this State. We pass a lot of laws when it comes to what we allow universities or other agencies to do leases. Why do we give -- I know you say it's up to, but the reality is, in here, what the language says then is that they can, if they choose, they could give a fifty-year lease to a gas station owner on a -- or a user on this. And, couldn't we tighten it up and say only for those hotels, would they have the flexibility to exceed the twenty-five-year limit, which is currently in place now?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

We removed the language of slots at the tollways in this

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

bill. So that's out of there. This is -- this -- what drives it -- and -- and -- and especially for my friends and colleagues on that side of the aisle, it's marketplace. This -- what's driven by the -- when the board -- the Toll Highway Authority asked for this legislation, it's total marketplace. And if -- and if -- if franchises are doing bad or good and extending the lease or selling the lease or getting some up-front money, this gives them a lot of flexibility. So, for those of us in this Chamber that are in business, I think when you're -- you're putting a cap on something, especially a fifty-year -- it's totally driven by marketplace. And, I think this is a good amendment, not antigovernment. I think it's very good business, which so many of us in this Chamber do care about, too, business.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson, to wrap it up.

SENATOR SYVERSON:

Thank you. I understand the marketplace is the cap, but my -- my concern is that the marketplace, it's not marketplace. My fear is that there'll be other activities that will drive leases for, like I said, petroleum or others, that currently have a twenty-five-year cap that we're exceeding it to that. The last think I just want and -- and -- and, again, maybe it can't be addressed here. You keep saying that it is the intent of the Tollway not to build on other right-of-way except for at the oases. But, that's not in the bill here and it's only a -- a verbal commitment from the Tollway that that's their intent that they're not going to do that. But, there is nothing in this legislation that would preclude them from building hotels at

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

anywhere that they have right-of-way along there, not just at the oases, currently, if I'm reading that right. And, again, you mentioned the intent. Is the Tollway planning on passing some resolution that is going to limit it only to the oases, or is this something that can be addressed in a -- a trailer bill later on? Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Further discussion? Senator Brady.

SENATOR BRADY:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BRADY:

Senator, I understand what you're trying to do and how you're trying to make this land more valuable, but -- and why the term of the lease for what you want to do. But, there are some of us concerned about the fact that there may be private institutions or investors who made investments in hotels, for instance, that didn't think they'd have to be competing with the land that now you're freeing up. So, that's a concern to some of us. Now, all of a sudden, where was a prohibition of using this government-owned land as a competitive force in the marketplace, now there's not. Investment could have been made with that and that creates a problem for us. But a question, specifically, to what you're doing here - as you indicated earlier - Wilton Partners has a master lease on some of these oases, is that not correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR DeLEO:

They did. I don't know if they still have it. They were the developer chosen a few years ago to redevelop the oases.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Brady.

SENATOR BRADY:

Do you know if -- here's the concern, let's -- let's look at this. Many of us, forty of us here in this Chamber, have signed on to House Bill 1, something that would prohibit contributions from people doing business with the State. Now let's just assume that Wilton Partners still has a contract, a master lease on this for a fixed amount. They bid it for the master lease, knowing that they could -- were limited in scope of what they could do. What you're doing here today could potentially increase the scope of what they can do, increase the value of their lease and they eventually could be beholding to the Governor who will end up signing this legislation and who might receive a contribution because of a favorable piece of legislation to them. The concern we have, when we haven't enacted House Bill 1 which limits contributions to the Executive Branch for things like this, and the concern we have in protecting the resources of the people of Illinois, is that we don't know enough information. This could be a big windfall, as you and I both know. These are value pieces of land that, unless this legislation passes, would not be able to be used in this way. If, all of a sudden, they can be used in this way, it changes the dynamics in an unfair way, which gives us concern. So, with all due respect, Senator, I think you need to know more about the facts of who has these master leases, who is going to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

benefit beyond possibly the tollroad authority and who this adversely affects in the private marketplace that may have made millions of dollars in investments under the status quo. I suggest a No vote's the proper vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, DeLeo, to close.
Senator -- Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. In closing, let me -- let me just -- just say this. And, you know, I share everybody's concern. And we talked about -- you -- you -- Senator Brady talked about people that -- have hotels in the area or have hotels in the community, people on River Road and in -- in the Village of Rosemont built hotels, the Sofitel, the Hyatt, the -- the Comfort Suites, the Crowne Plaza. There're six thousand hotel rooms over there and the City of Chicago decided to build a hotel inside the airport. They put a hotel right inside the airport to -- for convenient travelers. And these rooms didn't close up, these hotels. Matter of fact, property rose. The same thing in Miami. Miami built a hotel inside the terminal for people. There's hundreds and hundreds of rooms around the Miami -- Miami Airport. But, I share your concern and I hope there is no corruption and I hope it's given to -- on a fair basis, just like you do. But, that's why we did things in this Chamber. We -- we did a State Procurement Code. We put a board of -- of directors together for the Toll Highway Authority. We put -- we put RFQs and RFPs out there, so things don't happen. Every day in this Chamber we do something, so there is no

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

corruption, so it's honest and the person that bids it has an honest chance. If something bad's going to happen, there's nothing that we can do in this room. There's not one thing that anybody in this room can -- happen on a board or commission if it's a hospital, if it's a tollway, if it's -- if it's a hotel, a casino. We can't change corruption. But, we can do the right thing for taxpayers. And we can do the right thing by taking valuable property and hope to get rent to keep the tolls down and to keep the tollways open. And, I share your concerns. But, we put all these safeguards in place, so things don't happen. And, we don't have to see headlines like Senator Dillard held up today. I don't want to see that. I don't want to see it under Republican administration. I don't want see it under a Democratic administration. I want to see people do the right things and this is the right thing, promoting and leasing land, leasing land. I ask for a favorable roll call, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1173 pass. All those in favor will -- vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Yeas, 19 voting Nay, none voting Present. And Senate Bill 1173, having received the required constitutional majority, is declared passed. Continuing on to page 29 on Senate Bill 1314, Senator Jacobs, do you wish to proceed? Senator Jacobs seeks leave of the Body to return Senate Bill 1314 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

1314. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Madam President. Floor Amendment No. 5, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, to explain your amendment.

SENATOR JACOBS:

Amendment No. 5 is a product of several meetings in two months of negotiations. I know of no formal opposition to this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Jacobs moves the adoption of Amendment No. 5 to Senate Bill 1314. All those in favor will say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now, on the Order of 3rd Reading is Senate Bill 1314. Senator Jacobs, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR JACOBS:

This bill clarifies and streamlines a process for -- of staffing firms report hours on timecards to eliminate errors on paychecks and also secure the employees to make sure that they're properly paid. I know of no known opposition and I'd appreciate your Aye support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1314 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 1314, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, with leave of the Body, we will be going back to page 2. Senate Bills 2nd Reading. Senator Hunter, on Senate Bill 1132. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1132.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Crotty, Chairperson of the Committee on Local Government, reports Senate Amendment No. 1 to House Bill 405 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Ladies and Gentlemen, if you could please turn to page -- we're going to be going back to House Bills 2nd Reading on page 38. This is the last time we're going through House Bills 2nd Reading, last time. So we're on 38. House Bills 2nd Reading. Senator Demuzio, on Senate -- House Bill 29. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 29.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Sullivan, on 118. Senator Sullivan, on 118. Senator Althoff, on 334. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 334.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on 358. Senator Munoz, on House Bill 358. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 358.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

3rd Reading. Senator Haine, on House Bill 411. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 411.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on House Bill 624. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 624.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. With leave of the Body, we'll go back to House Bill 118. Senator Sullivan, do you wish -- on House Bill 118. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 118.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Althoff, on House Bill 663. Senator Koehler, on 699. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 699.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. With leave of the Body, we will return to House Bill 1074. Senator Wilhelmi, on 1491. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1491.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HALVORSON)

Have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. With leave of the Body, we'll return to 1542. Senator Maloney, on House Bill 1835. Senator Clayborne, on House Bill 1888. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1888.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Demuzio, on House Bill 2106. Madam Secretary, read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SECRETARY SHIPLEY:

House Bill 2106.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Demuzio, on House Bill 2179. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 2179.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Ladies and Gentlemen, with leave of the Body, we're going to go to page 39. The top of page 39. House Bills 2nd Reading. House Bill 1074. Senator Halvorson. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1074.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government and Veterans Affairs adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Has there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading. Senator Halvorson, on House Bill 1542. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1542.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MARTINEZ)

Have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Halvorson, explain your amendment.

SENATOR HALVORSON:

Thank you. I -- I wish to table the amendment that would go to this bill. I want to move it to 3rd without the amendment.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Halvorson moves to table the amendment. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Are there any other Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MARTINEZ)

3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Ladies and Gentlemen, please turn your Calendar to page 33. We will be going to House Bills 3rd Reading where we left off yesterday. And that will be Senator Noland, on House Bill 876. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill -- 876.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Madam President. This bill, House Bill 876, provides that...

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me, Senator Noland. I -- I'd really like to ring the bell to alert everybody that we'll be going to 3rd Readings. Madam -- Senator Noland.

