

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SB0027	Recalled	354
SB0028	Third Reading	370
SB0032	Third Reading	372
SB0037	Third Reading	373
SB0043	Third Reading	373
SB0044	Second Reading	386
SB0047	Recalled	355
SB0099	Recalled	356
SB0134	Recalled	357
SB0178	Recalled	358
SB0268	Recalled	359
SB0270	Out Of Record	361
SB0270	Recalled	360
SB0270	Recalled	366
SB0277	Recalled	361
SB1297	Recalled	362
SB1351	Third Reading	250
SB1353	Recalled	363
SB1440	Recalled	363
SB1482	Recalled	367
SB1499	Recalled	364
SB1553	Recalled	365
SB1592	Third Reading	2
SB1595	Third Reading	3
SB1595	Vote Intention	4
SB1601	Recalled	335
SB1601	Third Reading	337
SB1602	Recalled	337
SB1602	Third Reading	339
SB1607	Recalled	342
SB1607	Third Reading	343
SB1609	Recalled	346
SB1609	Third Reading	348
SB1611	Third Reading	5
SB1611	Vote Intention	6
SB1612	Third Reading	6
SB1617	Third Reading	7
SB1620	Third Reading	8
SB1621	Third Reading	9
SB1623	Third Reading	10
SB1624	Third Reading	11

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SB1628	Third Reading	13
SB1629	Recalled	14
SB1629	Third Reading	15
SB1631	Third Reading	16
SB1632	Third Reading	16
SB1642	Third Reading	17
SB1648	Third Reading	18
SB1655	Third Reading	20
SB1657	Third Reading	21
SB1661	Third Reading	38
SB1662	Third Reading	39
SB1665	Third Reading	40
SB1666	Third Reading	41
SB1666	Vote Intention	49
SB1668	Third Reading	49
SB1670	Recalled	50
SB1670	Third Reading	51
SB1675	Third Reading	53
SB1677	Third Reading	58
SB1683	Third Reading	59
SB1685	Third Reading	60
SB1690	Recalled	62
SB1690	Third Reading	63
SB1691	Third Reading	64
SB1698	Recalled	64
SB1698	Third Reading	65
SB1703	Second Reading	369
SB1704	Recalled	66
SB1704	Third Reading	67
SB1705	Recalled	68
SB1705	Third Reading	69
SB1706	Recalled	70
SB1706	Third Reading	70
SB1708	Third Reading	71
SB1710	Third Reading	72
SB1715	Recalled	350
SB1716	Out Of Record	73
SB1716	Out Of Record	354
SB1716	Third Reading	73
SB1716	Third Reading	351
SB1718	Third Reading	73
SB1722	Third Reading	74

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SB1725	Recalled	75
SB1725	Third Reading	76
SB1729	Third Reading	76
SB1732	Third Reading	79
SB1736	Third Reading	80
SB1737	Third Reading	80
SB1738	Third Reading	81
SB1743	Third Reading	83
SB1750	Third Reading	83
SB1769	Recalled	85
SB1769	Third Reading	86
SB1770	Third Reading	89
SB1776	Third Reading	97
SB1783	Third Reading	98
SB1784	Third Reading	100
SB1796	Third Reading	104
SB1799	Third Reading	106
SB1801	Third Reading	107
SB1809	Recalled	107
SB1809	Third Reading	108
SB1812	Third Reading	109
SB1813	Third Reading	110
SB1814	Third Reading	111
SB1818	Third Reading	112
SB1819	Third Reading	113
SB1825	Third Reading	113
SB1827	Third Reading	114
SB1828	Recalled	122
SB1828	Third Reading	124
SB1830	Third Reading	126
SB1832	Third Reading	126
SB1833	Third Reading	127
SB1837	Third Reading	128
SB1837	Vote Intention	130
SB1838	Out Of Record	129
SB1838	Third Reading	129
SB1843	Third Reading	130
SB1846	Recalled	131
SB1846	Third Reading	132
SB1847	Third Reading	144
SB1858	Third Reading	146
SB1866	Third Reading	147

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SB1868	Third Reading	149
SB1877	Recalled	151
SB1877	Third Reading	153
SB1882	Recalled	153
SB1882	Third Reading	154
SB1883	Third Reading	155
SB1885	Recalled	156
SB1885	Third Reading	157
SB1885	Vote Intention	168
SB1894	Recalled	167
SB1896	Third Reading	168
SB1897	Third Reading	169
SB1905	Recalled	170
SB1905	Third Reading	171
SB1909	Third Reading	176
SB1912	Third Reading	181
SB1917	Third Reading	181
SB1918	Third Reading	182
SB1919	Third Reading	183
SB1920	Third Reading	184
SB1923	Second Reading	388
SB1925	Recalled	187
SB1927	Third Reading	188
SB1930	Third Reading	189
SB1933	Recalled	190
SB1933	Third Reading	191
SB1936	Third Reading	192
SB1937	Third Reading	193
SB1938	Third Reading	194
SB1942	Third Reading	197
SB1944	Third Reading	198
SB1948	Third Reading	199
SB1955	Third Reading	200
SB1957	Third Reading	212
SB1959	Third Reading	213
SB1960	Third Reading	214
SB1970	Third Reading	215
SB1971	Third Reading	217
SB1973	Recalled	218
SB1974	Recalled	220
SB1974	Third Reading	221
SB1975	Third Reading	222

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SB1984	Third Reading	223
SB1988	Out Of Record	229
SB1988	Third Reading	224
SB1995	Third Reading	229
SB2002	Third Reading	234
SB2009	Recalled	238
SB2011	Third Reading	239
SB2011	Vote Intention	249
SB2022	Recalled	247
SB2022	Third Reading	248
SB2024	Recalled	259
SB2034	Third Reading	260
SB2034	Vote Intention	263
SB2043	Third Reading	262
SB2045	Third Reading	263
SB2046	Third Reading	264
SB2051	Third Reading	265
SB2052	Third Reading	268
SB2069	Third Reading	272
SB2091	Recalled	274
SB2091	Third Reading	275
SB2095	Recalled	278
SB2095	Third Reading	279
SB2103	Third Reading	286
SB2104	Third Reading	290
SB2109	Motion	385
SB2109	Recalled	296
SB2111	Recalled	294
SB2111	Third Reading	295
SB2112	Third Reading	297
SB2115	Third Reading	298
SB2116	Recalled	299
SB2116	Third Reading	300
SB2119	Recalled	301
SB2121	Recalled	302
SB2121	Third Reading	302
SB2125	Third Reading	304
SB2126	Second Reading	395
SB2145	Third Reading	308
SB2148	Third Reading	309
SB2150	Third Reading	310
SB2168	Third Reading	312

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SB2178	Third Reading	316
SB2184	Third Reading	317
SB2212	Third Reading	318
SB2214	Third Reading	319
SB2217	Recalled	320
SB2270	Recalled	321
SB2270	Third Reading	322
SB2271	Recalled	324
SB2271	Third Reading	325
SB2272	Recalled	330
SB2272	Third Reading	331
SB2283	Third Reading	333
SB2338	Third Reading	334
SR0185	Resolution Offered	1
SR0186	Resolution Offered	1
SR0187	Resolution Offered	1
SR0188	Resolution Offered	1
Senate to Order-Senator Harmon		1
Prayer-Pastor Rick Thiemke		1
Pledge of Allegiance		1
Journal-Approved		1
Introduction by Senator Syverson		37
Remarks by Rick Nielsen		38
Senate Stands in Recess/Reconvenes		143
Senate Stands in Recess/Reconvenes		143
Messages from the House		368
Senate Stands at Ease/Reconvenes		368
Senate Stands at Ease/Reconvenes		396
Committee Reports		396
Adjournment		397

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Rick Thiemke, from New Life Church, in Yorkville, Illinois.

PASTOR RICK THIEMKE:

(Prayer by Pastor Rick Thiemke)

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of March 31st, 2009.

PRESIDING OFFICER: (SENATOR HARMON)

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 HARMON)

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

SECRETARY ROCK:

Senate Resolutions 185 through 188, offered by Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Althoff and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar. Ladies and Gentlemen of the Senate, we're going to be turning to the Order of Senate Bills 3rd Reading. This will be final action. If all Senators within the sound of my voice could be at their desks and on the Floor, we begin -- we will turn shortly to final action on Senate Bills 3rd Reading. Good morning, Ladies and Gentlemen. We are on the Order of Senate Bills 3rd Reading, picking up where we left off yesterday on page 53, near the middle of the page. Senate Bill 1592. Senator Althoff. Senator Althoff, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1592.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, to explain your bill.

