

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

47th Legislative Day

5/28/2007

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...(microphone disengaged)...

RABBI BARRY MARKS:

(Prayer by Rabbi Barry Marks)

PRESIDING OFFICER: (SENATOR LINK)

Please remain standing for the Pledge Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of Friday, May 25th, 2007.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR LINK)

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

SECRETARY SHIPLEY:

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

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

Senate Bill 174, together with the following amendment which is attached, in the adoption of which I am

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instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1 to Senate Bill 174.

Passed the House, as amended, May 24th, 2007.

We've received like Messages on Senate Bill 226 with House Amendment No. 1 and Senate Bill 264 with House Amendments 1 and 2, which passed the House, as amended, May 24th, 2006 {sic} (2007).

Mark Mahoney, Clerk of the House.

Another 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 169, together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1 to Senate Bill 169.

We've received like Messages on Senate Bill 253 with House Amendment No. 1, Senate Bill 274 with House Amendment No. 1, Senate Bill 284 with House Amendment No. 1 and Senate Bill 765 with House Amendment No. 1, which passed the House, as amended, May 25th, 2006 {sic} (2007). Mark Mahoney, Clerk of the House.

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

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

House Bill 3477.

(Secretary reads title of bill)

Passed the House, May 25th, 2007. Mark Mahoney, Clerk of the

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

Mr. -- 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 19.

We've received like Messages on Senate Bill 108 with House Amendment No. 1 and Senate Bill 244 with House Amendments 1 and 4, which passed the House, as amended, May 28th, 2007. Mark Mahoney, Clerk of the House.

I have a Message for the Governor by Joseph B. Handley, Deputy Chief of Staff of -- for Legislative Affairs, dated May 25th, 2007.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 95th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Introduction of Bills.

SECRETARY SHIPLEY:

Senate Bill 1845, offered by Senator Sandoval.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, House Bills 1st Reading.

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SECRETARY SHIPLEY:

House Bill 1635, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 2913, offered by Senator Althoff.

(Secretary reads title of bill)

And House Bill 3675, offered by Senator Althoff.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. The Senate Republicans would request a caucus immediately in Senator Watson's Office for one-half hour, please, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

That is always in order. So, at ten minutes to the hour, you will be back, correct? So we'll see you then. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

The Senate will come back to order. We're going to start on page 34, House Bills 3rd Reading, where we left off on Friday, with House Bill 1519. Senator Harmon. Senator Harmon seeks leave of the Body to return to -- House Bill 1519 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1519. Madam Secretary, are there any amendments approved for

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consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 3, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill is a TIF extension bill. The amendment adds one additional TIF. I'd be happy to debate the entire bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon moves for the adoption of Amendment 3 to House Bill 1519. All those in favor will vote Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 1519. Senator Harmon, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1519.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1519 came to us from the House as a TIF

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extension for the Village of Manteno. It was amended here in the Senate, first by Senator Halvorson, to include a TIF extension for the City of Chicago Heights. She was kind enough to share the vehicle with me. We've added amendments to address two TIFs in my district, in Rosemont and Stone Park. We have all of our letters in place. I'm not aware of any opposition, and I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR LAUZEN:

Senator, this came through unanimously out of the Revenue Committee. There was a question at that time about what the plans are, especially in Stone Park and the Village of Rosemont. Last week, toward the middle-end of the week, there wasn't any information about what those villages intended to use the TIF extension in those areas for. Would you be able to give us any information now?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Yes. Thank you, Senator Lauzen, for asking. I've checked with both of the municipalities. The Village of Rosemont is requesting the TIF extension because they have been delayed in implementing new development and need the additional time to help fund public improvements for the development in the nature of new

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streets, a bridge, new utility lines over 290, and some collateral development on a new toll-road ramp. The Village of Stone Park was delayed in the area after an eighteen-month period in attempting to bring a new Nissan dealership to Stone Park, but that fell through. The developer has been looking to bring other businesses to the area, but after six years, there's been no redevelopment. The Village may need to refinance its bonds to allow more time for redevelopment and, therefore, to extend the life of the TIF.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Senator. Thank you very much for that information, and I'm -- I'm sure that there are many people on this side of the aisle that want to support your efforts. For those of us who typically don't vote for gambling expansion, things like that, there's no connection in this bill to future plans for gambling extensions are there?

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

No, sir. None -- none that I'm aware of. Thank you for asking.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 1519 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. House Bill 1519, having received the

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required constitutional majority, is declared passed. House Bill 1542. Senator Halvorson. Out of the record. House Bill 1554. Senator Halvorson. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1554.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. House Bill 1554 clarifies how the money in the Illinois Fire Fighters' Memorial Fund should be spent. Currently, it's spent maintaining the Illinois Fire Fighters' Memorial, holding an annual commemoration of the Medal of Honor, and it provides scholarships to children of fire fighters killed in the line of duty. What this bill does is it extends that to -- use of scholarships through this Fund, to spouses of fallen fire fighters for graduate school and undergraduate school.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1554 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 Ayes, no Nays, none voting Present. House Bill 1554, having received the required constitutional majority, is declared passed. House Bill 1628. Senator Schoenberg. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