SENATOR NOLAND:

Thank you again, Madam President. House Bill 876 provides that with respect to signs owned or leased by the State or a political subdivision, an area zoned for business, commercial, or industrial activities adjacent to and within six hundred and sixty feet of an Interstate highway and that is in Township 41 North, Range 10 East of the Third Principal Meridian, shall be deemed a "business area" for purposes of the Act. This Act contains provisions concerning repeal if preempted by federal law or regulation and concerning inapplicability if receipt of federal funds by IDOT is -- is impacted. Should also say that House Bill 876 represents narrow relaxation of the State's

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

regulations in a manner which still conforms to federal law and places the State at no risk. I ask for unanimous consent.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. I rise in support of the Senator's bill. I appreciate his willingness to work with me. I had an amendment on file to deal with a similar issue in my district. We had some technical problems with it and have held the amendment for that reason. But I -- I applaud Senator Noland for his work on this. I look forward to coming back in the fall with language to deal with the issue in my district and I would ask my colleagues to support Senator Noland in this issue that is very important in his district.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you -- thank you, Madam President. Senator Harmon's comments were kind of interesting because -- and they fall right into a place with what -- what I was thinking. You know, the real issue is are we going to enforce the -- the -- the laws and the rules that -- highway beautification and the billboard Act that is in place right now. What we're trying to do right now is go around that Act, and, through the General Assembly, create legislation that will allow an -- illegal billboard to be placed. And that's just opening the floodgates. Let me tell you, in the thirty-five years that I spent with the Department of Transportation, there were many, many requests for billboards and the -- the value of those -- of that advertisement is

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

extreme. And there's all kinds of groups that would love to have the billboards, and they're the nonprofits, so they're good causes. So, the issue is, do we want to continue along the path that we have with the rules and regulations that we have in place, or, do we want to throw those out and we have -- and line our roads with billboards? I know, in the legislation, it's crafted so that if there is any payback of bonus money from the feds, that it will nullify the bill. But, let me read a little bit from the rules and regulations. For states that elect not to enforce the bonus Act - and that bonus Act is from the federal government - the action that triggers the repayment requirement in -- is the Act of allowing a sign to be erected or maintained in a location that is prohibited under the bonus Act. This location is prohibited under the bonus Act. Now, we did not collect any bonus money for this particular route on the -- on the tollway. But that's not how the Act reads and I don't know how the feds are going to interpret that, but I can tell you that if this bill passes, there's going to be many, many such bills come before this General Assembly to ask for exceptions from all the way to the southern tip of this State to the -- the northern boundaries. And so I would advise both sides of the aisle to consider whether you want our highways lined with billboards. And I, in particular, do not support this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

...further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. Just to follow up on Senator Risinger's comments, 'cause he's right on target. I

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

have -- I was interested in Senator Harmon's remarks, because that's exactly what's going to happen here. I had a -- I've got a amendment that was going to be offered to this piece of legislation in the Rules Committee. It's not being considered, but there's going to be a multitude of -- of amendments and -- and exemptions from this particular Act filed in the future. Once you go down this path, once you create the precedent of -- of allowing this to happen, then, I think, we all ought to have the ability to rush through the door. And I had, in my area, we had a billboard company that was going to place the billboard near Pocahontas, Illinois, in Bond County, home of Gretchen Wilson - for those of you that have -- who know who Gretchen Wilson is, the country western singer. We were going to have that billboard -- some of that revenue be made available to the Pocahontas Park District, which would have been a good thing for Pocahontas. But, I don't know that we'll ever get that opportunity. But, once you start down this path, you better expect everybody else to be given equal consideration, and that's only right. But, this is the wrong thing to do. I urge you to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Madam President. To the bill: Well, just to kind of echo what Senator Watson just said, this is -- this is setting a bad precedent. I -- I tell you right now, yesterday I had two phone calls from people that are in the billboard business saying this bill's out there and if it passes, here's -- here's the description of the land that we're looking at that

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

we want special consideration for signs. You are opening up a can of worms here that is unbelievable. And the loss of revenue that you're -- you're standing a chance of losing from the -- from the federal government is -- it's going to be tremendous. I cannot believe that we would do something like this to where we are going to open this up to where sign company after sign company. And, there's not just a few sign companies in the State of Illinois, there are a lot of sign companies in the State of Illinois, even outside the State of Illinois that have signs in our State. They're all going to be banging on your door saying, "Hey, you did it there. We want it here." And I would just recommend a No vote. Those of you on the other side of the aisle, you better be very careful of this vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 876 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 23 Nays, 0 voting Present. And House Bill 876, having received the required constitutional majority, is declared passed. Senator Watson.

SENATOR WATSON:

Yes. I'd like for -- a verification, if I could, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

That is always in order. Senator Watson has requested a verification. Will all Members be in their seats? The Secretary will read the affirmative votes.

SECRETARY SHIPLEY:

Althoff, Bond, Clayborne, Collins, Crotty, Cullerton,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

DeLeo, Delgado, Halvorson, Harmon, Hendon, Holmes, Hultgren, Hunter, Kotowski, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Murphy, Noland, Raoul, Ronen, Sandoval, Schoenberg, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson, do you question the presence of any Member voting in the affirmative?

SENATOR WATSON:

Yes, I do. Three of 'em just walked in the room. Sandoval.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval. I hear him. Is Senator Sandoval in the Chamber? If not, Madam Secretary, strike the name from the roll.

SENATOR WATSON:

Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is Senator Trotter here? Is Senator Trotter here? Is he on the phone? Madam -- there he is.

SENATOR WATSON:

Oh. Look at 'em, they're -- come slithering out of their offices. All right. Hendon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Well, we can add Senator Sandoval back to the roll. And the Senate -- Senator Watson questions the presence of Hendon. Senator Hendon. Is he here? If not, Madam Secretary, strike his name from the roll. Senator Watson, do you question the presence of anybody else?

SENATOR WATSON:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senator Hultgren.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hultgren. Is Senator Hultgren in the -- if Senator Hultgren is not in the Chamber, Madam Secretary, strike his name.

SENATOR WATSON:

Okay. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

On a verified roll call there are 29 Yeas, 23 Nays. And House Bill 876, not having received the required constitutional majority, is declared failed. Senator Noland, for what purpose do you rise? Would you like to put that on postponed consideration?

SENATOR NOLAND:

Yes, I would. Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

We will put the bill on postponed consideration. Senator Althoff, on -- Senator Althoff, on House Bill 909. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Madam President. House Bill 909 is an extensive rewrite of the Community Mental Health Act, which reflects current terminology and practice. It actually was an initiative

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

of the Association for Community Mental Health Authorities of Illinois. The Act, originally approved in 1967, really has not undergone any modifications or changes. So in an attempt to update the Act, after forty years, an extensive review was conducted. And, the resulting language recommendations modernize the terms and provisions of the Act and provide a foundation that will allow community mental health to continue to provide valuable services to taxpayers for many years to come. This is supported by the Association for Community Mental Health Authorities of Illinois, the Department of Human Services, Community Behavioral Health Care Associations and other mental illness providers. I know of no objections and would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 909 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, none voting Nay, none voting Present. And House Bill 909, having received the required constitutional majority, is declared passed. Top of page 34. Senator Link, on House Bill 924. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 924.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR LINK:

Thank you, Madam President. This clarifies the language of the bill regarding statements of public funds published in a local newspaper. I know of no objection to the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 924 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Yeas, none voting Nay, none voting Present. And House Bill 924, having received the required constitutional majority, is declared passed. Senator Link, on House Bill 928. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 928.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This -- this bill amends the Workers' Compensation Act and the Workers' Occupational Disease Act and provides that any condition or impairment of health of a firefighter, emergency medical technician, or paramedic that results directly or indirectly from certain diseases will create for disability of an employment. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

shall -- oop! Senator Cronin. Thanks for putting your light on.

SENATOR CRONIN:

Thank you very much, Madam President. I rise in strong opposition to this bill. And, I do so with some reluctance, only because of my respect for the -- the -- the sponsor. But, this is a really bad idea for a lot of different reasons. And chief among the reasons is the process itself. And, with all due respect to the sponsor, I -- I am offended that this bill, which deals with the work -- Workers' Compensation Act is being promoted and advancing through the Legislature outside of the agreed-bill process. This was a process that was imposed on us last Session. The sponsor of the bill himself, as well as leaders in business and labor, talked at length about the virtues of the agreed-bill process and how we all had to abide by it. And, so, the fact that this is an end around that process is very difficult for me to -- to accept. Secondly, the provisions in the bill, themselves, will have a significantly detrimental impact on your local governments. The cities and towns that you represent will -- will have to take more money out of the pockets or the citizens and the taxpayers, in order to pay awards in what is now going to become a very unfair system. Ladies and Gentlemen, we can get into the sophisticated legalities about this bill, but suffice is to say is that it will not be a fair system. We all love firefighters. But, Ladies and Gentlemen, this law now turns back precedent, turns back a practice that has worked for decades and decades and decades. A firefighter who dies of heart disease, regardless of whether or not they are overweight, whether they smoke, whether

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

they engage in all sorts of unhealthy practices, that person will presume to have been -- that -- that death will be presumed to have been as a result of their job, and have not any relationship to their activities outside the job. And, the cities and towns and the villages that everyone in this Chamber represents will have to disprove otherwise. Legal costs will be expensive. It will cost taxpayers a lot of money. This is a bad bill, a bad policy and I strongly urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Frerichs.