SENATOR ALTHOFF:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1592 amends the Illinois Governmental Ethics Act regarding economic interest statements. The bill allows an officer who receives and inventories these statements to waive any fees associated with missing the filing deadline and also waive any forfeiture or ineligibility of the office for which they are filing the statement if the statement has not been filed due to one of the following reasons: one, a catastrophic injury or illness that renders the person

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

temporarily unable to complete the statement, or military service. This issue arose in my district when one of my fire chiefs was in a coma, couldn't fill out his economic interest statement and was going to receive fines in excess of a thousand dollars a day. So we felt we needed to change the law. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1592 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 55 voting Aye, none voting Nay, none voting Present. And Senate Bill 1592, having received the required constitutional majority, is declared passed. Senate Bill 1595. Senator Syverson. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1595.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson, to explain your bill.

SENATOR SYVERSON:

Thank you, Mr. President. The purpose of this legislation is basically to clarify what the Gaming Board's current practice is in how they define schools when it comes to distance from OTBs. We debated this in committee. And would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Is there any discussion? Seeing none, the question is, shall Senate Bill 1595 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 44 voting Aye, 10 voting Nay, none voting Present. And Senate Bill 1595, having received the required constitutional majority, is declared passed. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Yes. Thank you, Mr. President. I -- I made a mistake and pressed the No button. I really wanted to press the Yes button. So, for the record, can you make sure that that is indicated?

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The record will reflect your intention to vote Aye. Senator Meeks, for what purpose do you seek recognition?

SENATOR MEEKS:

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

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR MEEKS:

I'm standing today to announce to all of my colleagues that today is my last day in the Illinois General Assembly. I'm going to be replaced by David Miller in the House. I just wanted all of you to know that my church duties are becoming more and more responsible and I cannot juggle the church and the Senate. And so I just want to wish everybody a happy April Fools' Day.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Now, we don't -- we don't want to hear all this April fools' stuff. Preachers ain't supposed to lie. That wasn't no April fools. That was just a lie, Rev.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon, was that a motion for a roll call vote on Senator Meeks' proposal? With leave of the Body, we will return to Senate Bill 1601, 1602, -- oh, 1602. Senate Bill 1603. Senator Lightford. Senate will -- with leave of the Body, we will return to Senate Bill 1607, 1609. Now on the top of page 54. Senate Bill 1611. Senator Clayborne. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne, to explain your bill.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. President, Members of the Senate. Senate Bill 1611 allows the regional council of governments to participate in -- in IMRF fund -- the unit -- United Counties Council, subject to the fact that they get a letter from the IRS saying that they are a governmental entity.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1611 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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 voting Aye, none voting Nay, none voting Present. And Senate Bill 1611, having received the required constitutional majority, is declared passed. Senator Radogno, for what purpose do you seek recognition?

SENATOR RADOGNO:

Excuse me, I actually was reaching for my green button. So I would like to be recorded as a Yes vote on the last bill. I didn't realize that was on.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The record will reflect. And you're very efficient pressing the speak button on the -- to correct the record. Senate Bill 1612. Senator Jacobs. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs, to explain the bill.

SENATOR JACOBS:

Thank you, Mr. President. This bill allows day laborers to recover attorney fees and costs of civil action. We passed this bill through the Senate last year. I know of no known opposition. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1612 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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 voting Aye, none voting Nay and 1 voting Present. And Senate Bill 1612, having received the required constitutional majority, is declared passed. Senate Bill 1617. Senator Steans. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, to explain your bill.

SENATOR STEANS:

Yes, Senate Bill 1617 -- thank you, Mr. President, Members of the Senate. This bill declares that prior to having a license granted, ambulatory surgical treatment centers and radiation installations must have a plan -- a plan with Department of Public Health to serve Medicaid patients. We are still working on this bill. My intent is to send it to the House and continue to work on it. We've been working with the Medical Society and the ASTCs and we plan -- and -- and Senator Syverson and are hoping to limit it to Cook County.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall Senate Bill 1617 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 54

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

voting Aye, none voting Nay, none voting Present. And Senate Bill 1617, having received the required constitutional majority, is declared passed. Senator Pankau, for what purpose do you rise?

SENATOR PANKAU:

A point of personal privilege, Mr. Chairman {sic}.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR PANKAU:

I have a young lady sitting right next to me here. Her name is Wynita Wozniak. She's with the Illinois Lincoln Series for Excellence in Public Service. She's from Homewood. She's in advertising sales for Condé Nast and she also owns a non-profit business -- she's a non-profit business owner. So, please, will you welcome her to Springfield and till the -- and to the Illinois Senate?

PRESIDING OFFICER: (SENATOR HARMON)

Ms. Wozniak, welcome to Springfield. Back on the Order of Senate Bills 3rd Reading. Senate Bill 1620. Senator Link. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1620.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, to explain your bill.

SENATOR LINK:

Thank you, Mr. President. This bill addresses the abusive, misleading commercial practice that can cause serious harm to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

financial institutions and can cause additional costs and inconvenience to depositors who unnecessarily withdraw funds from safety {sic} (safe) and federally insured deposit accounts. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1620 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 55 voting Aye, none voting Nay, 1 voting Present. And Senate Bill 1620, having received the required constitutional majority, is declared passed. Senate Bill 1621. Senator Link. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1621.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This allows beneficiaries of a trust or payable -- or payable on death account to an organization must be in lawful expression {sic} (existence) at the time of death and at least a {sic} (of the last) surviving trustee. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1621 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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 voting Aye, none voting Nay, none voting Present. And Senate Bill 1621, having received the required constitutional majority, is declared passed. Senator Kotowski, on Senate Bill 1623. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1623.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, to explain your bill.

SENATOR KOTOWSKI:

Thank you, Mr. President. How are you today? Say -- say something. Say you're doing well so I..

PRESIDING OFFICER: (SENATOR HARMON)

Doing very well. Thank you. How are you doing today, Senator?

SENATOR KOTOWSKI:

I'm doing terrific. Thank you so much, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

I'm -- I'm glad to hear that.

SENATOR KOTOWSKI:

Senate Bill 1623 requires the Division of Lottery to establish a special classification of retailer license to facilitate the year-round sale of a special instant scratch-off game for the benefit of Illinois veterans. I would ask for an Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1623 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 55 voting Aye, none voting Nay, 1 voting Present. And Senate Bill 1623, having received the required constitutional majority, is declared passed. Senator Kotowski, on Senate Bill 1624. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1624.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1624 creates the Higher Education Veterans Service Act. This Act is a byproduct of a task force that was put together to discuss the manner in which public colleges and universities in Illinois provide education and access to -- to veterans and active military personnel. It makes sure the public colleges and universities conduct a survey of services and programs on their campuses that are provided for veterans, active duty personnel, and their family. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

shall Senate Bill 1624 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 55 voting Aye, none voting Nay, 1 voting Present. And Senate Bill 1624, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose are you seeking recognition?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR ALTHOFF:

I, too, have two very, very important guests with me today. I have Sue Rezin and Martha Shugart, who are from Morris, Illinois, Grundy County. Senator Dahl is their Senator. But they are here today shadowing me as part of the Illinois Lincoln Series, which is the educational and training program for Republican women who are in elective office, public policy positions, and in campaign management. So can we welcome them here to Springfield today?

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to Springfield. Let's join Senator Althoff in welcoming her guests. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR LAUZEN:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

I would also like to provide an introduction for Lisa Metcalfe, from Aurora, Illinois, who's here in the gallery just behind the Republican side with her daughter, Rachel. They live in Aurora and they're -- they're wonderful citizens of the State of Illinois. I'd ask that the Senate welcome them.

