

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

91st Legislative Day

8/15/2007

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PRESIDING OFFICER: (SENATOR DeLEO)

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

THE REVEREND KEITH ANDERSON:

(Prayer by the Reverend Keith Anderson)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY SHIPLEY:

Senate Journal of Tuesday, August 14th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Good morning, Senator Hunter. What a pleasure to see you this -- this morning, ma'am.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Okay. Ladies and Gentlemen, may I have your

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attention, please? Excuse me. Before we go to that, Senator Schoenberg, are you seeking recognition, sir?

SENATOR SCHOENBERG:

Yes, Mr. President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President. I have two guests with me today here at the extended spring Session of the Illinois Senate. Harper Gordan of Skokie, who is entering the sixth grade at Bessie Rhodes Magnet School in Skokie, is here with us today visiting the Senate. And she's joined my daughter, Michal, who's making a return engagement here at the Senate. Please give them both a warm Senate welcome. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Please stand and be recognized. Please stand up and be recognized. Welcome to the Illinois State Senate. Welcome to Springfield. Okay, Ladies and Gentlemen, may I have your attention, please? We'd ask you to turn to page 36 of your Calendars. Page 36 of your Calendar, on the Order of Secretary's Desk, Concurrence, Senate Bills. Senate Bill 662. We're now on the Order of Concurrence, Senate Bill, is Senate Bill 662. Senator Link, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 662.

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Filed by Senator Terry Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link, to explain your motion, sir.

SENATOR LINK:

Thank you, Mr. President. This is basically the -- similar to the bill that we passed over to the House 56 to 3. This is the elections omnibus bill. This is with some -- some small changes basically. What we did is, pertaining to early voting for counties over two hundred and fifty thousand we changed two early voting places for municipalities at seventy-five thousand, we changed it to eighty thousand that they must have two polling places. We changed election authorities must have unit-by-unit vote totals electronically reported to the State. We also changed precinct totals to be authorized by poll -- In-Precinct Total Report authorized by pollwatchers -- their polling place in time counting. Slight changes in the way we would do a write-in. And let me see what else... Then we did -- also changed -- we -- the -- we prohibited election authorities from tabulating ballots cast by early voting before closing at a polling place on election day. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ALTHOFF:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR ALTHOFF:

Good morning, Mr. President. Thank you very much. I'd like

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to commend the sponsor of this legislation. This actually was an initiative of the County Clerk Association, and Senator Link worked very closely with them and took several of the comments from the Republican side of the aisle, incorporated them into the legislation. This is a great piece of legislation and I strongly urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Senator Link, yesterday in committee, we talked about the fact that in the bill there is a provision that would increase election judges' pay by, I believe, twenty dollars an election and that it -- that language is not subject to appropriation, nor is it our understanding that there's an appropriation for this. You indicated your interest or desire to follow up with supplemental -- a supplemental appropriation to make sure that we get those election judges paid. I just wanted to confirm that on the record out here in front of all the Members in the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Senator Righter, for bringing that point up.

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Basically what the State Board of Elections is is a pass-through for that money, and they've indicated to me -- after your questioning yesterday, we checked with them. They feel they have the money for the February election already in hand. We're talking 2.4 million dollars that would be needed to have the increase in the amount of money that we need to pay these judges and that they would, if they do -- if we do not have it in this new budget, that they would seek a supplemental budget for the November election of next year that would be probably in our new budget following up. But that we would make sure that we had that in there. So that -- that's what we're working on.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Link. Further discussion? Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Thank you. Senator Link, a couple of quick questions for you. It has just been called to the -- to the attention of some of us that there's a rumor or some concerns that this bill may prohibit the sharing of printed result tapes with pollwatchers. Is there -- is there anything to that? Is that something that you're aware of? I -- I apologize. We just -- we just heard about this. I think some of us got e-mails overnight.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