SENATOR FRERICHS:

Thank you much, Madam President. I have a couple questions for the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR FRERICHS:

Senator Link, like how long does a firefighter, EMT, or paramedic have to be employed before the illness or conditions are rebuttably presumed to arise out of the course of employment?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

A firefighter, EMT, or a paramedic must be employed for at least five years at the time he or she files for application for adjustment of claims concerning this condition or impairment of the Illinois Workers' Compensation Commission.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Frerichs.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR FRERICHS:

Thank you very much. I have another question. What types of cancers will be rebuttably presumed to arise as a result of the services of a firefighter?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

The type of cancer involved must be the type that may be caused by the exposure of heat, radiation or as known as -- carcinogenics as defined by the International Agencies {sic} (Agency) for Research on Cancer, and the cancers must, and is rebuttable -- presumption to arise as a result of a service as a firefighter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Frerichs.

SENATOR FRERICHS:

I have one last question, Senator Link. What happens if a municipal employer pays medical bills for a condition that is later determined to be unrelated to the firefighter's employment? Does the municipal employer have a cause of action against the firefighter to recover expense of those payments?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

This -- thank you. The legislation does not change the ability of the employer to recover payments made for a condition that later determines to be unrelated to the firefighter's employment. The employer would be allowed to recover those payments in the same manner currently provided for in the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

statute.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, the question is, shall House Bill 928 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Yeas, 17 Nays, 3 voting Present. And House Bill 928, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 975. Senator Maloney, on House Bill 982. Madam Secretary, read the bill. Senator Maloney seeks leave of the Body to return House Bill 982 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 982. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain your amendment.

SENATOR MALONEY:

Thank you, Madam President. The amendment, in fact, becomes the bill. I would be happy to explain the amendment on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney moves the adoption of Floor Amendment No. 2 to House Bill 982. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SECRETARY SHIPLEY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd -- 3rd Reading. Senator Maloney, we are not going to move that on 3rd Reading just yet. Senator Forby, on House Bill 985. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill -- 985.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you. House Bill 985 is the prevailing wage bill. It would make work performed as maintenance, repair, assembly or disable {sic} (disassembly) on equipment, whether leased, owned or rent, subject to prevailing wages provided under Prevailing Wage Act. The Prevailing Wage Act requires contractors, subcontractors to pay laborer, workers and -- that works on machinery in public work construction places no less than the general prevailing wages for work that's similar -- that charters {sic} (character) in the county where the work is performed. I'll answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 985 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Yeas, 6 voting Nay, 0

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

voting Present. And House Bill 985, having received the required constitutional majority, is declared passed. Senator Bond, on House Bill 1011. Senator Bond seeks leave of the Body to return House Bill 1011 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1011. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Bond.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bond, to explain your amendment.

SENATOR BOND:

It's a technical amendment. We changed one word.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bond moves the adoption of Amendment No. 1 to House Bill 1011. All those in favor will say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Madam President. Floor Amendment No. 2, offered by Senator Bond.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bond, to explain your amendment.

SENATOR BOND:

This is the final version of the agreed upon bill of net metering that we worked out with the House in the Senate version.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senator Bond moves the adoption of Amendment No. 2 to House Bill 1011. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Sullivan, on House Bill -- Senator Sullivan -- seeks leave of the Body to return House Bill 1019 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1019. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to explain your amendment.

SENATOR SULLIVAN:

Thank you, Madam Chairman. The amendment sets standards for the testing of E. coli and the slaughtering of animals in the State. The recommendations come from the Meat and Poultry Task Force that met to try to address some discrepancy in the different types of slaughtering plants in the State.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing -- Senator Burzynski, on the amendment? Senator Sullivan moves the adoption of Amendment No. 1 to House Bill 1019. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton, on House Bill 1050.
Senator Cullerton, on House Bill 1071. Madam Secretary, read
the bill.

SECRETARY SHIPLEY:

House Bill 1071.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill amends the Condominium Property Act to set standards for individuals who possess professional qualifications as community association managers. These are the people who provide the knowledge and expertise critical to managing and operating these associations that many people live in, the condominium cooperatives, town homes and residential communities. The standards in this bill would be -- set certain minimum requirements for the individual to -- would be this manager, making sure that certain prior conduct like forgery or embezzlement convictions would -- preclude them and it also -- to protect the community association funds through a mandatory fidelity bond. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Is there any discussion? Seeing none, the question is, shall House Bill 1071 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And House Bill 1071, having received the required constitutional majority, is declared passed. Senator Sandoval, on 1080. Senator Sandoval seeks leave of the Body to return House Bill 1080 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1080. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval, to explain your amendment.

SENATOR SANDOVAL:

Thank you, Madam President and Members of the Senate. Amendment No. 1 to House Bill 1080 adds language limiting the revocation of driving privileges to offenses that involve a motor vehicle or the use of a driver's license or permit. The Amendment No. 1 was offered as a result of the concerns raised by the Judiciary Committee during the hearing. This is not an illegal -- amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sandoval moves the adoption of Amendment No. 1 to House Bill 1080. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on 1100. Senator Clayborne, on House Bill 1146. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1146.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President and Members of the Senate. House Bill 1146 amends the General Not-For-Profit Corporations Act to provide civil immunity to volunteer board members, serving without compensation, for damages resulting from any action of the executive director concerning the false reporting or intentional tampering with financial records of the organization, where the actions of the executive director result in legal action, unless the conduct by the volunteer board member was willful and wanton. This bill does not apply to actions brought by the Attorney General if he or she is exercising common law, statutory duties in protecting -- protecting charitable trusts or exercising their authority to enforce the laws of this State, as they apply to the trustees of the charity. This passed the House 116 to 0.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Is there any discussion? Seeing none, the question is, shall House Bill 1146 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 1 voting Nay, none voting Present. And House Bill 1146, having received the required constitutional majority, is declared passed. Senator Demuzio, on House Bill 1238. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1238.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Madam President and Members of the Senate. House Bill 1238 amends the Illinois Vehicle Code, allowing strobe lights on school buses to be lighted at any time when the vehicle is being used to transport one or more children.

PRESIDING OFFICER: (SENATOR HALVORSON)

...there any discussion? Seeing none, the question is, shall House Bill 1238 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And House Bill 1238, having received the required constitutional majority, is declared passed. Top of page 35. Senator Haine, on House Bill 1254. Madam Secretary, read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SECRETARY SHIPLEY:

House Bill 1254.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This House bill fulfills the recommendations of the electronic health and record task force created by this General Assembly two years ago. It does a number of things. Creates a not-for-profit corporation within DPH to be known as the Illinois Health Information Network. It details the mission of that group. It authorizes DPH to create a not-for-profit organization to be known as the Illinois Health Information Network. It provides for a thirty-one-member governing board with three-year staggered terms. And the makeup and the background of the board is described in the Act. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1254 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 1254, having received the required constitutional majority, is declared passed. Senator Delgado, on House Bill 1259. Senator Ronen, on House Bill 1284. Senator Clayborne, on House Bill 1292. Senator Collins, on

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

House Bill 1300. Madam Secretary, read -- Senator Collins seeks leave of the Body to return House Bill 1300 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection - - there is no amendment. The amendment has been adopted. The bill is on 3rd Reading. Senator Collins wants to call it on 3rd Reading. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1300 creates the Illinois Food, Farms, and Jobs Act and the Illinois Local and Organic Food and Farm Task Force. What House Bill 1300 seeks to accomplish are two things. First, the bill creates the Illinois Food, Farms and Jobs Act, which urges the State to work to expand markets for Illinois-grown organic foods and to urge Illinois farmers to sell their products locally. Secondly, the bill creates the Organic Food and Farms -- and Farm Task Force. The task force shall develop a plan containing policy and funding recommendations for expanding and supporting a State local and organic food system and for assessing and overcoming obstacles to an increase in locally grown food and local organic food production. I guess, the question would be, why would a urban Legislator be interested in this legislation? For two or three reasons. The Chicago Tribune last year did a series on urban areas where they

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

lacked the access to fresh -- produce and fruits and vegetables. And, so, I am a proponent of trying to have my group access fresh produce. This also leads to economic and job development, because right now the State of Illinois imports more than ninety-five percent of organically grown food. And I think being the farm belt of the Midwest, I feel that we should have the capacity and give the support for farmers and jobs and -- and creation in the State. I'm open for any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any -- is there any discussion? Senator Garrett. Any discussion? Senator Dahl.

SENATOR DAHL:

...President -- thank you, Madam President. To the bill: This bill came out of committee unanimously and it's a good bill. Senator has worked very hard on this. So let's -- let's pass it and -- and see what we can do with this idea.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, the question is, shall House Bill 1300 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 1300, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 1319. Excuse me, Senator Harmon. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Yes. I inadvertently pressed the No button. I wanted to press the Yes button. I'd like the record to reflect that on

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

House Bill 1146.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record shall so reflect. Senator Harmon, do you wish to proceed? Madam Secretary, out of the record. With leave of the Body, we'll return -- with leave of the Body, we will return to House Bill 1319. Senator Martinez, on House Bill 1330. Madam Secretary, read the bill. Senator Martinez seeks leave of the Body to return House Bill 1330 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1330. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez, to explain your amendment.

SENATOR MARTINEZ:

Thank you. Thank you. The -- the amendment just adds the Minority Leader in the Senate, Minority Leader in the House to the House -- should be appointed to this task force. And I'll be happy to explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Martinez moves the adoption of Amendment No. 2 to House Bill 1330. Hearing no -- or all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any other Floor amendments approved for consideration?