PRESIDING OFFICER: (SENATOR HARMON)

Our guests in the galleries please rise to be welcomed to the Capitol. Welcome to Springfield. Back on the Order of Senate Bills 3rd Reading, near the middle of page 54, is Senate Bill 1628. Senator Martinez. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1628.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. Senate Bill 1628 requires forms that are currently used by the Illinois Department of Healthcare and Family Services for acknowledgement of parentage {sic} and denial of paternity to include a statement informing the mother, the alleged father, and the presumed father, if any, have the right to request a DNA test regarding the issue of -- of a child's paternity, and by signing the form, they expressly waive such tests. It also requires a court or administrative hearing officer to advise a respondent of the right to request an order directing the parents -- the parties and the child to submit to a DNA test to determine

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

inherited characteristics in proceedings seeking to determine the existence of a father and child relationship or to declare a nonexistence of a parent and child relationship. It also amends the Criminal Code and creates the -- the offense of parenting time interference, a Class A misdemeanor for subsequent violations. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is shall Senate Bill 1628 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 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 1628, having received the required constitutional majority, is declared passed. Senator Martinez, on Senate Bill 1629. Senator Martinez seeks leave of the Body to recall Senate Bill 1629 to 2nd Reading for purposes of an amendment. Is there any objection? Seeing none, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1629. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez, to explain your amendment.

SENATOR MARTINEZ:

The amendment becomes the bill. I'll be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez moves for the adoption of Floor Amendment

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

No. 2 to Senate Bill 1629. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1629. Senator -- Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1629.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez, to explain the bill.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. Like I said, that this deletes all and becomes the bill. Floor Amendment No. 2 amends the Energy Assistance Act by directing that heat payments for renters already in -- LIHEAP-eligible be made to heat utilities on behalf of the landlords already paying for the heat, but only landlords providing heat under the existing Rental Housing Support Program.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1629 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 55 voting Aye, none voting

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Nay, none voting Present. And Senate Bill 1629, having received the required constitutional majority, is declared passed. Senator Silverstein, on Senate Bill 1631. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1631.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This is -- amends the Counterfeit Trademark Act by just increasing the penalty and fines for those who violate the Act.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1631 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 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 1631, having received the required constitutional majority, is declared passed. Senator Silverstein, on Senate Bill 1632. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1632.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Silverstein.

SENATOR SILVERSTEIN:

Mr. President, this removes the title industry from the Insurance Code. This regulates them under the Title Insurance Act.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1632 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 54 voting Aye, none voting Nay and 2 voting Present. And Senate Bill 1632, having received the required constitutional majority, is declared passed. Senate Bill 1638. Senator Trotter. Senate Bill 1642. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1642.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. 1642 amends the Metropolitan Water and Reclamation District regarding benefit changes. Under this bill, as amended, it stipulates that the reversionary and child annuities and annuities for commissioners begin on the first of the month and are payable in full if the annuitant is alive on the first day of the month, rather than beginning the annuities on that day

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

after the individual's death. It simply -- this is a Water Reclamation bill given to me by the President. And it makes simple changes in their pension plan.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1642 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 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 1642, having received the required constitutional majority, is declared passed. Senator Delgado, on Senate Bill 1643. Senator Haine, on Senate Bill 1647. Now to the top of page 55 on your Calendar. Senate Bills 3rd Reading. Senate Bill 1648. Senator DeLeo. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1648.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator DeLeo, to explain your bill.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. For those of you who've been here for more than a week know this is our -- we've passed this bill. This is our third time. This is -- allows the coroners to opt into the sheriff's pension fund for the suburban counties. Coroners can go into the sheriff's pension fund. We've passed this out of here three years in a row. Got caught in the wonderful -- over

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

in the House in some of the rulemaking. We're going to send this back over there. And hopefully that -- this will become a law this time. Maybe third time will be a charm, Mr. President. So I ask for a favorable roll call on this.

PRESIDING OFFICER: (SENATOR HARMON)

Thank -- thank you, Senator, for your diligence. Is there any discussion? Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Lauzen.

SENATOR LAUZEN:

If I understand correctly, Senator, what this does is allows the coroners to go into the law enforcement pension fund. That has a more aggressive time period or shorter time period to get to full benefits. I think it's maybe twenty-five or twenty-nine years and then it's maybe eighty/eighty-five percent of the final pay. And that has been in place -- or the justification for the shorter period of time is because it's a dangerous, life-threatening kind of responsibility. Is that the same type of responsibility that a coroner has in order to have the shorter period for maximum benefit?

PRESIDING OFFICER: (SENATOR HARMON)

Senator DeLeo.

SENATOR DeLEO:

Senator Lauzen, please excuse me, but I was looking for you over here. I forgot you moved back over here. So if I was directed that way -- Senator Bivins, you're a much better visual

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

over there. Senator Lauzen, there's a couple questions in your -- in your statement. Number one, let me -- let me just say this, this -- these employees may retire at the age of fifty-five, but they must have thirty-five years of service. So it's not -- we're not shortening anything. And so they'd have to be the coroner, elected coroner, at the age of twenty, which I don't think is -- is possible. So it's -- still the thirty-five years of service is -- is in there. The -- the fiscal impact from -- from the Commission on -- on Accountability tells us there's a very, very, very, very minor impact. It's expected to be minimal. The -- you know, coroners in -- in other counties, if the sheriff is deemed -- he retires, he dies, the coroner becomes the sheriff. Coroners are called to crime scenes. Coroners have -- are -- are -- are law enforcement officers. Do carry a star and a gun and -- in many of these counties. So, allowing them to -- to participate in -- in this law enforcement employee classification is not going to be a big fiscal impact.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1648 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 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 1648, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to Senate Bill 1654. Senate Bill 1655. Senator Murphy. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1655.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Senate Bill 1655 amends the Criminal Code to create the offense of obstructing identification of an arrested person or a witness to a crime by providing false identification information to a police officer. We passed this bill 53 to nothing last year. It came from a frustrated police officer in my district who wanted to be able to charge somebody for giving him false information. I'd be happy to answer any questions and request an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1655 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 56 voting Aye, none voting Nay, none voting Present. And Senate Bill 1655, having received the required constitutional majority, is declared passed. Senator Lightford, on Senate Bill 1657. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1657.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Lightford, to explain your bill.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1657 amends the Human Rights Act. It inquires -- on arrests and criminal charges not resulting in convictions. So, basically, it addresses our civil rights violation for a -- prospective employers, employment agencies and labor organizations. We're hoping that if they were not convicted and it was, in fact, just a arrest and not a criminal charge, that we can address this issue, because it just basically leads to confusion about which records were covered by the prohibition, and we're trying to clarify that. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

She indicates that she will yield. Senator Righter.

SENATOR RIGHTER:

Senator Lightford, so -- we -- we did talk about this, it's my recollection, in committee a little bit. And I want to make sure that, for the Members on our side of the aisle, we're clear on what you're trying to do here. This bill, if it were to become law, would make it a civil rights violation for an employer to not hire someone because they have on their record an arrest that did not result in a conviction. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Lightford.

SENATOR LIGHTFORD:

No, it doesn't. It's -- it's an inquire of the employer.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

I'm sorry, it's a what of the employer? Senator, I didn't understand what she'd said.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Basically, asking the question.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

So to restate it, it would be a civil rights violation for an employer to ask an employee about something on their record that may have been an arrest or even a charge that did not result in a conviction?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. If it -- right, if it's just an arrest, which is already current law. But if it did not result in a conviction, that's the problem, that companies are inquiring of an arrest that did not result in a conviction, so there's really no charge. And so we'd like for individuals to have an opportunity to go through the interview process at least or receive a fair recommendation for further employment.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

So -- there's three -- I mean, as we all know, there's three phases basically to the criminal process. There's an arrest, there's a charge levied by a prosecutor or a grand jury, and then, in the end, whether or not that person's convicted or not. What you're saying is that it would be a civil rights violation for the employer to make an inquire of a -- of a potential employee about a charge that was levied against them and what the result of that was. Or are you saying it's a civil rights violation to not hire that person because of a charge that was levied against them at one point that did not result in a conviction?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Right. Senator, it's just for charges that were brought based upon that arrest that did not result in a conviction. So we're -- we're just talking about arrests that were not actually a part of their criminal history. And we're hoping that that information is not used to create the basis for refusing to hire, promote or retain that individual as an employee.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

I think we discussed a hypothetical in committee, Senator, and I want to go through that again here. Let's say that -- that I am the owner of a small bank in my community and I want