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House Bill 1628.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1628 would provide for the Department of Healthcare and Family Services to report to the Legislature no later than September 1st of each year, beginning this year -- this Calendar year, specific information that addresses specialty care for Covering ALL KIDS Health Insurance Program participants and establishing program standards for disease management programs. This specifically provides us with a -- more of a quantifiable means of knowing how to provide access to specialty care and define the standards for disease management. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1628 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 Ayes, no Nays, none voting Present. House Bill 1628, having received the required constitutional majority, is declared passed. House Bill 1647. Senator Cronin. Senator Cronin. Out of the record. House Bill 1648. Senator Demuzio. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1648.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 1648 amends the School Code, which creates the P-20 Council.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1648 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 Ayes, no Nays, none voting Present. House Bill 1648, having received the required constitutional majority, is declared passed. House Bill 1662. Senator Collins. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1662.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1662 creates the Illinois Children's Savings Accounts Act. The bill creates a task force to review and make recommendations about children's savings account program options, and it sets forth the appointment criteria for members of the

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task force. It establishes certain factors for the task force to consider when making its recommendations for the design of any future child savings program. I know of no opposition and I would appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. To comment on the legislation: Senator Collins had had the Senate bill which is very much like this. It just had a difference in the number of board members that were on it, but basically the mission stands the same. And, Senator Collins, on behalf of the Senate Financial Institutions Committee, which passed this unanimously, we stand in support of your legislation.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 1662 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 Ayes, no Nays, none voting Present. House Bill 1662, having received the required constitutional majority, is declared passed. House Bill 1670. Senator Jacobs. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Jacobs.

SENATOR JACOBS:

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Thank you, Mr. President. This bill amends the Municipal Code regarding terms of elected municipal officers and also adds provisions amending the Open Meeting {sic} (Meetings) Act definition of meetings. They passed out of committee with no opposition. I know of known -- no known opposition. I'd appreciate your favorable support.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1670 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 Ayes, no Nays, none voting Present. House Bill 1670, having received the required constitutional majority, is declared passed. House Bill 1756. Senator Cullerton. Senator Cullerton. Out of the record. House Bill 1775. Senator Crotty. Senator Crotty seeks leave of the Body to return House Bill 1775 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On... With leave of the Body, we'll return to 1775. House Bill 1775. House Bill 1855. Senator Dillard. Out of the record. With leave of the Body, we'll return to House Bill 1876. House Bill 1888. Senator Clayborne. Senator Clayborne. Out of the record. House Bill 1900. Senator Dillard. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is a -- an initiative of Mothers Against Drunk Driving. And it would create the Illinois Roadside Memorial Act and provide for the placement of markers to commemorate the deaths of persons killed in accidents that involve impaired drivers. Its purpose is to raise public awareness of impaired driving with an emphasis that it is obviously very dangerous to drive while impaired. It sets up a standardized method in which there are roadside markers memorializing or -- the memory of people who were killed by drivers under the influence. And I'd be happy to answer any questions. While it doesn't deal with veterans, this is Memorial Day and this to me is a -- a good initiative to remind us never to drink or drive -- drink and drive.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1900 pass. Those in favor, 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 Ayes, no Nays, none voting Present. House Bill 1900, having received the required constitutional majority, is declared passed. With leave of the Body, we'll go back to House Bill 1917. House Bill 1926. Senator Haine. Out of the record. House Bill 1979. Senator Dillard. Out of the record. House Bill 2035. Senator Crotty. Out of the record. House Bill 2106. Senator Demuzio. Out of the record. House Bill 2179. Senator Demuzio. Madam Secretary, please read the

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bill.

SECRETARY SHIPLEY:

House Bill 2179.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Excuse me. Out of the record. That bill will remain on 3rd Reading. House Bill 3091. Senator Hultgren. Madam Secretary, please read the bill. Senator Hultgren seeks leave of the Body to return House Bill 3091 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3091. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Hultgren.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren, to explain your amendment.

SENATOR HULTGREN:

Thank you, Mr. President. This is the language that was given directly by the Department of Revenue. They had some concerns as far as the administration of this new legislation. And so I'd ask for the Body's concurrence in adding this amendment.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren moves the adoption of Amendment 1 to House Bill 3091. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading, Senator Hultgren, do -- Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Thank you, Mr. President. This is a piece of legislation, an idea that was brought to me by Naperville. Want to make sure people understand this very clearly. This is -- Naperville is a home rule community. They have come together. Their business community is growing. They've got a lot of people that come and enjoy downtown Naperville. The problem is they have -- have a real difficulty with shortage of parking there. They've come up with a -- a -- an idea that's a unique idea, and what it is, is as a home rule community, they could have sales tax throughout the entire municipality; what they'd like to do is have it very targeted. So shrink that down to a one-square-mile area. It would be limited for a period of time and be limited and administrated by the City of Naperville, which is really what the Department of Revenue had requested. There's no opponents. The -- the only opponents that we've heard is the Taxpayers' Federation, and yet, in committee, they also said that they felt like this was better than a -- a citywide sales tax. So, I'd ask for the Body's support and be happy to answer any questions on

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this.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson, for what purpose?

SENATOR HALVORSON:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates he will yield.