SECRETARY SHIPLEY:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Kotowski, on House Bill 1384. Madam Secretary, read the bill. Senator Kotowski seeks leave of the Body to return House Bill 1384 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1384. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Kotowski, to explain your amendment.

SENATOR KOTOWSKI:

Madam President, the amendment becomes the bill. I'd be more than happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Kotowski moves the adoption of Amendment No. 1 to House Bill 1384. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Sieben, on House Bill 1403. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1403.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. This legislation provides that if a person engages in participation in methamphetamine manufacturing and this occurs within a thousand feet of a place of worship or parsonage, that person commits aggravated -- participation in methamphetamine manufacturing. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1403 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And House Bill 1403, having received the required constitutional majority, is declared passed. Senator Harmon, on 1406. Senator Harmon seeks leave of the Body to return House Bill 1406 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1406. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, on Floor Amendment No. 1.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to House Bill 1406 is an initiative of the Department of Financial and Professional Regulation and makes a variety of technical changes to the Auction License Act with respect to licensure renewal and discipline. I'm not aware of any opposition and I'd ask that we adopt the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Harmon moves the adoption of Amendment No. 1 to 1406. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further -- no further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Collins, on House Bill 1455. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1455 with Floor Amendment No. 2 prohibits minors from using false IDs to acquire tobacco products.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Tobacco products may not be vended with other non-tobacco products except matches. Lunch wagons may not sell tobacco products that are not in a sealed package provided by the manufacturer. And -- and lastly, it prohibits any -- the sale, distribution or offer for sale or distribution of flavored cigarette -- any flavored cigarette tobacco product in Illinois. There is a background and a history to this legislation. I'll be open for any questions that might...

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1455 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Yeas, 2 voting Nay, 1 voting Present. And House Bill 1455, having received the required constitutional majority, is declared passed. Senator Bomke, on House Bill 1499. Madam Secretary, read the bill. Oop! It's a recall. Sorry. Senator Bomke seeks leave -- Senator Bomke seeks leave of the Body to return House Bill 1499 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of House - - of 2nd Reading is House Bill 1499. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke, to explain Amendment No. 2.

SENATOR BOMKE:

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senate. Floor Amendment 2 to House Bill 1499 contain the same provisions which were in Senate Bill 393, which passed the Senate 56 to 0. It includes certain low-power, gasoline-powered motor vehicles within the definition of neighborhood vehicles. This was requested by the University of Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Bomke moves the adoption of Amendment No. 2 to House Bill 1499. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any other Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Watson, on House Bill 1514. Top of page 36. Senator Cullerton, on House Bill 1517. Senator Harmon, on House Bill 1519. Senator Harmon seeks leave of the Body to return House Bill 1519 to the Order of 2nd -- 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1519. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The underlying bill, House Bill 1519, started as a TIF

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

extension for the City of Chicago Heights. It was earlier amended in the Senate Revenue Committee to include a TIF extension for the Village of Manteno. This Floor Amendment No. 2 adds a TIF extension for the Village of Rosemont. I'd ask that the amendment be adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon seeks -- Senator Harmon moves the adoption of Amendment No. 2 to House Bill 1519. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator -- oh, with leave of the Body, we will return to 1554. Senator Schoenberg, on House Bill 1628. Senator Schoenberg seeks leave of the Body to return House Bill 1554 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd -- the bill that we are working on is House Bill 1628. Senator Schoenberg seeks leave of the Body to return House Bill 1628 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1628. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg, to explain your amendment.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR SCHOENBERG:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2, which is a recommendation of the Illinois State Medical Society, provides greater clarity on enabling the Department of Healthcare and Family Services to designate a central criteria and conditions that have to be satisfied in order for enrollees to secure a standing referral. Know no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg moves the adoption of Amendment No. 2 to House Bill 1628. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on House Bill 1641. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1641.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1641 recodifies the changes made to the definition of term "crime victim" as in House Bill 1641 as

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

introduced. The recodification will serve to clarify the impact of these changes to expand the definition of "crime victim" to include both parents, legal guardians, foster parents or a single adult representative of a child killed as a result of a violent crime. It also increases the penalty for reckless homicide to a Class 2 felony when the defendant fails or refuses to comply with a lawful order, direction or any -- an authorized police officer or traffic control aide engaged in traffic control. Also provides that an assault against an individual assaulted to be employed by a municipality and whose duties include traffic control is an aggravated assault. I know of no opposition and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1641 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And -- House Bill 1641, having received the required constitutional majority, is declared passed. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HAINE:

Madam President, I would ask that the record reflect that I was an Aye vote on Senator Collins' bill, 1455, as amended. I was engrossed in conversation and in a rush, punched the amber

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

light. And I do wish to be recorded as -- as Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record shall so reflect your intention. Senator Cronin, on House Bill 1647. Senator Demuzio, on House Bill 1648. Senator Demuzio seeks leave of the Body to return House Bill 1647 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is -- Senator Demuzio seeks leave of the Body to return House Bill 1648 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1648. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio, to explain your amendment.

SENATOR DEMUZIO:

Yes. Thank you, Madam President and Members of the Senate. Floor Amendment No. 1 to House Bill 1648 deletes all and actually becomes the bill. With Floor Amendment No. 1, 1648 creates the P-20 Council to coordinate P-20 education, align education agencies and develop policies that improve student performance.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Maloney, on the amendment? Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 1648. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Collins, on House Bill 1662. Senator Jacobs, on House Bill 1670. The screen isn't caught up yet, Senator Jacobs. Senator Jacobs seeks leave of the Body to recall House Bill 1670 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1670. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, to explain your amendment.

SENATOR JACOBS:

Yes. Thank you, Madam Chairman. We're talking about the amendment? Okay. The amendment is to allow boards and committees that have five members to allow two of them to pass and talk in the same hall without having a quorum or -- or in violating the open meetings. The Statewide Press -- Association is neutral on the bill and I know of no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Jacobs moves the adoption of Amendment No. 1 to House Bill 1670. All those in favor will say Aye. Opposed, Nay. The Ayes have it and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Link, on House Bill 1685. Senator Link, on House Bill 1752. Senator Link, on House Bill 1753. Senator Cullerton, on House Bill 1756. Senator Crotty, on House Bill 1775. Top of page 37. Senator Dillard, on House Bill 1855. Senator Link, on House Bill 1876. Senator Link, on House Bill 1876. Senator Dillard, on House Bill 1900. Senator Link, on House Bill 1917. Senator Haine, on House Bill 1926. Senator DeLeo, on House Bill 1947. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill -- House Bill 1947.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very, very much, Madam President and Ladies and Gentlemen of the Senate. As some of you know, this is currently referred to as the ultimate fight -- fighting bill. Ultimate fighting has requested to come to the Midwest to venues like the Allstate Arena, the United Center, the Rockford facility and those big venues that hold ten, fifteen, twenty thousand people. And, ultimate fighting is a mixed martial arts. It's a sport that -- which involves athletes, different forms of fighting, judo, karate, boxing, kickboxing, -- wrestling. And in the states that it is authorized in, we've asked the -- because it does involve athletes, we're asking for Athletic Commission to regulate. And that's what we're doing here today is -- is

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

regulating sport. What we do by regulating the sport, Madam President, it eliminates the underground fighting. It replaces it with medical testing. It will have weight classes to prevent mismatches; that you have the standardized number of rounds; the approval of -- the gloves, the weight of the gloves; drug testing; and many necessary elements to make this a safe fight and safe sport in Illinois. There is about twenty-two states that have regulated this and if they're coming to Illinois, we want to regulate it. So, I ask for its affirmative...

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there -- is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. I just want to thank Senator DeLeo for the hard work on this and I know there was a lot of negotiations with a lot of communities and thank you for your patience and for your working out this compromise.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I rise in support of the gentleman's bill. This makes - and I'm not into this type of sport - but it makes this sport much safer. And, if other states are having these types of activities, we ought to have that economic development opportunity in Illinois. And now, Madam President, I know why we needed those hotels a little while ago at the tollway. It's to handle all the increased tourism for Senator DeLeo's ultimate fighting bill. So, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

I rise in strong support of the Senator's bill. I would point out that Illinois banned ultimate fighting many years ago and my father, who preceded me here, was the only No vote. So I'm glad to see the Senate's caught up with us.

PRESIDING OFFICER: (SENATOR HALVORSON)

...further discussion? Senator Watson.

SENATOR WATSON:

Yes. I, too, rise in support. We actually have a -- one of the belt champions is from Illinois. He lives in Hillsboro, Illinois, just twenty miles from my hometown, in Senator Demuzio's district. Can't think of the young man's name, but has done very well in this sport. And, it is really having an impact on boxing. Boxing is -- demise is -- seems to be headed in the wrong direction. But, this sport certainly is on the rise and I welcome the -- to -- my support also to Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, Senator DeLeo, do you wish to close?

SENATOR DeLEO:

Thank you very much, Madam President. I'd just like to say, while this is a very highly intense sport, our intention is for fighter safety. And that's why this legislation is being advanced. I ask for affirmative roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 1947 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Yea, 2 voting Nay, 0 voting Present. And House Bill 1947, having received the required constitutional majority, is declared passed. Senator Millner, on House Bill 1979. Senator Crotty, on House Bill 2035. Senator Hultgren, on House Bill 3090. Senator Dillard, on House Bill 3395. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This bill is a bipartisan supported bill and it would allow for Boy and Girl Scout license plates, for the first time in Illinois. Most states have these laudatory plates. Nothing is more wholesome than the Boy Scouts or Girl Scouts. And, we should have a license plate for them, if we're going to have 'em for all of these other worthy causes. And I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further -- or is there any discussion on the bill? Seeing none, the question is, -- I was waiting for Senator Rutherford. I mean, come on. Senator Rutherford.