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

to open up a -- a special program for seniors who have interests in financial security, like most people do these days, and I want to hire someone to manage that. If I bring someone in and ask them in an interview, "I see that you were charged with financial fraud three years ago. Were you ever convicted of that?" Under this bill, once I ask that question, "Were you ever convicted of that", then have I committed a civil rights violation against that potential employee?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Senator, your analogy is -- is a fair analogy, but from my prospective and the way this bill is written, if the employer knows that it was a -- a -- a charge, but they were not convicted, it would be a violation for them to seek whether or not that individual was arrested and -- but convicted, not just charged. So here's the difference. If that person was accused of something -- many of us may be accused of something that we did not do, but everybody deserves their due process. And in that effort, if they were not convicted, then there's -- it's pretty much thrown out, or if they had it expunged or sealed if -- if it took a step further. But if they had not been convicted of a crime, I -- I think it's wrong for an employer to use that as a basis to not promote, not retain or even hire a person or give them an opportunity based on a charge that was not a conviction.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

To the bill, please, Mr. President. Ladies and Gentlemen of the Senate, first, thank you, Senator Lightford, for the answers to my inquiries and I think that we probably all can have an appreciation for the general direction in which Senator Lightford wants to go. But this proposal is far, far too broad. If you want your employers at home, your small business owners to be able to hire the best people they can and make legitimate inquiries about those -- potential employees' pasts, then you cannot vote for this bill. I appreciate the Senator is trying to protect people from an unfair bias, but this encroaches far too far into an employer's ability to learn something, learn more about the person that they're thinking of bringing on board, particularly in sensitive situations where an employer could hire someone like this, find out later that there's a problem, but then there's irreparable harm done. This is far too broad. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Millner, for what purpose do you seek recognition?

SENATOR MILLNER:

Thank you, Mr. President. I -- I would like to address the Assembly. And just -- just think about this for a minute. In the job climate that we have in this State today, we're going to now put a piece of legislation in that will do the following -- and -- and -- and to Senator Lightford, you know, thank you for your well-intended piece of legislation, but I have to agree this has gone way too far for the following reasons. I'm a banker, for example, and I read in the newspaper that this guy is charged for some type of fraud at the bank he was working at

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

and was fired. It was in the newspaper. About a year later I read the guy was charged on another crime in the newspaper. So now a year goes by, the guy comes to my bank and applies for the job. I ask the question that any one of us in this room would ask: "I saw you were in the newspaper. I saw you were charged in these things. What happened to you?" He wasn't convicted, but I see he's charged once, he's charged again, all this evidence is against him. Sometimes witnesses might testify, sometimes they don't. But for whatever reason, this person was not convicted. Now I've committed a violation of that person's civil rights because I asked that question. In -- in all due respect, Senator, this is not good public policy. This is bad for jobs in Illinois. It's bad for employers in Illinois. And, you know what? When we pass this piece of legislation here in this Assembly, most small business owners aren't even going to know about this. So they're going to do what they normally do. They do their due diligence, and their due diligence is to ask somebody, "Have you ever been arrested?" They don't know any better. But now they've committed a violation of civil rights. Now they're liable to -- for a million-dollar lawsuit. This is nuts. With all due respect, I ask you all to look at this, think about what this will do to our jobs in this State, and ask you please to consider voting No. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Sponsor indicates that she will yield. Senator Luechtefeld, for a question of the sponsor.

SENATOR LUECHTEFELD:

Senator, I -- you know, I'm sure that you mean well with this bill. And I'm not -- I'm not -- I don't want to take that away from you. But I guess I would ask you, if you were an employer - and, you know, obviously as an employer you want to be successful, you'd like to make money, those sorts of things - would you not -- would you not ask a person about something that you knew about that individual? Wouldn't you -- would you -- would you look the other way? Or would you not ask that question, especially if you want to be a successful business person?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senator Luechtefeld, the purpose and the focus of this legislation is to address those who may have been charged, but not found guilty for whatever reason. Senator Millner gave this analogy that they were charged this year, and then they got charged again next year. Where if they've never been convicted, apparently those were false accusations. There was no bear {sic} to further the investigation any further and they were not convicted. And so, would I not acknowledge that? Absolutely. I believe the reason for unemployment, the reason that we have all of -- so many members in societies without jobs is because of false accusations. If they're a willing body and they're willing to work, I think we need to put them to work. And I think it's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

early in the morning and you guys have woke me up. I love the activity and all the discussion, but you're so far off on this issue. It saddens me that you're using this issue to indicate that I'm creating something that is not needed in the State of Illinois. No one wants to be charged for something that they did not do. And if it did not result in a conviction, I don't think it's fair for you to keep me or anyone else from gaining employment. It's wrong for the employers to look past a charge that was not a conviction. If they did not get convicted, they did not serve time and -- and it was merely a charge, why would you not want to offer them an opportunity to acquire and gain gainful employment? It makes absolutely no sense. So, you guys are way off on this issue.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, you -- you -- you didn't answer my question. Would -- would you not want to know some more about that individual? Wouldn't you want to give that individual a chance to really defend himself? Now, all -- your -- your legislation basically says you can't even ask that question. You know, I think if you're doing your job as a business owner or working for a business, you're going to want to know everything you can before you make a decision, because you may have three or four people all pretty qualified. And -- and I -- I -- I can't help believing that you'd want to know a little bit -- you'd want to know a lot about all three of those, because you may be held accountable later for who you hire. And, again, is your answer, no, you wouldn't ask that question?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford, to respond to the gentleman's question.

SENATOR LIGHTFORD:

Thank you. I have no position to give you other than my focus and the purpose of this legislation is for you to not seek into a charge that did not result into a conviction. It -- it's just that simple. So my personal opinion as a businesswoman -- I'm not a businesswoman. I'm a public servant. And I'm trying to put people in a position where they can gain a J-O-B in this economy. Senator Millner brought up a point about who would enforce it, from some degree; small businesses wouldn't know. What do we have the Illinois Department of Human Rights for? They're the enforcers. So that information would result in small businesses, large businesses, corporations in knowing that this is a new law. How do we get information about all of our laws out? We have a responsibility to do such. And I -- I -- I just think that you guys are way off on this one.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, you know, I agree that some of the -- some of the examples that were give were -- were extreme. There -- there's no question about that. But I still think that you would want to, and -- and even have a responsibility to the owner of that company, if it's you or someone else, to look into the -- each individual who applies for a job and -- and find out everything you can about 'em and then make a decision. You know, I -- I really believe, as -- as was said before, that this is really going too far. Thank you.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Mr. President, I rise to move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

The gentleman has moved the previous question. We have one, two, three, four, five Senators seeking recognition. Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Mr. President, I rise in support of this bill. I think there's an element - this is an element that was discussed in committee - that we're ignoring here. The bill proposes to prohibit employers from using the fact of the arrest alone from preventing the employer from granting employment. The bill provides that the employer can look -- can use other information to determine whether the underlying alleged conduct that may have led to the arrest actually occurred. So the employer still has that right pursuant to this bill. What the bill says is that the arrest by -- in and of itself if there's no conviction cannot be used as the basis of -- of discrimination. And so we shouldn't distort what the -- what the language of the bill actually says. I think this is a good bill. And I think if we honestly look at the language of the bill, we should be able to all support this bill.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR CRONIN:

To the bill, Mr. President, if I may, please.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR CRONIN:

With due -- all due respect to my colleague and friend and neighbor, Senator Lightford, I -- rise in strong opposition to this bill. And, please just consider the following. From an employment law standpoint, this bill, if it becomes law, puts employers in an impossible position - an impossible position. Consider the following example. Let's say you run a daycare center. Okay? You run a daycare center and you are interviewing applicants to become caregivers in your daycare center, KinderCare, any number of different private providers. You are obligated under State law to ask questions to find out whether or not the caregiver would indeed be appropriate, whether or not they're safe. We have background checks. Arrests are relevant. Now, if you don't ask the question, in compliance with what Senator Lightford is proposing today, and in the event that some tragic event occurs, this caregiver that you weren't permitted to ask about his or her prior arrest record is in the care -- in the presence of children and something happens, you as the employer will be liable because you should have known. You should have known. And that is the state of the law in the -- Illinois today, in employment law today. So now you're telling the employer that - you know what? - you can be liable if you ask the question and you can be liable if you don't. Ladies and Gentlemen, why would anybody want to conduct business in the State of Illinois with policies like this? You wonder why the employment rate -- unemployment rate is going up. You wonder why businesses are leaving the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

State of Illinois. You wonder why our economy is in the tank. It's because of hostile policies like this toward businessmen and small business owners in the State of Illinois. I ask -- I ask -- for the state of the economy, for the welfare of our -- our communities, I ask for a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Bivins, for what purpose do you seek recognition?