SENATOR HALVORSON:

Senator Hultgren, is this a tax increase?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

What it does is, it's a sales tax that could be implemented by the City of Naperville. So, we -- it is not a tax increase by us. It's a front-door agreement. Seventy-five percent of the local businesses have to agree to it. So, as best we can -- we can't really call it a -- it's not a referendum. But before this can be implemented by the City Council of Naperville, it would take a vote by the City Council. Before they could enact this, it would have to have seventy-five percent of the businesses affected who have signed a letter of agreement accepting that. So, I would -- you know, different people have said -- call it different things. It will in effect be an increase of tax on the sale of liquor and food if the City Council chooses to approve it, just in Naperville, just in this one square mile where the people would be benefiting from this new parking garage.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

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Thank you, Mr. President. I guess what I'm -- I'm getting at is it -- whether we want to help people or not - that's great; it's up to you - but I just want everybody in this Body to know that if you're voting, you are voting for an increase, a tax increase, whether it's sales or -- however, it is a tax increase. So just be careful when you vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren. Okay. Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. To the bill: This -- this amendment passed out of Revenue Committee unanimously. I certainly recommend its -- its passage here. I'd just like to say that it's a finely crafted, specifically targeted tax adjustment, if you will, to local tax code, and it's completely volunteer. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR HARMON:

Senator, this bill is limited to downtown Naperville, is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Yes, it is. It -- oh, I'm sorry. It's limited only to a home rule that does not have a sales tax implemented. So it is

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targeted. Very specifically, in this situation, the agreement is that it's a one-square mile in Naperville. But would be only available in a home rule municipality that has not implemented a sales tax.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you. And -- and is downtown Naperville a nice place to take a walk?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

It is -- it's a very nice place, but you don't want to walk too far from your car. So it'd be nice to have your car relatively close to some wonderful dining, and they also have -- North Central College is also downtown Naperville. It's a very unique situation to have a -- a university or college right downtown. They're building a brand new facility there -- art -- performing arts facility. But again, we feel like this will all fit together very well. It's a solution that the local people have come up with. Unfortunately, it needs legislative recognition to be able to do what they'd like to do.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. As -- as Senator Noland mentioned, this bill did come through the Revenue Committee. The Democrats in the committee were generally supportive of it. I'd ask you to consider that. Thank you.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'm -- I'm going to support my friend Senator Hultgren on this tax increase, but it is a tax increase and we may as well be honest about it. And I just hope that in the endgame, those on that side of the aisle will appreciate the facts that the Democrats are open-minded enough to be fiscally responsible and support a tax increase when it is necessary. So perhaps in the -- in the endgame here that's coming up quite soon, Senator Hultgren will be able to convince some of his allies that sometimes a tax -- a little tax here and there is not necessarily a bad thing. And I -- I'm going to support my friend because of that. I -- I was going to vote No or Present, but he paid -- he played a heck of a second base, so I -- I -- I have to take that under consideration. But it is a tax increase, so let's be real about it, and I hope we have some -- some -- some progressive, fair-minded Republicans supporting this tax increase as well, and not just Democrats.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR SCHOENBERG:

Senator, this bill is predicated on -- on home rule municipalities which do not currently have a sales tax. Why does Naperville not have a sales tax?

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PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Well, I think, again, the reason that they wanted to do this is that they -- they could -- Naperville's a large community. They could tax the entire community and that's why, you know, it's really arguing over terms. But this is a very targeted -- rather than -- taxing every restaurant in all of Naperville, which spreads over many miles, it's limited to one-square mile right downtown. It's something, again, that would need to be agreed to by those businesses there. So if this fails or doesn't go through, I -- my understanding is they probably would have to do a municipality-wide tax. So that's why some would say this is a much more targeted approach and a smaller approach than what would otherwise happen.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Hultgren, I understand how this tax is for a more finite, arguably, and more upscale demographic, but I'm interested in knowing why Naperville does not have a broader sales tax imposed on people who come and do many of the great things that there are to do in Naperville, just like they come to Evanston, whether it's to be at Northwestern, or come to the great restaurants, or go to the shopping, or go to the nightclubs. Why doesn't -- we have a sales tax in Evanston. We built the municipal garage and had to find alternative ways to fund it, in partnership with the development. But why doesn't Naperville have a sales tax which would go over a broader range

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of transactions across the municipality for people who both live in the municipality and those who come to visit?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Senator, I -- I honestly don't know. I -- I think you'd have to talk with the commissioners there, the city council members. This is what they've chosen -- how they've chosen to do it. I know they've -- they have done a -- a very good job representing Naperville. It's one of the -- voted one of the best places to live in America. It truly is a -- a jewel, I think, for -- for our State. It's a -- a place that people enjoy going to, and I think part of the appeal of it is that you can go there, you can enjoy some very nice Chicago's restaurants that have come out to Naperville and not have to pay for parking, be able to walk along the river walk. It's really something that they've crafted, but, specifically, the -- the choice that they've made as far as local taxes, again, that's a city council decision. I've had nothing to do with that. This is just something they brought to me that I'm carrying for them on their behalf.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. The -- Senator, the City of Chicago has a sales tax, and in addition to that, within a certain geographical region that encompasses, I think, much of Senator Cullerton's area, there is a special tax on restaurants for McCormick Place, to pay for that. And, as a matter of fact, there was a - Senator