SENATOR RUTHERFORD:

I happen to be a strong supporter of Boy Scouts and Girl Scouts.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR HALVORSON)

But...

SENATOR RUTHERFORD:

And this is not where I'm going to break my red. So I -- there -- we have too many specialty plates. This is a wonderful laudable cause. There is a universal charitable plate availability out there. This -- this junior golfers, Senator Link, could be taken care of. We can take care of our Rotarians, Senator Demuzio. We could get all those done if we put the rules into place. That's enough.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 3395 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Yeas, 3 voting Nay, 0 voting Present. And House Bill 3395, having received the required constitutional majority, is declared passed. Senator Harmon, do you wish to proceed on 3490? Senator Harmon seeks leave of the Body to return House Bill 3490 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3490. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senate. House Bill 3490 permits -- House Bill 3490 permits public building commissions to use the design-build form of construction contract. The amendment makes two changes. First, it insures that the public building commission complies with the applicable MBE/WBE provisions in that community. And second, it prevents abuse by limiting the expenditures on design-build to twenty-five percent of the expenditures on capital projects for that year. I'm not aware of any opposition and I'd ask to adopt the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Harmon moves the adoption of Amendment No. 2 to House Bill 3490. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Haine, on House Bill 3512. Mr. Secretary -- Senator Haine seeks leave of the Body to return House Bill 3512 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3512. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your amendment.

SENATOR HAINE:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

As -- House Bill 3512 expands school district access to criminal history record information relating to investigations against school employees -- school district employees. The State's attorneys had some concerns about this. If there's a pending ongoing investigation, and -- and the people that are the subject of it are those officers or district employees that may receive the information. So, Floor Amendment No. 1 reflects the concerns of the State's attorneys that the -- the information that will be promptly given to them is information that would not compromise an ongoing investigation prior to establishing probable cause to believe that person A committed the offense.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion on the amendment? Seeing none, Senator Haine moves the adoption of Amendment No. 1 to House Bill 3512. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Watson, on House Bill 3586. Senator -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3586.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR WATSON:

Yes. Thank you very much, Madam President. This legislation came to me from the State's attorney in Macon County, a gentleman by the name of Jack Ahola. And what it does, it amends the State Finance Act and actually increases the fines for those individuals who are guilty of sex offense. And this -- this additional funds will go to the local law enforcement. I know of no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3586 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And House Bill 3586, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 3588. Senator Kotowski, on House Bill 3618. Senator Kotowski seeks leave of the Body to return House Bill 3618 for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3618. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Kotowski, to explain your amendment.

SENATOR KOTOWSKI:

Thank you, Madam President. Floor Amendment No. 1 to House Bill 3618 retains the underlying bill and adds language to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

clarify the bill, that the bill does not require the removal or relocation of any existing flags currently displayed in the State. Also the amendment determines the requirements of the bill do not apply to a State facility if the requirements cannot be satisfied without a physical modification to a facility.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Kotowski moves the adoption of Amendment No. 1 to House Bill 3618. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Trotter, on House Bill 3627. Senator Trotter seeks leave of the Body to return House Bill 3627 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3627. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. Floor Amendment No. 2 deletes all and becomes the bill. But it essentially still encompasses and embraces all the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

original amendment and that is creating the Charitable Trust -- Stabilization Act and that Act created the Charitable Trust Stabilization Fund, which will make short-term, low-interest loans, business loans, and startup grants to participating organizations. Specifically, what the changes are is that this amendment will establish a set number of private-citizen positions appointed by the Treasurer to be at six with the advice and the consent of the Senate, whereas the underlying bill had a range of members. It also deletes a provision that gave the director of every State agency that provided grants and contracts to non-for-profits. This provision applied to the previous bill and would bloat the size of the committee. It deletes the previous provisions of the bill that required participating organizations to give three percent fund -- of who gets funds, to give three percent back for their State -- their State grants. And, it replaces Lieutenant Governor, as cochairman of the committee, with the Attorney General, who actually oversees these entities. And I seek its passage.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Lauzen, is it on the amendment? Senator Trotter moves the adoption of Amendment No. 2 to House Bill 3627. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any other Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Viverito, on House Bill 3658.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senator Viverito, on House Bill 3658. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3658.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

Thank -- thank you, Madam Chairman -- Madam Chairman. Yes. Basically, what this bill does - there was a little controversy we had about it - but, all it is to be able to identify gasoline cans. And, the notification would be on the can telling the individuals how dangerous it is and how explosive it can be. There's been a lot of accidents. And, some of the people that are manufacturing these different containers are being sued because there isn't enough identification on 'em about the danger with kerosene or gasoline. And, I hope that you would give that consideration, in making certain that a lot of the young people that do cut grass and that, realize the dangers that are involved in these kinds of situations - cutting lawns and the things that they have to do. So, I would hope for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield for a question or two?

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, the way you describe this bill, it's just a marking bill or a -- a disclaimer on -- on gas cans. Does this not have anything to do with who can or who cannot dispense gasoline?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

I believe the request came before. It was a fourteen-year-old -- or twelve-year-old. Now, they would hope that it would be fourteen-year-olds that would be, basically, looked upon with some supervision, if at all possible. I believe that that is the way it is right now.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I -- I'm confused. I haven't seen anything that says fourteen. I don't know whether it's fourteen or it's twelve. But, I'd like to speak to either age when -- if you can verify it for me.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

It is twelve-year-olds. So, please -- Senator, I'm sorry, it's twelve-year-old.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Thank you -- thank you, Madam President. To the bill: You know, here we go again. We -- we talk about a lot of things here and we talk about things that aren't commonsense at all. And, trust me, this bill itself is not commonsense. When we take a look at -- at saying that it's illegal for a twelve-year-old to dispense gasoline from a one-gallon gasoline can that's been acceptable for use for years, I think that -- that we're doing a disservice to people. You know, by the time I was ten or eleven, I was mowing yards, making money, actually carrying the gas cans and -- and dispensing the gasoline, going to a gas station and getting gasoline without any kind of adult supervision. I grew up on a farm. I was dispensing gasoline into a tractor, by the time I was six or seven years old, for my dad to be able to -- to be able to farm when he came home from his job working in the coal mines. I had the equipment ready for him to go. And, you know, I just don't see that this bill makes any sense whatsoever to me. I -- I -- for the life of me, I can't imagine why we've got it in front of us. I know we're all concerned about children. I know we're concerned about their safety, but my goodness, folks, what child's going to be dispensing gasoline that a parent hasn't said for them to do that anyway? Or hasn't showed them or taught them how to do that? Let's let the parents take the responsibility for their kids and decide whether or not they want them to be able to do these kinds of activities. Thank you. I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Madam President. To the bill: Well, here we go

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

again. You know, it's amazing how much we try to -- to take care of the children because mom and dad is not capable of doing it. I want each and every one of you to think about your districts as -- as you look at this bill, because a lot of you have farming communities in your district. Quite frankly, in my district, twelve-year-olds are driving farm tractors across the field. In fact, we even let 'em get in the pickup and drive it across the field. We don't let 'em drive it down the road. But, here, we're telling 'em that you can drive a tractor across the road - you know, a tractor that may have cost a hundred and fifty thousand dollars, the piece of equipment behind it may have cost fifty thousand dollars. But, yet, we don't think they have enough knowledge or the parents have enough knowledge to educate them to pour gasoline. This is the wrong path to be taking, folks, and I would encourage a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

There any further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. I have the highest regard for the sponsor of this legislation and I know that Senator Viverito is very well-intentioned. But, as the previous speakers have indicated, in a lot of areas of this State, this legislation is extremely problematic and I think realistically doesn't make a good deal of sense. I won't reiterate the same arguments that they use, but I -- I, too, would rise in opposition and urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Rutherford.

SENATOR RUTHERFORD:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Madam President, thank you. I was in committee when Senator Viverito presented this and I appreciated once again his -- his -- his true intent. And, perhaps, a portion of this bill does have merit and that's the part unto which he spoke at the beginning about proper labeling. But, if you go back and actually look at the bill - and I'm going to read to you what it actually says - not the part about the labeling, but it specifically says in the legislation that it is unlawful for a minor under the age of twelve to dispense flammable or combustible liquids - and it goes through and talks about Kerosene and gasoline - unless the minor is supervised by an adult. And here in itself is the bottom-line problem. If this became law, it will be illegal for a twelve-year-old to put gas in a lawnmower. It will be illegal for a twelve-year-old to put gas in a snow blower. And with all respect, we just don't need to go there and make it against the law for a twelve-year-old kid that's mowing lawns to make money or -- or snowplowing out the walkways, and have it in law that it's illegal for him to do that. And once again, Senator Viverito, as we talked in committee, perhaps a portion of this does merit and perhaps labeling is appropriate. But I, too, unfortunately, with great respect to you, sir, stand in strong opposition to think that making it illegal for twelve-year-olds to put gas in a lawnmower, if this were to become law.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the bill, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

To the bill.