SENATOR BIVINS:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BIVINS:

Thank you. I don't have to deal with hypotheticals or examples. We've had those examples or those real situations where someone who has been charged with a sex crime against a juvenile, that juvenile, because of emotional problems from the abuse, cannot testify, charges are dropped. I've interviewed hundreds, if not thousands, of people for employment in the course of my career. And as a public safety official, I think you should have the right to know their background, and this goes to their character, and investigate and ask that question not only on an application, but in an interview. So I would request a negative vote on this. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Bivins. Senator Dahl, for what purpose do you seek recognition?

SENATOR DAHL:

Thank you, Mr. President. To the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HARMON)

Please proceed, Senator.

SENATOR DAHL:

As a -- as a small business owner, on the application if there is a question of a previous arrest and this becomes law, I would suggest that rather than having to ask these questions in the interview, once the employer sees this on the application, there will never be an interview. The application -- applicant does not need to -- the owner does not need to interview somebody simply because they filled out an application. So I would suggest that this is going to be a detriment to hiring people rather than a chance for them to -- to get something. I would suggest we rethink this bill.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The last Senator seeking recognition is Senator Hunter. Senator, for what purpose do you rise?

SENATOR HUNTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please proceed, Senator.

SENATOR HUNTER:

You know, I can see this situation on both sides of the street. But I think that you all are using scare tactics. In our community, we constantly are faced with -- with racial discrimination on a regular basis, employment discrimination on a regular basis, wrongful convictions, false arrests. And once someone is arrested, it's on their record for life, unless they can get this information expunged off of their records. And as a result, our people are not being able to -- to find gainful

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

employment to take care of their families because of so many factors that are out there in the community, you know. And I -- I -- I commend the sponsor for what she's trying to do here. I support you. And I ask everybody on this side of the aisle to have compassion and vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Hunter. Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Thank you for waking all of us up on this morning. And if you're going to have debate like this, we'll be here until midnight, on a issue that you're so far off and stretched it and made it so much fun. I'm tickled pink of the comedy that was just illustrated by a couple of my colleagues on the other side of the aisle. I think if you read the legislation, you will see that it's charges, it's not arrest, it's not convicting. It's a charge. And many people are falsely charged. Many people are accused of something where they were not even in the -- in the vicinity. We're talking about a charge and it was the wrong person, they were not arrested, they did not get convicted. We're talking a simple charge. And I think that if there was a problem for the business community, then there would be opposition to this legislation. There is no opposition to this legislation. The Chamber of Commerce did not file in opposition. The Fraternal Order of Police did not file in opposition. Our State departments did not file in opposition. We reached out to the community. They have no problem with the bill. There is no opposition to this legislation but for those who feel like they're grandstanding on this morning. This issue

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

has nothing to do with - and I can raise my voice like many of you have done - this issue has nothing to do with the points that Senator Cronin brought up, Senator Luechtefeld - coach, love you dearly - has nothing to do with the points that you brought up. You took an issue and you ran so far in the wrong direction with it that -- that's the problem with public service, that we use politics to play games and affect people -- lives. This is a bill that would help people who have been wrongly charged gain employment. Has nothing to do with current law that already indicates an arrest or conviction. I'm talking simple charges that you could have been wrongly accused. And I'd ask this Body to vote Aye and allow an opportunity for people who have false -- false charges have an opportunity to go to work. That's the issue. We need to put people back to work who have an opportunity and a willing body to work. And I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 1657 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 23 voting Aye, 27 voting Nay, 2 voting Present. And Senate Bill 1657, having failed to receive the required constitutional majority, is declared failed. Channel 23 WIFR Rockford and Illinois -- IIS video seek leave to videotape the proceedings. Is there any objection? Seeing no objection, leave is granted. Senator Syverson seeks leave to make an introduction on the Senate Floor and has asked leave to make the introduction from Senator Righter's desk. Is there any objection? Seeing none,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

leave is granted. And, Senator Syverson, you are recognized at Senator Righter's desk for purposes of an introduction.

SENATOR SYVERSON:

Thank you, Mr. President. I am honored to welcome back with us today a -- a friend of Illinois and certainly a friend of ours in Rockford, Rick Nielsen with Cheap Trick. And just as a reminder, or for those that are in the audience, Cheap Trick has been one of the premier music groups of the seventies - the twenty-eight albums, over twenty-one million records sold. We've all heard of their songs. They've done themes for a variety of -- of -- of television shows. And now, since last time he was here, they've been touring with Journey and they've been touring with Heart. And he has also signed to start doing some video games. So your kids will be playing their music in the machines. And so, we are honored to have with us -- also, just happens to be the same day in the House the prayer is -- is being given by Denver Bitner, who is the new President of Lutheran Social Services in Illinois. And - come on up here - and it's interesting, here we have a pastor and we have a...

RICK NIELSEN:

Sinner.

SENATOR SYVERSON:

...a sinner going to the same church, going through...

RICK NEILSEN:

Confirmation.

SENATOR SYVERSON:

...confirmation together. This is what happens when you miss one week of confirmation - the differences between these two. We are really honored and blessed to -- to have them here with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

us. And, Rick, thanks. And what's interesting is, many people when they make it big, they leave, and here's a guy that still calls - proudly calls - Illinois home. Rick, it is great to have you here.

RICK NIELSEN:

(Remarks by Rick Nielsen)

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. And welcome to all of our guests. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, for a point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR DEMUZIO:

Yes, I have with me today from Gillespie, Illinois, up in the President's Gallery -- I have a group and they're in the turquoise shirts - wave, guys. Okay. They're Minors Preparing and Caring for Teen Driving. And they put on a -- and sponsor a program to alert all their -- their friends and their classmates and outside individuals what it -- what happens when you drink and drive. So, Jennifer Brown, their sponsor, would you stand? Welcome to the Illinois Senate.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests in the galleries please rise to be recognized and welcomed to the Senate? All right, Ladies and Gentlemen of the Senate, back on our Calendars, on page 55, Senate Bills 3rd Reading. Senate Bill 1661. Senator Burzynski. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1661.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically what we have here is that if a municipality provides street lighting, incorporates any territory served by a street lighting district, it's automatically disconnected. However, we have a situation where a community has annexed the area, however they don't have the infrastructure in place to provide for the street lighting and they don't levy taxes. So this bill would allow that to continue until such time that the municipality levies a tax.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1661 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 53 voting Aye, 3 voting Nay, none voting Present. And Senate Bill 1661, having received the required constitutional majority, is declared passed. All right, Ladies and Gentlemen, we're going to turn up the volume and pick up the pace. Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Okay, Ladies and Gentlemen, Senate Bill 1662. Senator Murphy. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1662.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Welcome to the Chair, sir. Good to have you. Senate Bill 1662 requires that political committees created within thirty days of an election must file their statement of organization within twenty-four hours. This is an effort at making sure there's accountability for last-minute attacks in campaigns. Trying to keep it clean. Appreciate an Aye vote and look forward to answering any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1662 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1662, having received the required constitutional majority, is declared passed. Senate Bill 1665. Senator Jacobs. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR JACOBS:

Thank you, Mr. President. This bill -- this bill's an initiative of the parents of Brandon Ballard, who passed away November 2008 of testicular cancer at the age of nineteen. Brandon was an avid athlete. Unfortunately, the physicals at school for sports did not include testing for cancer. And so what we're asking is, the IHSA ask that -- if there's a family history of cancer on the form. And also, they may be required to perform a check on young -- young athletes to see if they have a -- have -- have this issue. I know of no known opposition. And this is an agreed bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1665 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1665, having received the required constitutional majority, is declared passed. Senate Bill 1666. Senator Bomke. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate. Senate Bill 1666 would change Illinois to a partially open primary State to an open primary State, joining twelve others. Be happy to address any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Crotty. Senator Crotty.