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Cullerton could probably elaborate on this far better than I could - there was a protracted legal fight over whether that tax was indeed legal and constitutional. But the very minimum, the City of Chicago had a local sales tax before they imposed this sales tax. What is so distinctive about this situation and this municipality that it does not have a local sales tax, but yet wishes to impose a special tax on those who -- who are of a more finite and arguably upscale range of taxpayers?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Well, as you know, it's a very different community in Naperville than downtown Chicago. The needs are -- are significantly different. And, again, I leave the local decisions up to the local decision makers. I know the City of Chicago, those decisions have been brought to us, brought to local Legislators who represent the City of Chicago to be able to present legislation that needs to happen here. Again, this is something that they feel like is much more targeted, much more responsible. Again, it's -- requires more of an approval than a front-door referendum would require, requiring seventy-five percent of any affected businesses to agree to this. So, again, you know, it's something that they brought to me. I think those decisions that Chicago has made of how they put things together and -- with the Pier and -- and McCormick Place and things, it's a very different situation of what Naperville is. This is a unique situation that they feel like would address what their needs are right there and the -- the most fiscally responsible way that they can do it. And really, as best they can, trying to

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make it a user tax for people who are -- are coming - a user fee - coming into the City to enjoy dinner or a play or whatever, a concert, and be able to do that as cost-effectively as possible, again, with a sunset date to be able to pay this off.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. I just want to indicate that I think that it's highly inconsistent that this municipality, which is arguably a very fine municipality, should be able to get special dispensation and -- by having this special use tax without first going to the local residents to -- through a sales tax to pay for a very critical need which exists in the community. I'm sure that there are people in the community, as well, who have other needs, in addition to a parking garage, that could be addressed through a sales tax. So it's for that reason I voted No in committee and I'm going to encourage my colleagues to vote No here on the Floor. Thank you very much.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR CULLERTON:

Senator, you've been -- accused by a number of speakers here of actually sponsoring a tax increase in this bill. The -- the flyer that was used to hand out to support it claimed that this is not a tax increase; it's a technical correction to the Revenue

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Act of the State of Illinois. So in light of all these accusations, I'm just curious if now you finally would be in a position to admit that you are sponsoring a bill that enables a city to raise a tax.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Well, and again, I'm -- I appreciate the debate and I'll say yes. I didn't write -- this is a flyer that very good lobbyists who are working for the City of Naperville have put together. I won't -- you know, I -- I guess I would ask you to address the lobbyists of why they did this, and I think you did it in committee. I've never denied that this gives the ability of Naperville to have a sales tax increase. We are passing legislation that allows Naperville to authorize a sales tax increase on liquor and food sales for a limited period of time, in a limited area, with seventy-five-percent approval. Was that it?

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Congratulations. You've -- you've done it. You've -- you've hit it right on the head. You're not a tax increaser; you're a tax enabler. And now that we've settled that, Senator Lauzen could even vote for this. And so I would encourage Senator Lauzen to join the rest of us to vote for this bill since it's not really a tax increase. We're just tax enablers here.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sieben.

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SENATOR SIEBEN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Over my years in the Legislature, I've not very often voted for any type of a tax increase, but I have -- and I wasn't sure how I was going to vote on this particular bill until I heard the -- the debate and the discussion. And I want to thank Senator Hendon for his comments. It encouraged me to look at the analysis here real carefully and consider how I might vote. Because the times that I have voted for a tax increase -- and I voted to raise the income tax from two and a half percent to three percent, because the money from that tax increase was specifically targeted for education, dedicated entirely to help boys and girls in this State, and went into the education -- to the General State Aid Fund. And a few years ago, I voted to impose -- or, raise our license fees from forty-eight dollars to seventy-eight dollars, and also to impose a small tax on beer, wine, and spirits to fund a capital program - at that time, 12.8 billion dollars for a capital program. So I did vote for that increase in the license fee and the excise tax on beer, wine, and spirits. Now what about this tax? Is this something that I -- might be one of the other few taxes that I could vote for? Well, when I look at -- look at this tax and see what a small increase it is, and when I see that seventy-five percent of the people that are going to have to pay this tax have to sign a letter of support. Seventy-five percent of the people that are going to pay this fee or tax, sales on -- on food and beverages, will have to be in -- in favor of the support of it. Does it have a specific purpose? It's a very narrowly defined purpose that this tax is going to go for, for a specific project in -- in

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Naperville. So I guess in response, again, to -- to my good friend, Senator Hendon: Bring us a package that's very clear and very specific, that's very well-identified, you know, who's going to pay it and if those people are in support of paying it. Bring us a very, very clear and specific indication of exactly where that money is going to be spent, so we know where the money is going, and I will give that the same careful consideration that I've given this legislation. And I plan to vote Yes on Senator Hultgren's bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR MALONEY:

Senator, you -- you -- you made a point of saying that -- how this applies to Naperville and did a great job of describing its purpose and intent, but can other municipalities under this legislation institute and -- initiate and institute this same type of tax or enabling the same types of tax?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

After the amendment, if they meet all of the requirements - if they're a home rule community, they get seventy-five percent of support, limited geographic, limited time period, for a specific purpose, and -- the -- the small amount that we've laid out here - it would be open to other home rule communities who

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have not instituted that sales tax. It would be open to them as well, and then also, they have to administrate the tax themselves. So there's -- there's many burdens that they'd have to meet, but it is open to other communities -- as well, so it's not just for this community.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. So just to -- they would have to meet the same criteria that the City of Naperville... Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett.