SENATOR RIGHTER:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. You know, all of us have had a moment - if we've been around here for any length of time - where a few months, you know, in the summer or maybe the early fall, we're sitting in our district offices and we're going through some of our constituent correspondence and we get a call from someone who says, "Senator," he goes, "I just learned that you guys passed a law that said," and then fill in the blank. But something that seems nonsensical, something that seems preposterous, something that seems there's no way that we would do from Springfield. And you hear 'em say that. And you think to yourself, no, that person's got to be thinking about something else, or they've heard it wrong, or something like that. So, while you're talking on the phone to the constituent, you get onto your laptop computer that you've got by your desk there and you pull up the bill number and sure enough we passed it. And not only did we pass it, but that you voted for it. And then you're all -- you're stuck there. And you're saying, how do I explain to this constituent, who makes perfect sense to me now, that I -- that we not only passed that, but that I voted for it, that I thought it was a good idea then. Let's all save ourselves that one conversation this one time and vote No on this bill. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, Senator Viverito, to close.

SENATOR VIVERITO:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

First of all, I would like very much to thank each and every one of the Senators that have spoken. How well they've done, when they were very young on the farms and being able to cut the grass safely and being supervised by good parents. But a lot of times in the -- the city, Chicago, suburban areas, a lot of the lots are very, very small. A lot of the young kids go out there to make a few extra dollars and sometime Mother or Dad isn't around. And, in all due respect, we know that there have been many, many accidents that have occurred. Between 2000 and 2005, Consumers Public Safety Commission said there were forty-three serious accidents with children over gasoline and that the group is of a very high risk. The ages of twelve- and thirteen-year-olds within the City of Chicago and in the suburban area is a very dangerous situation and needs supervision. I grew up a little bit, fortunately, out in Winona Lake, Indiana. I was coached by a lot of guys that were learning to be ministers from Wheaton College. I had the good fortune of being in a rural area all summer long, because my mother and dad thought it'd be a good place for me to work at summer camp. I learned the safety of that. But, I'll tell you, when I'd go back home half the kids didn't even realize the danger there were in these gasoline and kerosene cans. I urge you to give some consideration and I hope that you will vote Yes for the children, because, unfortunately, we don't all live on farms. But, thank you for your indulgence.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 3658 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

who wish? Take the record. On that question, there are 24 Yeas, 26 Nays, none voting Present. And House Bill 3658, not having received the required constitutional majority, is declared failed. Senator Sullivan, on House Bill 3667. Senator Althoff, on House Bill 3678. Senator Althoff, on 3728. Ladies and Gentlemen, Supplemental Calendar No. 1 has been delivered to your desks. We will be going to consideration postponed. Senator Noland, on House Bill 876. This question has already been presented and debated on the Floor, so debate will be limited to one proponent and one opponent. So we will start with our proponent, Senator Noland.

SENATOR NOLAND:

Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Not -- just hold on second, Senator Noland. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 876.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Madam President. Simply to reiterate reading of the bill, which states simply that House Bill 876 will provide that with respect to signs owned or leased by the State or a political subdivision, an area zoned for business, commercial, or industrial activities adjacent to and within six hundred and sixty feet of an Interstate highway and that is in Township 41

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

North, Range 10 east of the Third Principal Meridian, shall be deemed a "business area" for the purposes of the Act. I just want to reiterate that this is going to have absolutely no negative effect. It is a legal opinion of, not only, I understand, IDOT, the Illinois Department of Transportation, but several -- several other interests that -- bodies -- that this, as I say, will have absolutely no negative effect on the State or in violation of any federal law.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger, as the opponent.

SENATOR RISINGER:

Thank you, Madam President. I beg to differ with the sponsor. I've talked to people from the FHWA and also with the State Illinois Department of Transportation and they are not for sure that they are not going to have to pay money back. There are differences of opinion because of -- we did not happen to collect bonus money from this specific route. But, if you read the law, the law says if we -- in an area where the -- the -- we're eligible for those bonus dollars, if we violate the law, then we're responsible to pay money back in -- in the bonus program. But, beyond that -- beyond that, you know, I spent many years with the Department and I had a chance to administer this billboard law. And, we had many, many requests that came to us for billboards and they were from very good causes. And, they were from non-profit-groups that wanted to put up a -- billboard, because this type of advertisement is worth many, many dollars. And, you either have a policy or you don't have a policy. In this case, we're trying to violate our own policy. And, it's going to 'cause trouble within the Department on how

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

they go about administering this, in the future. And I've talked to many within the district that go about doing this and they have great consternation with the General Assembly stepping in to do this. Beyond that, you've already seen one Senator and -- and more that want to attach amendments to this bill, because they have great locations, great need where a billboard would mean something to them. And, so, you're going to see a floodgate open up with requests for these types of billboards. You know, we have about 3.7 million dollars at risk here in bonus money that we've collected over the years in this program. If this is found to be a violation, it won't be found a violation until after this sign is erected. So -- so, to think that even though there's -- there's wording in the language in the bill that says that if this is found that we have to pay the bonus money back that the -- the bill becomes invalid, by that time the billboard will up and we won't be able to reverse that, and we will be paying the money back. This is not a good bill, Ladies and Gentlemen. This is going down the wrong track. I don't think we want to locate billboards in the State of Illinois through the General Assembly. And besides that, I don't think -- we have the third largest Interstate system in the nation, besides additional freeways in -- in addition to that. I don't think we want to line our freeways with billboards. I think that's what the Highway Beautification Act was all about. And while we think this is just for this specific location, believe me, it will include more than just this location. I urge you -- I urge you to vote No on this bill, because it is the wrong thing to do. It's the wrong path to go down. And, we do not need to be doing this in the General

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Assembly. We need to allow the agency that's responsible for the Billboard Act to enforce it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Question is, shall House Bill 876 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 24 Nays, 0 voting Present. And House Bill 876, having received the required constitutional majority, is declared passed. Senator Risinger.

SENATOR RISINGER:

Yes, Madam President. I'd like to verify the vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

That is always in order. Senator Risinger. Senator Risinger has requested verification. Will all the Members be in their seats? The Secretary will read -- the Secretary will read the affirmative vote.

ACTING SECRETARY KAISER:

Following Members voted in the affirmative: Althoff, Bond, Clayborne, Collins, Crotty, Cullerton, DeLeo, Delgado, Garrett, Halvorson, Harmon, Hendon, Holmes, Hultgren, Hunter, Kotowski, Link, Maloney, Martinez, Meeks, Munoz, Murphy, Noland, Raoul, Ronen, Sandoval, Schoenberg, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Does Senator Risinger question the presence of any Members voting in the affirmative?

SENATOR RISINGER:

Thank you -- Madam President. Senator Cullerton.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton. Is Senator -- no, Senator Hendon, he doesn't look like you. Senator Cullerton in the Chamber? Mr. Secretary, if -- Senator Cullerton is not here, strike his name. Senator Risinger, do you question the presence of anybody else?

SENATOR RISINGER:

Senator Sandoval.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval is here. He was on the phone. Senator -- does Senator Risinger question the presence of any other Senator?

SENATOR RISINGER:

Senator Hendon. He's there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon is -- you just can't see him today, because his jacket is a normal color. You know I love you.

SENATOR RISINGER:

Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is Senator DeLeo in the Chamber? Senator DeLeo's right there.

SENATOR RISINGER:

Okay.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger, do you question the presence of any other Senator?

SENATOR RISINGER:

Senator Delgado.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Senator Delgado is right there. Anybody else, Senator Risinger?

SENATOR RISINGER:

Senator Hunter. On the..

SENATOR RISINGER:

Senator Martinez.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR RISINGER:

It's pretty hard to spot 'em all. You know they're scattered out. Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs. Right there.

SENATOR RISINGER:

Oh. Okay.

PRESIDING OFFICER: (SENATOR HALVORSON)

Does the Senator question the presence of any other Senator voting in the affirmative?

SENATOR RISINGER:

No. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

On a verified roll call, there are 30 voting Yea, 24 voting Nay, 0 voting Present. And House Bill 876, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, turn your Calendars to the -- page 31. We will be going back to House Bills 3rd Reading. Top of the order. Senator Link, on House Bill 4. Top of page 32. Senator Lightford, on House Bill 18. Senator Viverito, on House Bill 25. Senator Holmes, on House Bill 38. Senator Dillard, on

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

House Bill 50. Senator Demuzio, on House Bill 133. Senator -- Senator Althoff, on House Bill 250. Senator Hultgren, on House Bill 254. Senator Harmon, on House Bill 260. Senator Link, on House Bill 263. Senator Link, on House Bill 374. Senator Jacobs, on House Bill 405. Mr. Secretary, read the bill. Senator Jacobs seeks leave of the Body to return House Bill 405 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 405. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson, to explain the amendment.

SENATOR SYVERSON:

Thank you, Madam President. This amendment allows the museum tax levy to be increased from seven cents up to fifteen cents, only via front-door referendum. And this is supported by the park districts. I know of no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Syverson moves to adopt Amendment No. 1 to House Bill 405. All those in favor will say Aye. Opposed, 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, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Demuzio, on House Bill 415. Senator

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Delgado, on House Bill 427. Senator Link, on House Bill 497. Senator Althoff, on House Bill 576. Senator Clayborne, on House Bill 617. Senator Harmon, on House Bill 703. Senator Forby, on House Bill 734. Senator Forby seeks leave of the Body to return House Bill 734 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 734. Mr. Secretary, have there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby, to explain your amendment.