SENATOR CROTTY:

Thank you very much. Ladies and Gentlemen of the Senate, with great respect to the sponsor, this came out of the Elections Committee and I gave my vote to this bill. But by the time I got on the -- the elevator and came down, I started to think about what exactly is the process. And the process that's set up I do feel is a good one. It allows people that are truly of either the Democrat or the Republican Party to set up their choice in who they want to represent them in an election. It also is set up that another party could not raid the opposing party or set us up, either side of the -- any party, for a weak candidate. So, in all true respect for the -- the sponsor - and he and I have spoken - I'm going to urge everyone to do a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would appreciate succinct questions and answers and discussions. Further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, please. I rise in favor of Senate Bill 1666. You know, from the General Election we saw this last time to all the constituent feedback we get, all the voter feedback we get, people are sending a message that they want the process opened up. Constituents in all of our districts say, "We don't want to have to decide whether we take

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

a Republican ballot or a Democrat ballot; we like people in both parties and we want to be able to vote for people of both parties in the primary election." We should let them do that. The perception that it casts here, when we say we're not for this, is we want to keep our lists clean; we want to make sure we know who we mail to. That should not be about what we are doing here. That should not be the perception that we cast to the people back home. We can do better than that. We can do better than that starting here and now by voting for Senate Bill 1666. I thank the sponsor for bringing it to this Chamber. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Link.

SENATOR LINK:

Senator Bomke, in debate in the committee, you indicated that this would enhance turnout in the primary if we had open primary. Can you give me some statistics on some of the past primaries?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

Well, as I recall -- I don't recall saying that, Senator Link, in committee. But I do recall you asking if -- if -- 2008, was that not the highest voter turnout in history? To that I can answer, and the -- and to that -- the answer to that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

is, it was not. It's surprising, with the magnificent candidate we had running for President of the United States here from Illinois, a former colleague of ours, that it was not. And, in fact, it was the sixth highest since 1968. The highest was in 1980 and 1992, when forty-four percent of those eligible to vote voted. And I hardly think that's anything to brag about.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

To the bill: What I'm indicating -- Senator Bomke did follow through on what was asked in committee about turnout. In my county, it was a record turnout. In all the collar counties, it was record turnouts in the primary. People chose to come out in a primary. We had early voting. We had other procedures. People were not worried about voting Democrat or Republican. We have been hearing about this for years. It's usually brought up by whoever is out of office at that time. Democrats bring it up at times. Republicans bring it up at times. It keeps on going. We're having record turnouts. It pertains to who's on the ballot. If we put good candidates up in a Democratic primary, you're going to have a record turnout. If you put good candidates up in a Republican primary in contested races, you're going to have good turnouts. This is the quality of candidates we've put up in each primary. Senator Crotty said it right. All this is, is -- if we have it - it's not, "oh, I would like to vote for somebody in the other party" - it's interfering with other parties. One of the bills that you've been arguing about is we shouldn't be interfering with what the other party is doing in their inside party rules or how they decide who their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

leadership is. Well, you know what? You shouldn't be interfering in primaries. It's the decision. Democrats should choose Democrats. Republicans should choose Republicans. That's the way the process is designed. It has worked for years. This primary has worked for years. We had better turnout in Illinois than Wisconsin had - for one reason - because people saw who was running and came out and voted. When you say it was a colleague of ours, that same colleague ran in Wisconsin and thrilled the voters in Wisconsin. They had a huge turnout in Wisconsin...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link, could you...

SENATOR LINK:

...but not the same...

PRESIDING OFFICER: (SENATOR HENDON)

Could you wrap it up, sir? Senator Link.

SENATOR LINK:

I think this is a very important bill, Mr. President. And I think this has a lot to do with it. I would ask a negative vote on this. The process has worked. And I think we should vote No on this and keep the process the way it has been.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. I -- I need to wipe a tear in my eye -- away from my eye. Senator Link was extremely poignant today. I -- I -- I actually agree completely, frankly, with Senator Link. One of the big concerns a lot of people are having these days about elections and one of the big issues this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

year - campaign contribution limits. Think about what you're going to be doing to the process of primaries if we pass this bill. Instead of targeting people who show up in primaries and limiting your campaign costs, you are now going to have to target more broadly the entire electorate in your primary mailings and so forth. This is going to drive up the cost of primaries. It's going to make the -- the need for campaign cash even greater. And, frankly, that's something I think a lot of people in this State right now are concerned about. I have the utmost respect for the sponsor of this legislation. I know it's well-intended. And I understand the merits of the -- of the legislation in terms of opening up the process. But at the end of the day, I come down against this bill for the sole fact that it's going to jack up the cost of elections. And right about now that's the last thing we need. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine is the final speaker and then the sponsor.
Senator Haine.

SENATOR HAINE:

Mr. President, will the sponsor yield? I have one question. If Senator...

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Haine.

SENATOR HAINE:

I have one question, Mr. President. And to the sponsor: If Senator Lauzen's bill passes the Chamber and becomes law and your bill becomes law, that means that a number of Democrats could vote for Republican committeemen, State central committeemen, in the -- in the future. Is that -- is that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

really what you desire, Senator Bomke?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

Well, first of all, I'm not debating Senator Lauzen's bill. So I -- I don't know that I can answer that. But, to the -- to the -- the allegation that there would be a lot of crossovers: There are twelve states that currently have this in place. In fact, Senator Link, you mentioned Wisconsin. They happen to be an open primary state, also Minnesota is and Indiana. There's no indication that there's anyone taking a ballot from another party, crossing over to choose a weaker candidate. So I -- I would suggest that that is simply not happening. To your question, I'd have to debate Senator Lauzen's bill. And he's in a much better position to do that than myself.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke, please close, sir.

SENATOR BOMKE:

Thank you, Mr. President. You know, here -- here's the thing: This is extremely popular with the public. Last year I sent out a survey and I asked how many people voted in a primary and if they did not, why not. Over fifty percent of those that responded said they did not vote in a primary because they didn't want to have to disclose their political affiliation. Just last week, the SJ-R, The State Journal-Register, had an on-line survey. Over ninety-one percent of those that responded did so saying they favored an open primary. In 2006 -- in 2006, twenty-one town -- townships had an advisory referendum on the ballot. Over eighty percent of the people that voted voted in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

favor of an open primary. Now, I have those lists with me today. I don't want to embarrass anyone here. That is not my character, so I -- I prefer not to do that. But I -- I realize how difficult this is for you to vote for. Losing my voice.

PRESIDING OFFICER: (SENATOR HENDON)

Could you close, sir, please?

SENATOR BOMKE:

Sure, I will. I, like yourself, have used the -- the voters in primaries for mailing lists to -- for support and for contributions. But consultants tell me that they have gotten so sophisticated that they can tell how someone votes, their political affiliation, whether Republican or Democrat, based on the automobile they drive, the clothing they purchase, or where they dine. So there are any number of ways where we can get that information. And it seems to me, passage of this bill is a good start in cleaning up corruption in politics that Illinois has become renowned for. Regarding...

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator, could you close, please, sir?

SENATOR BOMKE:

Regarding...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

...public employees' hiring and firing, it would have to be based on one's ability rather than on one's political affiliation. I know how difficult it is, but I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Question is, shall Senate Bill 1666 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 17 voting Aye, 37 voting Nay, none voting No. Senate Bill 1666, having not received the required constitutional majority, is declared failed. Senate Bill 1668. Senator Murphy. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

...Senator Murphy. Senator Delgado, for what purpose do you seek recognition, sir?

SENATOR DELGADO:

Sorry, Mr. President. Please let the Journal reflect - apparently my switches were switched and my vote should be recorded as a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. The current Presiding Officer, which is me, recommend that you hit your vote early, because we will be going much faster than we currently are going. Be prepared. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1668.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Senate Bill 1668 amends the Code of Criminal Procedure to create a hearsay exception for the statement of a witness who was killed, bribed, kidnapped, secreted, intimidated, or induced by a party so as not to be available to testify at a hearing or a trial. Be happy to answer any questions and appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1668 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye - please vote the President every time, Presiding Officer, please - 1 voting Nay, none voting Present. Senate Bill 1668, having received the required constitutional majority, is declared passed. Senate Bill 1670. Senator Noland. Senator Noland seeks leave of the Body to return Senate Bill 1670 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1670. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Noland.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. Chair. Senate Bill 1670, as amended, amends

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the Associate Judge {sic} (Judges) Act. Adds two associate judges to the 16th Judicial Circuit and one to the 17th Judicial Circuit. The one in Kane -- one will be dedicated to Kane County specifically, the others to -- the other one to DeKalb, Kane and Kendall in the 16th, and the 17th Circuit is open for the discretion of the Chief Judge there. I ask an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? If not, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Have there... Any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1670. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