SENATOR GARRETT:

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

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR GARRETT:

Senator Hultgren, I -- I just have a question. Why do you have to come to Springfield to ask us to approve something that is specific to downtown Naperville? Why can't Naperville do this on their own?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

It has to be -- it's statutory authority that's granted. They could do the -- the citywide sales tax. Again, they feel like there is parts of the City that would not be directly benefited. You know, it's a -- a -- very spread out. You know,

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it's -- I'm not sure of the exact geography of -- of Naperville, but, you know, it's probably ten miles wide at certain areas, and so some areas would not directly benefit by this parking garage. So they want it to be as -- as locally addressed as possible. To be able to do that -- again, you're absolutely right. We -- they wouldn't have to come down here if they wanted to put this tax on everyone in Naperville. They want it, again, to be targeted to the businesses that are affected by it and approved by the businesses that are going to be affected by it. And then that's why it requires this legislation. It is because of that special nature, that small, defined nature of it, rather than the broad nature.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett.

SENATOR GARRETT:

Thank you, again, Mr. President. So they being a home rule community, they don't -- even being home rule, they don't have the right to put a special tax on their downtown area?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

That's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett.

SENATOR GARRETT:

And the statute states that in order to do that, the entire General Assembly has to approve it, even with all of these, you know, letter-writing campaigns and everything like that? That's the way the statute reads? And I'm sure you have the statute in

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front of you. 'Cause I -- I'm just curious, with a home rule community, that they couldn't do this on their own.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Again, my understanding of the statute is that they could do it if it was municipality-wide, the entire home rule community could be taxed, but to do a -- a special district, the smaller district, that's where it requires legislation and the -- the requirements that we placed in here.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett.

SENATOR GARRETT:

Thank you. I -- I guess, without seeing the statute, it just seems a little bit odd to me, that it's an odd kind of a tax, having Naperville, a home rule community, having to come to Springfield to get this special assessment. You know, it's hard for me to vote for something like this unless I could actually understand that statute. Do you have that with you, where it says that municipalities have to come to the General Assembly to get approval? And -- and the reason I'm asking this is because, you know, I don't think that we should be on the hot seat here in Springfield, doing something that I think the trustees of that particular community should be able to do on their own, that's all.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Yeah. I could give you the statute if you want to read it.

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I can also assure you, the Department of Revenue has been very involved in this. We've talked with Larry Doll very closely. The amendment that was placed on, as you heard just a moment ago, that we placed on, was the exact language that the Department of Revenue has requested. So -- we also have worked, obviously, closely with the drafting bureaus here to make sure that this is done properly, that -- this isn't something that they could just -- obviously that's our preference, if there's any way we could have just done it locally that -- we obviously would have preferred that than to -- to bring it here. Again, it was legal opinion by many people. The statute is pretty clear that with a special district, same as Chicago had to do, they had to get legislative authority to be able to do special taxing districts, you know, the Navy Pier, McCormick type things. That all had to be legislatively. Obviously, this is of much, much smaller scale, but it's a similar type thing that requires statutory action and that's why we're doing it this way. Again, if there's any other way we -- we -- we could do it, they would have done it. But this was really the only way that it could be done to -- to limit it without it being overly broad.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR CLAYBORNE:

Senator Hultgren, what is the difference between your bill and what's current law - the business district, where you can

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create a business district and you can impose a one-percent tax?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

Again, I think the difference is that this is for a limited time period, for a specific purpose, and it's specifically on the sale of food and alcohol. So that's why it fits specifically in this provision under the statute and why it would be different than a business district where every business would be affected in it. This is, again, recognizing that really the -- the main draws who are in need of this parking are the food establishment, entertainment establishments, the concert hall, that type of thing are the -- the places that draw the most people there. So I think that's the main difference.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Hultgren, I would ask you to look at my -- at -- well, I sponsored the bill. I would ask you to look at that law, because you're -- you're -- you're inaccurate. Under the business district, you create a business district, but each individual business can have a separate agreement with the -- the municipality, where only their business is taxed. And you can tax food that is prepared on site and you can tax alcohol. Now you can't tax groceries for -- for items that will be prepared at home or somewhere else. So in essence, what you're doing, you're actually amending mine, which is a one percent, and you're actually raising the tax by 1.5 percent. Under the business district, you can do the same thing, except you're increasing the

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tax.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren.

SENATOR HULTGREN:

I'll -- I'll take a look at that. Again, it was -- Department of Revenue was consulted directly on this. They felt like, with this specific situation, this is the proper way of handling this. They are supportive of this. They slipped it in committee that they're in support of it as well.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I don't want to beat a dead horse here, especially since we have no place to slaughter 'em anymore, but -- but I rise in support of this bill. Naperville is a very unique and one of, I guess, the bright spots economically in Illinois. It's the State's fourth-largest city and it's growing. Its downtown is incredibly unique. It is vibrant. It is congested. The adjacent college next to downtown Naperville, North Central College, is building a forty- or fifty-million-dollar performing arts center, and Naperville is an economic engine that sends many sales taxes to the State of Illinois' General Fund. It helps fund our programs from here in Springfield, and we should encourage people to come to downtown Naperville and spend their money. But it's a unique opportunity for Naperville, a -- a vibrant community, our fourth-largest city in the State, and this is nothing more than a matter of local control. And the fact that we're here shows us - and I've always believed - that we have some flaws in our home rule governance

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system in the State. We had a bill from DuPage County, which was stopped right here after it passed the House of Representatives, to allow us to impose a cigarette tax to give health care to senior citizens and the poor people in our county. So we have to come down here and grovel from time to time, but this, like Oak Park and some other vibrant areas, is a unique opportunity, and it's just a matter of local control. So, you know, I would urge an Aye vote on this thing, and it's nice that we're having lots of discussion on this bill, which probably doesn't merit this much discussion. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hultgren, to close.