SENATOR FORBY:

Thank you. Amendment No. 2. The -- the phrase "without delay" is changed to on emergency basis, according to guidelines estimated {sic} (established) by the Department administration of rules {sic}.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion on the amendment? Senator Forby moves to adopt Amendment No. 2 to House Bill 734. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Link, on House Bill 743. Senator Wilhelmi, on House Bill 804. Senator DeLeo, on House Bill 811. Senator Harmon, on House Bill 822. Mr. Secretary, read the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

bill. Senator Harmon seeks leave of the Body to return House Bill 822 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 822. Mr. Secretary, have there been any amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The underlying bill, House Bill 822, amends the -- the Animal Control Act with respect to dangerous dogs to create the classification of potentially dangerous dogs. The Floor amendment becomes the bill and it adds certain elements of Senate Bill 583. I think that was Senator Dillard's bill. Those changes were requested by the Department of Agriculture. And, with that, I think we've eliminated any objection to the underlying bill. So, I'd ask that the amendment be adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion on the amendment? Seeing none, Senator Harmon moves the adoption of Amendment No. 2 to House Bill 822. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

3rd Reading. Senator Harmon, on House Bill 824. Senator Frerichs, on House Bill 828. Senator Cullerton, on House Bill 830. Senator Link, on House Bill 841. With leave of the Body, we will be returning to page 32. House Bill 133. Senator Demuzio seeks leave of the Body to return House Bill 133 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 133. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter, to explain the amendment.

SENATOR HUNTER:

Thank you -- thank you, Madam Chair and -- Madam President and Ladies and Gentlemen of the Senate. Floor Amendment 1 provides for the assistance {sic} (issuance) of Law Enforcement Torch Run for Special Olympics license plates. So, I ask to adopt the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

...there any discussion on the amendment? Seeing none, Senator Hunter moves the adoption of Amendment No. 1 to House Bill 133. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

3rd Reading. With leave of the Body, we will be returning to House Bill -- 804. Page 33. Senator Wilhelmi seeks leave of the Body to return House Bill 804 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 804. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Madam President. Floor Amendment No. 1, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi, to explain your amendment.

SENATOR WILHELMI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 to House Bill 804 makes clear some provisions...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi, is this Amendment No. 1?

SENATOR WILHELMI:

Believe it was...

PRESIDING OFFICER: (SENATOR HALVORSON)

Are you explaining Amendment No. 1?

SENATOR WILHELMI:

I'm sorry. Yes, let me -- let me go to Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay.

SENATOR WILHELMI:

Thank you, Madam President. Floor Amendment No. 1 allows

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

State employees participating in the alternative formula to purchase an additional two years of past pension credits for time served in the armed forces.

PRESIDING OFFICER: (SENATOR HALVORSON)

...there any discussion on the amendment? Seeing none, Senator Wilhelmi moves the adoption of Amendment No. 1 to House Bill 804. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne, to explain Amendment No. 2.

SENATOR CLAYBORNE:

Thank you, Madam President, Members of the Senate. Floor Amendment No. 2 reflects a recent effort of the Village of Shiloh to improve the unfunded liability of its police pension fund. Due to a miscommunication between the municipality and the police department, some officers were unaware of the requirement they -- that they apply to participate in the fund within three months of employment. This amendment allows those employees who failed to apply within three months to participate in the fund. The police chief and village officials believe that the fund will be strengthened by increasing the number of members paying into it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion on the amendment? Seeing none, Senator

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Clayborne moves the adoption of Amendment No. 2 to House Bill 804. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Madam President. Floor Amendment No. 3, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi, to explain Amendment No 3.

SENATOR WILHELMI:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Floor Amendment No. 3 to House Bill 804 makes clear that provisions for -- for purchasing past military service in the -- in the State Employees Article are not intended to exceed the current five-year maximum. It also expands the ability to purchase military credits to all State employees, not just alternative formula members. And lastly, it ensures that employer contributions and interest are paid into the Shiloh Police Pension Fund.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Lauzen, on the amendment? Senator Wilhelmi moves the adoption of Amendment No. 3 to House Bill 804. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

There are no further amendments reported, Madam President.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. With leave of the Body, we will be returning to page 35. House Bill 1292. Senator Clayborne seeks leave of the Body to return House Bill 1292 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1292. Mr. Secretary, have there been any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne, to explain the amendment.

SENATOR CLAYBORNE:

Yes. 1292 retains the bill and what it does is, Floor Amendment No. 1 gives the ICC greater discretion in licensing third-party agents, brokers and consultants, engaged in the procurement or sale of electricity. It removes the annual expiration of licenses. Brings disclosure requirement in line with existing ICC licensing requirements for similar entities and deletes language that could be misconstrued as granting the ICC authority to supercede the Attorney General's authority to administer the provision of the Consumer Fraud and Deceptive (Business) Practices Act. It also exempts a certain class of electric purchasers that are owned or controlled by a political subdivision, political {sic} (public) institution of higher learning or operated by any of its lessees or operating agents.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion on the amendment? Seeing none, Senator Clayborne moves the adoption of Amendment No. 1 to House Bill

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

1292. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Mr. Secretary, Message from the House.

ACTING SECRETARY KAISER:

Message from the House by Mr. Mahoney, Clerk.

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

Senate Bill 30, along with House Amendment No. 1.

We've received like Messages on Senate Bill 34, with House Amendment 1; Senate Bill 56, with House Amendment 1; Senate Bill 935, with House Amendments 1 and 2; Senate Bill 1226, with House Amendment 1; Senate Bill 1257, with House Amendments 1 and 2. All of which passed the House, as amended, May 23rd {sic} (24th), 2007.

PRESIDING OFFICER: (SENATOR HALVORSON)

Mr. Secretary, Resolutions.

ACTING SECRETARY KAISER:

Senate Resolution 207 through 216, all sponsored by Senator Link and all Members.

They are death resolutions, Madam President.

And Senate Resolution 217, offered by Senator Wilhelmi and all Members.

It's also a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Resolutions Consent Calendar.

ACTING SECRETARY KAISER:

And Senate Joint Resolution No. 58, offered by Senator Cronin.

And it is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

We are waiting for some paperwork. So just to give you an idea, we'll be sitting at ease for a little while.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

For a little information, we will be going to our Executive Appointments responsibilities. So if anybody was curious with - - we were doing. To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor, dated April 20th, April 26th, May 3rd, May 10th, May 18th, 2007; and in the Message of the Treasurer, dated March 19th, 2007.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor, dated April 20th and 26th, and May 3rd, 10th and 18th of 2007; and in the Message from the Treasurer, dated March -- 19th, 2007. Mr. Secretary,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message of April 20th, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of April 20th, 2007, I will read the salaried appointment of which the Committee on Executive Appointments recommend that the Senate do advise and consent:

To be a member of the Department of Employment and {sic} Security Review Board for a term commencing April 9th, 2007, and ending January 19th, 2009: Constantine -- Zografopoulos.

Madam President, having read the salaried appointment from the Governor's Message of April 20th, 2007, I now seek leave to consider the appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of April 20th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. A majority of the Senators elected

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of May 10th, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of May 10th, 2007, I will read the salaried appointment of which the Committee -- Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Director of the Department of Financial and Professional Regulation for a term commencing May 14th, 2007, and ending January 19th, 2009: Jorge Solis.

To be a Judge of the Court of Claims, for a term commencing May 4th, 2007, and ending January 19th, 2009: David Reid.

To be a Judge of the Court of Claims for a term commencing May 4th, 2007, and ending January 21st, 2013: Donald Storino.

Madam President, having read the salaried appointments from the Governor's Message of May 10th, 2007, I now seek leave to consider the appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Governor's Message of May 10th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of May 18th, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of May 18th, 2007, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the State Mining Board for a term commencing May 14th, 2007, and ending January 19th, 2009: Frederick Frederking.

Madam President, having read the salaried appointments from the Governor's Message of May 18th, 2007, I now seek leave to consider the appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

advise and consent to the appointments just read from the Governor's Message of May 18th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 20th, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of April 20th, 2007, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Illinois Finance Authority for a term commencing June 12th, 2007, and ending July 21st, 2008: William Barclay.

To be a member of the Northern Illinois University Board of Trustees for a term commencing April 6th, 2007, and ending January 13th {sic} (21st), -- 2013: Robert Boey.

To be a member of the Western Illinois University Board of Trustees for a term commencing April 6th, 2007, and ending

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

January 13th {sic} (21st), 2013: Michael Houston.

Madam President, having read the non-salaried appointments from the Governor's Message of April 20th, 2007, I now seek leave to consider the appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of April 20th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, reports -- to which was referred the Governor's Message of April 26, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

...with respect to the Governor's Message of April 26, 2007, I will read the non-salaried appointments, of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the Guardianship and Advocacy Commission

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

for terms commencing April 23rd, 2007, and ending June 30th, 2008: Senator Don Harmon and Representative Skip Saviano.

To be a member of the Guardianship and Advocacy Commission for a term commencing April 23rd, 2007, and ending June 30th, 2009: Inez Torres Davis.

To be a member of the Guardianship and Advocacy Commission for a term commencing April 23rd, 2007, and ending June 30th, 2010: Seymour Bryson.