The amendment becomes the bill. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. First of all, Senator Noland, I appreciate the fact that you've talked to me. We've had some discussions on this bill. Since our discussions, we've -- I've also had the opportunity to visit with a couple of the other counties that are involved in the 16th Judicial Circuit. They've raised some issues, concerns. I know this bill is going over to the House. Just hope that you'll be amenable to some of their concerns when -- when the bill reaches there. I know that there'll be further discussions. Would that be your intent to have further discussions?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Absolutely. Anticipate further discussion on this. Have from the start. It's not a problem.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. And I am sorry to be asking a question at a -- a late time, but it's the fiscal side. Can you tell us how this will be paid for as we add these judges?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Yes, the -- the -- the judges will be paid as they are

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

currently out of the General Fund. Okay? To ask {sic} how they're going to be paid for. How much it will cost - which I anticipate will be a follow-up question - would be approximately a hundred and seventy-eight thousand -- approximately a hundred and seventy-eight thousand dollars a year. A hundred and sixty-three thousand dollars is base salary, but a hundred and seventy-eight includes benefits.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 1670 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, 3 voting Nay, none voting Present. Senate Bill 1670, having received the required constitutional majority, is declared passed. Senate Bill 1675. Senator Murphy. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1675.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Senate Bill 1675 requires in each school district the Congressional -- a Congressional Medal of Honor film be viewed by seventh grade students and then high school students who are enrolled in a course concerning history of the United States or American government. I know the Governor's had exposure to this group of Medal of Honor winners.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

It is an extremely impressive group of people who have made the ultimate sacrifice. Some actually were able to survive. We want kids in school to spend twelve minutes to watch this video twice in their twelve years in school. I would respectfully request an Aye vote. I know there is some concern about this being a mandate. I think it is limited. It will cost no additional funds, because the Society {sic} (Foundation) has to provide the videos for the schools. And, again, it is -- there's four videos to choose from. One -- at least one of 'em is as short as twelve minutes. I understand there are some here who principally oppose it on the fact of being a mandate. But I would ask this Body to support this and expose our kids to true American heroes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Garrett.

SENATOR GARRETT:

Will the speaker yield?

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Garrett.

SENATOR GARRETT:

No? Okay. Senator Murphy, I just wanted to thank you for your additional work on this. When this bill came through committee, it appeared as if it was a ninety-minute film and then it's gone to a twelve-minute film. So could you clarify really what the length of this film or films would be?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Senator. There are -- I was originally under

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the impression that there was only one video. In fact, there are at least four. And this bill would give the teacher the latitude to choose which one. I'm told there are some as long as ninety minutes, but as short as twelve. If the -- if the teacher needs the latitude to teach the shorter one, they have that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Could this be included in extracurricular or after-school programming if, in fact -- because even though the film is, let's say, at the minimum twelve minutes, it really does take a whole period to explain and get feedback. So, is that something that you could include in the bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

My concern is, is if we did that, we would dilute it to the point where some kids wouldn't have the exposure. And I -- and, again, I -- I'm -- I'm not a -- a -- I don't lightly add these mandates on, but I -- I think that the balance of the issue warrants it here. And I'd -- I'd like to make sure that -- again, it's twice in twelve years that they're going to watch as little as -- as -- as -- and hopefully a lot of this is going to be taught anyway and this is a supplement to a lesson they're already getting.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President. To the bill: You know, again, if you -- if you were to sit in our Education Committee hearings for any length of time, you would find that we are constantly adding things and mandating what should be done in the classroom. If you've ever been in the classroom, especially in a history class, you'll find that it -- it -- you can't get through the material you already have. You just -- you can't get there. And if -- you know, Senator, you said you -- you don't lightly do this. But if everyone did this lightly, we would all have a -- a mandate and -- and we -- we can't get finished with class right now. It would be fine -- you know, how can you vote against Congressional Medal of Honor? But -- it's fine to do that if a teacher decides that that's what he'd like to do. I just think we're wrong for constantly mandating what has to be taught in that classroom when we can't get through the things that we already are teaching. And -- and that's why I voted against it in -- in committee. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I rise in strong support of the Senate's -- the Senator's initiative. I, too, understand that schools are overburdened and given a lot of information, but people who have won the Medal of Honor deserve high praise. And too many of our young people are unaware of the sacrifice that's been made so that they could sit in school. So I rise in strong support of the gentleman from CNN's bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR CRONIN:

Thank you, Mr. President. To the bill: I -- I -- I rose yesterday, reluctantly, very reluctantly, to voice my opposition to the proposal to impose a mandate on the schools to teach a Mexican-American experience. I rise again reluctantly today, consistently. Both worthy causes - this no less worthy than the last cause. But this is not the right way to design curriculum. We have people in the State Board. We have local curriculum directors. This is -- this is not the right way to do it - just because one of our esteemed Members of this Body thinks that this is what the kids ought to learn. You know, everybody's got ideas about what the kids ought to learn. Let's let the experts, let's let the State Board, let's let the curriculum directors decide what the curriculum ought to be. I -- I rise and urge my colleagues to vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Final speaker, Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Just to the bill: I -- I -- I -- I will vote for this bill. But as a former high school social studies teacher, I think that we do need to look at a -- this -- this bill is in perpetuity. In other words, it's -- it's -- there's no expiration date. And I can tell you that some of the films that people show and some of the videos they show over a period of years become dated rather quickly. So, you know, when this bill goes to the House, maybe you ought to put a sunset date on this to re-examine it at that particular time. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Murphy, to close.

SENATOR MURPHY:

I appreciate the sentiments -- the principled sentiments of those who oppose the bill. I appreciate the support we got from the other side of the aisle. Again, this is something -- our kids are -- are -- are bombarded with images and lessons from people everyday that -- and not necessarily teachers, but by life. They need to see the good too. This is a chance to show 'em the good and make sure they get it. I'd sure appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Shall Senate Bill -- the question is, shall Senate Bill 1675 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Aye, 5 voting Nay, none voting Present. Senate Bill 1675, having received the required constitutional majority, is declared passed. Senate Bill 1677. Senator Murphy. Madam Secretary, read the gentleman's bill. It's Murphy day.

SECRETARY ROCK:

Senate Bill 1677.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. 1677 is a bill that we passed last year unanimously. It also passed the House. Got hung up

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

in the rulemaking authority. We've worked with the agencies. What we want to do is make sure that we have appropriate background checks before the State pays people to babysit children. We're also looking at a task force to see if we can consolidate fingerprinting and background checks. And I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1677 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1677, having received the required constitutional majority, is declared passed. Senate Bill 1682. Senator Demuzio. Out of the record. Senate Bill 1683. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1683.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. Senate Bill 1683 basically is for off-label coverage for cancer drugs. What we're doing is making sure that we are updating our medical books and our medical areas, so that as the drugs change and as we're looking at off-brand labels, that our techs and our

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

physicians are aware of it. This is just a -- there's some technical changes. Also, it cleans up the reference to a State insurance commissioner. We don't even have one here, so we're making a technical change on that.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Seeing none, the question is, shall Senate Bill 1683 pass. All those in favor, vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1683, having received the required constitutional majority, is declared passed. Senate Bill 1685. Senator Sullivan. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1685.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. This is a -- an exemption to the -- to the Smoke Free Illinois Act. And it was brought to -- I'm carrying the bill or proposing the legislation because of a constituent who is a -- who is a member of the Cherokee tribe, lives in my district, and he has run into situations where he has not been allowed to perform some religious ceremonies based on his Native American beliefs. And I have -- we've drafted some legislation. It passed through committee. We had a good discussion in committee. Since that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

time, I have worked with the American Cancer Society and have come up with a -- an -- agreed-to language that they will -- that they are in support of. They were opposed to it. Your analysis -- your analysis shows their opposition to it, but I've spoken with them. Because the agreement was reached late yesterday afternoon, we did not have time to draft an amendment. I've spoken to the sponsor of the bill over in the House and we have reached an agreement with the Cancer Society. And basically the -- the language that we will be adding says that it -- it references Native American Indians and the American Indian Religious Freedom Act. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Link.

SENATOR LINK:

Senator Sullivan, you indicated in there that you would be committed to putting that amendment into the -- this bill, which you know is a strong concern of mine, as being the sponsor of Smoke Free Illinois. And this being a -- an exemption to it is something that is very critical to me, as far as not having any exemptions. But for religious purposes and for the Native Americans, I can understand it because this has been done in a number of other states. But the word "native" would be brought into it. Will you commit that this bill will not be concurred with unless this is put in there and sent back to us in that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

form?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Absolutely. Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill 1685 pass. All those in favor, vote Aye. Opposed will vote Nay. 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 voting Aye, none voting Nay, 1 voting Present. Senate Bill 1685, having received the required constitutional majority, is declared passed. Senate Bill 1689. Senator Hunter. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1689..