SENATOR HULTGREN:

Thank you, Mr. President. I want to thank my colleagues. This was a good discussion, and I -- I think this is important to understand this. I -- I think we've discussed it thoroughly. I think we -- this has been crafted as tightly as possible, and I would ask for the support of the Body. Thank you very much.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 3091 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 Ayes, 15 Nays, 2 voting Present. House Bill 3091, having received the required constitutional majority, is declared passed. With leave of the Body, we will go back to House Bill 1775. Senator Crotty seeks leave of the Body to -- seeks leave of the Body to -- to return House Bill 1775 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted.

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On the Order of 2nd Reading is House Bill 1775. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 2, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty, to explain your amendment.

SENATOR CROTTY:

The amendment just changes one word, so I'd like to just discuss it at -- at the time that I call the bill.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, Senator Crotty moves for the adoption of Amendment 2 to House Bill 1775. All in favor will say Aye. Opposed, Nay. The Ayes have it. The -- the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1775.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. House Bill 1775 amends the Assisted Living and Shared Housing Act by requiring that, as a criterion for an issuance of a license, a facility must be under the

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supervision of a director who possesses at least two years experience in providing health care services to adults with disabilities or the elderly and -- no...

PRESIDING OFFICER: (SENATOR LINK)

Is -- is there any discussion?

SENATOR CROTTY:

...we changed that to "or".

PRESIDING OFFICER: (SENATOR LINK)

Senator Crotty.

SENATOR CROTTY:

Changed the "and" to "or". That's why I stopped. Two years management experience. It also requires that the director of an establishment participate in at least twenty hours of training every two years to assist at better meeting the needs of the residents and the operations of the -- that establishment. It also specifies that the Director of Public Health, instead of the Governor, shall appointment members to the Assisted Living and Shared Housing Standards and Quality of Life Advisory Board.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 1775 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 Ayes, no Nays, none voting Present. House Bill 1775, having received the required constitutional majority, is declared passed. Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

For purpose of an announcement.

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PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR HALVORSON:

I want the record to reflect that Senator Silverstein is not here today due to business in his district.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. President Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. You know, all the years that I have served here, in the House as well as in the Senate, we have always had a service on the Floor to honor the men and women who have paid the ultimate price in the wars that this country has fought. Senator Adeline Geo-Karis is no longer a Member here, but she served in the armed service and she always led us in the ceremony to honor the war dead. There are several Members here who did serve in the Korean War or -- I think Viverito served maybe in World War I, and -- but -- but all around -- all around the country, men and women are paying respect to those individuals who paid the ultimate price so that we can enjoy the freedom and we can do the things that we do here today. Even as we are here gathered on this Memorial Day, there are men and women around the country in Iraq and Afghanistan. Regardless of how you feel about the war, we must show our respect for our troops. So I feel it's appropriate that we take a few moments to honor those who have given their life on behalf of this great nation, and perhaps some of the men and women here -- men who have served in the armed services would also like to stand and pay respect to the war dead.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. You know, I feel a lot of sentiment at this time, as all of us do, with so many of our men and women being killed every day in Iraq, Afghanistan. But I can't but think about just a few short month -- months ago I had the privilege of going to the Lincoln Memorial Cemetery with my wife. And we were invited out there. They had a very special service, and that service was for eighty-two of the servicemen that had died in the last six months. It's a very touching ceremony, and the veterans put it on, and they read each and every name of those men and women who had died. They had no families, and that particular day, my wife, who is a Daughter of the American Revolution, was there and they gave her the flag in memory of those men. And what we're going to do shortly at our veteran's monument, each one of the men and women that died are going to have a flag and we're working with our library and we're going to have a very, very special service for them that Veteran's Day. But when they read those names off, and there wasn't a soul there in their families to be there, so it was our honor to be there. And I hope that you will give some thoughts to those men and women who have given so much to our country and didn't even have a memory of any family member there to pay homage to them. So I hope and pray that we, today, will realize how many men and women have sacrificed so much, and they have no family to even remember them. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Would any of our other veterans like to speak? Senator

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Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Present Jones, thank you very much for your courtesy of remembering Senator Adeline Geo-Karis and -- and the importance she put on honoring our veterans here in the Illinois General Assembly and certainly her heritage in the United States Navy. And on behalf of my colleagues from the United States Navy, I had the privilege of representing our country in the military from 1968 to 1972 as a Lieutenant in the United States Navy in the Supply Corps, with one tour of duty in Vietnam. And I guess, as I remember back on that service, young individual coming out of Western Illinois University, had never see the Pacific Ocean, never been on a ship, what a learning experience it was for me. And you grow up in a real big hurry when you are faced with an enemy like we had in Vietnam and the training we went through and the preparation we had to serve our country and defend freedom. And you learn real quickly that freedom in this country is not free and many, many men and women have paid a high price, the ultimate price, in protecting and preserving freedom around this country. In our little community of Geneseo, this morning at 9:30, we had a Memorial Day service and I was privileged -- thank you for letting us be home for a couple of days, because had seven of my grandchildren home with us this weekend. We went over to the park this morning at 9:30 to listen to the ceremonies and our little middle school band, the seventh and eighth graders, played on the stage in our small, city park. And they played each of the hymns, the Navy hymn and the Marine Corps hymn and the -- the Army song and the rest. And each of

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the veterans that were in the audience this morning would stand when their particular song was played for their branch of the service. And our community, over the years, has raised the money - Senator Viverito mentioned the flags - that we have a flag that surrounds our city park, we have an aisle of -- flags. There are literally hundreds of flags that are raised in Geneseo with the name of each of the veterans from our community going all the way back to World War I, that we honor our deceased veterans in Geneseo. So, I appreciate the courtesy, Mr. President, of taking the time. And on behalf of the men and women of the United States Navy and -- and my fellow veterans from that branch of the service, I offer my honor and support and respect and admiration for the service they've -- they've given, and certainly recognize all those men and women who are putting their life on the line today wherever they're serving around the world.