Madam President, having read the non-salaried appointments from the Governor's Message of April 26, 2007, I now seek leave to consider the appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of April 26. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 1 voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, Madam President. I'd like to have my vote recorded as an Aye. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record shall so reflect that you really don't have anything against Don Harmon. Mr. Secretary, Committee Reports.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of May 3rd, 2007, reported back the same with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam Secretary {sic}, with -- with respect to the Governor's Message of May 3rd, 2007, I will read the non-salaried appointments, of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the State Board of Education for terms commencing April 30th, 2007, and ending January 12th, 2011: Andrea -- Andrea Brown, David Fields, Vinni Hall, and Edward Geppert.

To be a member and Chair of the State Board of Education for a term commencing April 30th, 2007, and ending January 12th, 2011: Jesse Ruiz.

Madam President, having read the non-salaried appointments from the Governor's Message of May 3rd, 2007, I now seek leave to consider the appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of May 3rd. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of May 18th, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

...Chairman, on that last bill, I hit my button but it didn't work, so would you please record me? Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

...shall so reflect your intentions. Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Governor's Message of May 18, 2007, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Guardianship and Advocacy Commission for a term commencing May 14th, 2007, and ending June 30th, -- 2008: Kenley Wade.

To be a member of the Board of Natural Resources and Conservation for a term commencing May 14, 2007: David L.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Gross.

To be a member of the Northeastern Illinois University Board of Trustees for a term commencing May 14, 2007, and ending January 17th, 2011: Grace Dawson.

Madam President, having read the non-salaried appointments from the Governor's Message of May 18th, 2007, I now seek leave to consider the appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of May 18th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Treasurer's Message of March 19, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Madam President, with respect to the Treasurer's Message of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

March 19, 2007, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Treasurer's Personnel Review Board for a term commencing March 19th, 2007, and ending March 19th, 2013: Benjamin Ghess.

Madam President, having read the non-salaried appointment from the Treasurer's Message of March 19th, 2007, I now seek leave to consider the appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Treasurer's Message of March 19th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon moves that the Senate arise from Executive Session. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate has arisen from Executive Session. Senator Jones, for what purpose do you rise?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR E. JONES:

Yeah. Thank -- thank you, Madam President. Just a point of information for the Members. Many Members has -- has raised the question as to whether or not we're going to be working the weekend. It is the intent, at the conclusion of business tomorrow, that we will adjourn and come back late Monday afternoon. However, that could easily change due to events that may happen tomorrow. So, for those of you who have hotel accommodations, I would suggest that you can check out of your hotel, but in case you have to go back to your hotel, you should get a place to stay. If not, then you can stay with me.

PRESIDING OFFICER: (SENATOR HALVORSON)

Ladies and Gentlemen, by now each of you -- each of you are enjoying sitting at ease so we're going to continue to do that.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

Ladies and Gentlemen, we will be going to our Supplemental Calendar No. 2. Secretary's Desk, Concurrences. Senator Radogno, for what purpose do you rise?

SENATOR RADOGNO:

...the Chair. We have now received two Supplemental Calendars so far today, and the motion that I inquired about, the Motions to Discharge on House Bills 1 and 3 that the Secretary was directed to have printed on the Calendar, are still not on any Calendar.

PRESIDING OFFICER: (SENATOR HALVORSON)

That will be printed on the regular Calendar, the daily

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

one. Maybe. Secretary's Desk, Concurrence. Senator Demuzio, on Senate Bill 6. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 6.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio, to explain your motion.

SENATOR DEMUZIO:

Yes. Thank you, Madam -- President and Members of the Senate. Senate Bill 6 with House Amendment No. 2 -- No. 1. Okay. House Amendment No. 1 amends the Public Aid Code access to psychiatric mental health services. It -- it amends the -- to -- the Code to mandate the Department of Healthcare and Family Services to reimburse -- psychiatrists and -- federally qualified health centers for mental health services furnished by psychiatrists via telepsychiatry. Also declares that the criteria for reimbursing these services must be established by administrative rule and details with such rules must be included.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio, have you explained Amendments 1 and 2? Go ahead with Senate Amendment No. 2.

SENATOR DEMUZIO:

And Amendment No. 2 retains the Senate Bill 6, as amended by House Bill {sic} 1. Clarifies that a licensed "health care", rather than a "medical" professional must be present at the site where the patient is located during the telepsychiatry session.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 6. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 53 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 2 to Senate Bill 6. And the bill, having received the required constitutional majority, is declared passed. Senator Haine, on Senate Bill 88. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 88.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your motion.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This bill, Senate Bill 88, as you recall, was a bill that raised the sanctions against unlawful interference with public utility services. And what the House did is add an amendment which added wireless services or services regulated by the FCC.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 88. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

that question, there are 52 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 88. And the bill, having received the required constitutional majority, is declared passed. Rules Committee will meet immediately in the President's Antechamber.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations II Committee - Senate Bill 1110, 1120, 1140 and Floor Amendment No. 1 to Senate Bill 1132; refer to Commerce and Economic Development Committee - Floor Amendment No. 1 to House Bill 1259; refer to Education Committee - Floor Amendment No. 3 to House Bill 1647; refer to Environment and Energy Committee - Floor Amendments 2 and 3 to House Bill 828; refer to Executive Committee - Floor Amendment No. 1 to Senate Bill 11, Floor Amendment No. 2 to Senate Bill 890, House Bill 458, House Bill 1750 and Floor Amendment No. 2 to House Bill 617; refer to Human Services Committee - Floor Amendment No. 2 to House Bill 1775; refer to Insurance Committee - Floor Amendment No. 2 to Senate Bill 873 and Floor Amendments 2 and 3 to House Bill 1319; refer to Judiciary-Criminal Law Committee - Floor Amendment No. 1 to House Bill 50; refer to Local Government Committee - Floor Amendment No. 2 to House Bill 4; refer to Public Health Committee - Floor Amendments 3, 4 and 5 to Senate Bill 5; refer to Revenue Committee - Floor Amendment No. 4 to Senate Bill 17.

Senator Debbie Halvorson, Chairman. May 24th, 2007.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR MARTINEZ)

Committee announcements. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

The purpose of an announcement.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please state your announcement.

SENATOR DEMUZIO:

Actually, Madam President, I have two announcements. State Government and Veterans Affairs will meet tomorrow morning at 10:45. And the second announcement is the -- that Education will be meeting tomorrow at 11:15.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you. Reverend Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Madam Chairman, did you call me Representative?

PRESIDING OFFICER: (SENATOR MARTINEZ)

I -- I sure did it this time, yes. Reverend - when we need it.

SENATOR MEEKS:

You did? So does that mean that Mike Madigan is now my leader? Reverend -- oh, I thought she said Representative Meeks.

PRESIDING OFFICER: (SENATOR MARTINEZ)

No. Reverend Senator Meeks, can you state your announcement?

SENATOR MEEKS:

Thank you so much, Madam Chairman. And you're doing such a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

delightful job in the Chair today. And, you also match the Majority Leader that you both have on that same color.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you.

SENATOR MEEKS:

The Human Services Committee will meet tomorrow at 10:30 in Room 400. Human Services. Thank you.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you.

SENATOR MEEKS:

Thank you, Madam.

PRESIDING OFFICER: (SENATOR MARTINEZ)

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

SENATOR CLAYBORNE:

For point of an announcement.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State your announcement.

SENATOR CLAYBORNE:

Actually, I have two announcements.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State them both.

SENATOR CLAYBORNE:

Executive will meet tomorrow morning at 10:45 in Room 212. That's Executive Committee. And Environment and Energy will meet tomorrow morning in Room 212 at 10:30.

PRESIDING OFFICER: (SENATOR MARTINEZ)

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

SENATOR SCHOENBERG:

Thank you, Madam President. I rise for the purposes of an announcement. The Appropriations II Committee will meet at 11:30 tomorrow morning in Room 212.

PRESIDING OFFICER: (SENATOR MARTINEZ)

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

SENATOR SANDOVAL:

Thank you, Madam President. For purpose of an announcement.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please state your announcement.

SENATOR SANDOVAL:

Committee on Commerce and Economic Development will meet tomorrow at 11:45 in Room 409.

PRESIDING OFFICER: (SENATOR MARTINEZ)

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

SENATOR CROTTY:

On a point of an announcement. Local Government will be meeting at 10 in the morning tomorrow in Room 409.

PRESIDING OFFICER: (SENATOR MARTINEZ)

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

SENATOR GARRETT:

Yes. Thank you, Madam President. Public Health will meet tomorrow in Room 400 at 10 o'clock.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

For purposes of announcing that the Senate Revenue Committee will meet tomorrow morning at 10:45 a.m. in Room 400.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

45th Legislative Day

5/24/2007

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Madam President, a point of information.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Please state your information.

SENATOR HAINE:

Thank you, Madam President. The Insurance Committee will meet tomorrow morning, 11:30 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR MARTINEZ)

...you. Senator Wilhelmi, for what purpose do you rise?

SENATOR WILHELMI:

For purpose of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR MARTINEZ)

State your announcement.

SENATOR WILHELMI:

The Judiciary-Criminal Law Committee will meet tomorrow in Room 212 at 10:15.

PRESIDING OFFICER: (SENATOR MARTINEZ)

Thank you. On the Order of Secretary's Desk on the concurrence on Senate Bill 214... Ladies and Gentlemen, can I please have your attention? There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 o'clock a.m., tomorrow, May 25th. The Senate stands adjourned.