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I -- I don't know where -- every pollwatcher will be getting a copy of that that is in the polling place at that time. Now, if pollwatchers come in afterwards and stuff, they won't. But if they're there, they will be eligible to get a copy of it at that time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you. And I apologize for surprising you with that question. That just came to our -- to our attention. The question I had intended to -- to -- to raise as I came up: The bill includes a change for DuPage County with respect to the number of petitions required on nominating -- or the number of signatures required on nominating petitions. Some of us have heard from Democrats in DuPage County who believe that that provision has been introduced to obtain some sort of partisan advantage. I don't believe that to be the case. You and I have talked about that. I don't think you believe that to be the case. I just wanted to ask during debate if there are unintended consequences of this, if the parameter is broader than we intended it to be, I wanted to confirm that you are willing to work with us to make sure that we can correct any of those -- unintended consequences after the fact.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Senator Harmon, for bringing that up, because, yes, I would be more than willing to work with you, because when I worked with Senator Cronin on that change for DuPage County, it

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was not intended to be as broad as it was in the bill that came back to us. And as -- and as you know, we can only concur with this bill or reject the entire bill. So it came back a lot broader than what it was intended to be when it was sent over there. And I would be more than happy to work with you and who -- you know, Senator Holmes and whoever to make sure that we correct this either in a trailer bill or work with the Governor, or wherever, to correct the advance part of this amount that was put on so that we did not put an undue burden on but still answer the requests of what Senator Cronin and I agreed on in our original discussions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

I would just ask for a positive vote on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 662. 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 38 Ayes, 1 voting Nay, 1 voting Present. The Senate concurs in House Amendment No. 1 and No. 2 to Senate Bill 662. And the bill, having received the required constitutional majority, is declared passed. Continuing on Secretary's -- Desk, Concurrence, Senate Bills. Would ask you to turn to page 37 of your Calendar. On page 37 of your Calendar becomes -- comes Senate Bill 1299. Senator Harmon, do you wish to proceed? He indicates he wishes

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to proceed. Madam Secretary, please read the gentleman's motion.
SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their
Amendments 1, 2, 4 and 5 to Senate Bill 1299.

Filed by Senator Don Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Harmon, to explain your
motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the
Senate. When Senate Bill 1299 left our Chamber, it was an
amendment to the Public Utility {sic} (Utilities) Act to permit
the ICC to consider whether a new facility would encourage the
development of a competitive electric market when considering
whether or not to issue the permit. The House amended the bill,
with -- with my consent, to add some additional provisions to
encourage competition in the electric market by removing barriers
to entry. We are adopting some of the best practices developed
across North America and including robust consumer protections.
In short, it would provide for competitive providers to enter the
market and take advantage of things like consolidated billing,
the purchase of receivables, telephonic enrollment, and customer
choice and referral programs. I'm not aware of any opposition.
I'd be happy to ask -- answer any questions, but I ask for your
Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, seeing no further
discussion, once again let me remind you, this is final action.
The question is, shall the Senate concur in House Amendment No.

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1, 2, 4 and 5 to Senate Bill 1299. 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 39 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1, 2, 4 and 5 to Senate Bill 1299. And the bill, having received the required constitutional majority, is declared passed. Senator Sullivan, for what purpose you seek recognition, sir?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SULLIVAN:

I'd like the General Assembly, the Senate to welcome some guests that I have with me here today. My wife, Joan, is up in the gallery, my niece, Olivia, and her friend and our friend, Antonia. I'd like the -- everybody to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Will the Sullivan -- Sullivan family and their guest please rise to be recognized? And welcome to the Illinois State Senate on this wonderful Governor's Day at the State Fair. Okay. Ladies and Gentlemen, we will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, has there been any objections filed to any resolution on the Consent Calendar?

SECRETARY SHIPLEY:

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No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. Ladies and Gentlemen. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until Wednesday, August 22nd, the year 2007, in perfunctory Session - let me repeat that, in perfunctory Session - and each Wednesday thereafter in perfunctory Session, until such time as the Senate assembles in Veto Session pursuant to the Calendar established and published by the Senate President. The regular Session - the regular Session - of the Senate stands adjourned.