PRESIDING OFFICER: (SENATOR LINK)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Happy Memorial today to all of you. For some, it's not a very happy day. But, nonetheless, it is great that we all stand here together and take the time out to honor the men and women that are serving this great country now and to the men and the women who have served our country through all the wars that have passed. There's a lot of bloodshed that has been -- happened over the years, in prior years in different wars. I only want to express my thankfulness to the men and women in the past for -- doing an outstanding job that they have done in keeping this country free. Let us not forget, to the soldiers

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that have given the ultimate sacrifice, that their families have had to deal with over the years; the soldiers that we have lost now, the mothers, fathers, husbands, wives, children have to deal with. Let us keep them in our prayers and keep their families in our prayers. And to our soldiers that are coming home maimed, disfigured for the rest of their lives, let us not forget the veterans that we can help, and let us always show them that we appreciate what they've done for this great country. God bless all our veterans. Bring 'em home safe. And God bless America.

PRESIDING OFFICER: (SENATOR LINK)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. I am not a veteran, but I am married to one and I have a son who's a Captain in the Army. There -- it's estimated that twenty-six thousand veterans will die this year. Let's not wait till they die that we remember them. Every day should be Memorial Day and I'm just so thrilled that I am a part of a Senate and a Legislature that has put the veterans as a top priority. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And thank you, President Jones, for taking the time out of a busy schedule to mark this day. The -- I was part of the -- the Vietnam War, an -- an enlisted soldier in the United States Army, 1st Cav Division, Airmobile. I had a younger brother who was in the United States Marine Corps, actually in an area a year and a half prior to my tour in 1968/'69, he was there '66/'67.

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Nothing had changed when we arrived, when -- when the Marines left, which points to the fact that with the -- with the exception probably of World War II, most of our wars were wars fought for our great country and our cause, but wars that had popular dissension. It's odd, beginning with the Revolutionary War through the Korean War, the Vietnam War, and now to the current war in Iraq, which makes it more poignant that we remember the unique contribution of those soldiers, Marines, sailors, pilots who join, and to call to mind those in my generation who joined or who were drafted and accepted the -- the draft to join, because they felt a bond with the idea of duty, that their fathers and their older brothers had gone - or in my case, my younger brother - and we went. We were told that the cause for which we fought was good and proper and I believe it to this day. We also found from historic hindsight, which Eisenhower called 20/20, that some wars may not be fought with the best of leadership, and we respect that. That's life in a -- in a complicated, humanly, imperfect way, but we can't ever forget the human courage, the devotion, the selfless devotion of those who are in the foxhole, who are jumping from the Huey, or in the case in Baghdad, who are driving that Humvee. And they're there because they believe in the United States and the fact that it's the last best hope of freedom in -- in the -- in -- in the world. Those comrades that I recall that didn't come -- come back are kept in mind now. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. You know, I -- I rise today,

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along with -- with all of you here in the Illinois Senate, to thank our many veterans that sacrificed their lives for you and I to have the freedom to be able to be here and serve this great State. But I -- when I'm -- I'm going around over my district, especially, and speaking to -- to groups, and I've been to a lot of deployments and I know many of you have too, as the young men and women leave and go to Afghanistan and -- and Iraq, but I think about the mothers and the fathers, and the husbands and wives, the children that are left behind as those people go and leave to protect us. And I ask you to be sure that you thank each and every one of them, because we all have a family member, a relative, a friend, a neighbor that has somebody that's serving us today. And the great sacrifice that they give up here in the United States while the young men and women are serving over there. So let's think about them also. Let's also be thankful of the ones that sacrificed so that we have the freedoms that we have today. And then, Mr. President, then I want to thank you. Because a few years ago, Senator Adeline Geo-Karis held some veterans hearings around over the State of Illinois and, quite frankly, she went into my district and -- and held one. We had several hundred people there. And I was in the House of Representatives for eight years and I served on the Veterans Committee for eight years in the House of Representatives. And some of those veterans that were at those hearings that Adeline Geo-Karis conducted said, "Why in the world doesn't the Illinois Senate have a Veterans Committee?" So I want to thank you, Mr. President, because I pledged to them, and Adeline Geo-Karis did too, that someday we would have a Veterans Committee in the Illinois Senate, and we do. It's State Government and Veterans

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{sic} (Veterans Affairs) Committee, and so I thank you for that.
And God bless America.

PRESIDING OFFICER: (SENATOR LINK)

Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Thank you, President Jones, -
excuse me - for this opportunity to have a few moments of memory
today, not only for fallen soldiers, but also for the ones that
are still living, the ones that have served. But I think the
thing that we need to remember on a day like this is where this
country is -- came from, but also where we're going and
everything that our soldiers are doing today for our behalf, and
everything that we do in this great Body is being done for these
two young people that are sitting up front here. This is our
future. This is what we need to make sure, they still have the
opportunity to have the freedom that we've had up to this point.
And without a strong military and without people that are willing
to step up and take that obligation on, that -- that could be in
jeopardy. So I -- I truly want to thank them for being here
today and reminding us that what we do here is about the next
generation. And we need to -- we need to keep that in mind and -
- and pray for a safe return of all the troops that are out there
and -- and for all those that I have served in the past and are
fortunate enough to be back here and healthy, we -- we need to
say another short prayer of thanks for ourselves. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. I served in the military in the

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Illinois National Guard. I believe that Representative Chapa LaVia is the only other Member of the General Assembly who's done that. And, of course, when I served it was -- although, I served in a full-time capacity, the National Guard was viewed at the time as being just someone who would respond to floods or perhaps even civil insurrection. Now, as we know, our National Guard is serving overseas alongside the regular service and we have a Adjutant General who has done a tremendous job, whose own son has served in Iraq. And I just think we should keep our own National Guard in mind. Keep in mind the fact that we need to make sure that they are in a position to be able to do both, to serve our State if -- if it's ever needed through those aforementioned civil disorders or -- or floods, or hurricanes and the alike, but also to have the resources to -- to serve overseas when -- when called upon by -- by the federal government. So it -- it's a -- the -- the good thing about the National Guard, I think, is that in the past, we did not have the respect perhaps of the citizenry 'cause it was just viewed as a, you know, weekend warriors; now that's -- that's changed and -- and that's a good thing. People do respect the fact that the -- those people wear the uniform of our country and what they do is just as important as -- as any other service. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

I will -- I will ask all our Members and guests to please stand for a moment of silence for all those who gave the ultimate sacrifice so that we may stay free. Thank you. House Bill 3490. Senator Harmon. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3490.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3490 seems especially mundane in light of the comments we just heard on the Senate Floor, but I'll proceed with the business in any event. The bill amends the Public Building Commission Act to permit public building commissions to use the design-build form of construction contract. It implements safeguards to ensure that there's compliance with MBE and WBE requirements and limits the application to no more than twenty-five percent of the money spent on construction projects in a given year. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3490 pass. All those in favor will signify by voting 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 Ayes, no Nays, none voting Present. House Bill 3490, having received the required constitutional majority, is declared passed. House Bill 3512. Senator Haine. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3512.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, when it came out of the House, had as the -- is it -- is it -- its intent to be a requirement that the authorities investigating child abuse by a -- an employee of a school district, if the authorities would promptly inform the school district of that fact. The State's Attorneys had some significant concerns with that and the bill was amended to allow for a -- a -- a -- a -- that the -- the information that is given is information that would not impede or disrupt an investigation that may be on an officer or an employee of the school district receiving the information. So they have a discretion to wait until they know the identity of someone. It just assists the police and the prosecutors.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3512 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 Ayes, no Nays, none voting Present. House Bill 3512, having received the required constitutional majority, is declared passed. Senator Harmon, do you seek leave -- the bill to go back to 2nd Reading. 3rd Reading. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3588.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3588 amends the Criminal Code to permit the introduction of evidence of a defendant's commission of prior offenses of domestic violence and the prosecution for domestic violence. It is modeled on the current treatment of evidence in cases of criminal sexual assault. I'm not aware of any opposition and I would ask for your Aye votes.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3588 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 Ayes, no Nays, none voting Present. House Bill 3588, having received the required constitutional majority, is declared passed. House Bill 3618. Senator Kotowski. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3618 amends the Flag Display Act to require

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the Governor to issue an official notice to fly the United States national flag, the State flag of Illinois, and the appropriate military flag at half-staff upon the death of a resident of Illinois killed either by hostile fire as a member of the United States Armed Forces or in the line of duty as a law enforcement officer. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3618 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 Ayes, no Nays, none voting Present. House Bill 3618, having received the required constitutional majority, is declared passed. House Bill 3627. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 3627 creates the Charitable Trust Stabilization Act, which in turn creates the Charitable Trust Stabilization Fund, which will make short-term, low-interest loans, business loans and start-up grants to participating organizations. It also sets the parameters in how those dollars will be distributed and how the Fund is to be repaid.

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PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3627 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 49 Ayes, 4 Nays, 1 voting Present. House Bill 3627, having received the required constitutional majority, is declared passed. Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

Thank you, Mr. President. Just simply to correct the record on House Bill 3618. I wish to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect your intention. House Bill 3667. Senator Sullivan. Out of the record. House Bill 3678. Senator Althoff. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3678.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. House Bill 3678 amends the Abused and Neglected Child Reporting Act. It provides that whenever the Department of Children and Family Services receives a report of a newborn infant whose blood, urine, or meconium contains any amount of cocaine, by means of a Statewide toll-free telephone number established for the purpose of reporting -- suspected

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child abuse or neglect, the Department must immediately report that information to the State's Attorney of the county in which the infant was born. This measure passed the House unanimously, came out of the Senate Human Services Committee unanimously. I know of no objection. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall House Bill 3678 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 Ayes, no Nays, none voting Present. House Bill 3678, having received the required constitutional majority, is declared passed. House Bill 3728. Senator Althoff. Out of the record. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m., tomorrow, May 29th, 2007. The Senate stands adjourned.