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. I'm sorry, Madam Secretary. Out of the record. Senate Bill 1690. Senator Hunter seeks leave of the Body to return Senate Bill 1690 to the Order of 2nd Reading for purpose of an amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1690. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

Floor Amendment 1 - I wish to adopt the amendment. Creates

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

-- Floor Amendment 1 creates the Mercury Thermostat Collection Act. It requires thermostat manufacturers to create and maintain a program aimed at the collection and recycling of mercury thermostats.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there -- have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1690. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1690.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

I know of no opposition. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1690 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1690, having

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

received the required constitutional majority, is declared passed. Senate Bill 1691. Senator Althoff. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1691.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senator Noland, this is my really good bill this year. What this bill does is amends the Senior Citizen {sic} (Citizens) Real Estate Tax Deferral Act. And it ties the senior freeze and the senior deferral thresholds together in the Senior (Citizens) Assessment Freeze Homestead Exemption Act. Was brought to me, very simply, by our assessors and it ties the two at -- forever going forward. Be happy to take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1691 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1691, having received the required constitutional majority, is declared passed. Senate Bill 1698. Senator Kotowski. 1698, sir. Senator Kotowski seeks leave of the Body to return Senate Bill 1698 to the Order of 2nd Reading for purpose of an amendment.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1698. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Bill 1698 creates the Task Force on Higher Education Private Student Loans to study the impact of private student loans' rates, fees and terms have on the accessibility and affordability of private student loans and how private student loans' rates, fees and terms affect the student's financial situation.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1698. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1698.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

I would -- I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1698 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting -- 1 voting Present. Senate Bill 1698, having received the required constitutional majority, is declared passed. Senator Garrett, for what purpose do you seek recognition, ma'am?

SENATOR GARRETT:

Yes, thank you very much, Mr. President. For a point of -- a personal announcement. I'd like to welcome Wayne Serbin, from Des Plaines. He's one of my most favorite constituents. And I hope that the Senate can give him a very warm welcome to Springfield.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to Springfield, Wayne. Welcome. Moving right along. Senate Bill 1702. Senator Dillard. 1702. Out of the record. Senate Bill 1704. Senator Hunter. Senator Hunter seeks leave of the Body to return Senate Bill 1704 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1704. Madam Secretary, are there any amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. This amendment retains the underlining {sic} bill and it makes technical corrections referencing a new MR/DD Community Care Act in two appropriate places within the two Acts.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1704. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1704.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

1704 separates licensure of residential facilities for individuals with developmental disabilities from facilities serving the elderly and those providing post-hospital care.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Specifically, licensure regulations for intermediate care facilities for the developmentally disability -- disabled, IF -- ICF-DD, and skilled pediatric facilities will be separated from the Nursing Home Care Act.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1704 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1704, having received the required constitutional majority, is declared passed. Senate Bill 1705. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 1705 to the Order of 2nd Reading for purpose of an amendment. Is there any objection? Hearing none, no objection, leave is granted. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1705. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Mr. President, Floor Amendment 2 just makes a technical change to the bill.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1705. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1705.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Members of the Senate. Senate Bill 1705 requires firefighters receiving disability benefits under the Chicago Firefighters Pension Fund to be examined by a physician appointed by the Board on a periodic basis as determined by the Board. Gives firefighters the right -- the firefighter's right to a benefit is denied if he refuses to submit to a medical, surgical, or hospital treatment as reasonably essential for recovery.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1705 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? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1705,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

having received the required constitutional majority, is declared passed. Senate Bill 1706. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 1706 to the Order of 2nd Reading. Is -- is leave -- leave is granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1706. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Floor Amendment 1 becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say -- say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1706. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1706.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 1706 specifies that -- the finding that the court must make in order to decide that a minor needs care away from the home in secured custody, or in foster care or shelter care, and requires that the court determine, consistent with the health, safety, and the best interests of the minor, that the removal is necessary because the minor's home cannot provide a quality care and level of support and supervision for the minor.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1706 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1706, having received the required constitutional majority, is declared passed. Senate Bill 1708. Senator Raoul. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1708.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 1708 expands the authority of the Chief Judge to establish reasonable fees for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

persons receiving pretrial services to include the cost of DNA testing, GPS electronic monitoring, assessments and evaluations related to domestic violence, as required under the Cindy Bischof Law.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1708 pass. All those in favor will vote Aye. All those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1708, having received the required constitutional majority, is declared passed. Senate Bill 1710. Senator Raoul. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1710.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 1710 implements the Cindy Bischof Law by considering all probation and court services departments to be pretrial service agencies under the provisions of the Pretrial Services Act and under the bail bond provisions of the Code of Criminal Procedure.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1710 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1710, having received the required constitutional majority, is declared passed. Senate Bill 1715. Senator Harmon. Out of the record. Senate Bill 1716. Senator Harmon. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1716.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you. Is there an amendment pending, Mr. -- Mr. President? Then, Mr. -- I'd like to take this out of the record and return to it...

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. ...leave of the Body, we could return to 1715 if that's -- Senate Bill 1718. Senator Clayborne. 1718. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1718.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. Chairman {sic} and Members of the Senate. 1718 makes changes to the law relating to zero tolerance. It's designed to give a little more flexibility to the school board and the administration to make decisions and not automatically be required to expel students for unintentional acts.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1718 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1718, having received the required constitutional majority, is declared passed. Senate Bill 1722. Senator Crotty. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1722.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Senate Bill 1722 amends the Elevator Safety and Regulation Act. It provides that special purpose personnel elevators within the scope of Section 17.1 of the American Society of Mechanical Engineers Code and used only by authorized personnel are exempt from the regulation under the Act. Simply put, this bill places an exemption on elevators, such as grain elevators, back into the Act.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1722 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1722, having received the required constitutional majority, is declared passed. Senate Bill 1725. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 1725 to the Order of 2nd Reading for the purpose of an amendment. Leave is granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1725. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Floor Amendment 2 becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1725. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1725.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 1725 creates the Youth Reentry Improvement Law of 2009, directing the Department of Human Services to develop recommendations to ensure the effective reintegration of youth offenders into families and communities.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1725 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1725, having received the required constitutional majority, is declared passed. Senate Bill 1729. Senator Schoenberg. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1729 would authorize the Illinois Department of Transportation to enter into public-private partnerships for the acquisition of rolling stock equipment for the Amtrak passenger rail service. We've seen how successful the Amtrak expansion has become and this would enable them to do -- this would authorize them to do it. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Risinger.

SENATOR RISINGER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Risinger.

SENATOR RISINGER:

Yeah, it's my understanding the Department of Transportation already has the authority to do this, Senator. Can you explain that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

The -- the -- according to the Department, the current law authorizes them to finance this through the Illinois Finance Authority. This is -- as you know, there's been active discussions into doing something that would provide for refurbishing rolling stock, and this is to encourage them to do this bigger and faster.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RISINGER:

I -- I appreciate that and I certainly support Amtrak and -
- and -- and think that we ought to upgrade the rolling stock.
But, you know, everything that I follow indicates to me that we
-- this -- this bill isn't necessary for them to move forward
with that. Is this just encouragement?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

This is active encouragement.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter. See -- seeing nothing further, the
question is, shall Senate Bill 1729 pass. All those in favor,
vote Aye. Opposed, vote Nay. The voting is open. Have all
voted who wish? Have all voted who wish? Have all voted who
wish? Take the record. On that question, there are 52 voting
Aye, none voting Nay, none voting Present. Senate Bill 1729,
having received the required constitutional majority, is
declared passed. Senate Bill 1732. Senator Schoenberg. I'm
sorry. Oh! Just a moment, Senator Schoenberg. Senator
Hutchinson. Senator Hutchinson, do you seek recognition, ma'am?
For what purpose do you seek recognition?

SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR HUTCHINSON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

I have a new Page, in addition to my children that I introduced you all to yesterday. But, Daniella Jackson, age eleven, of Chicago, is here as a Page for the Day. And I'd like to introduce her to the Members of the Senate. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to the Illinois Senate. Senate Bill 1732. Senator Schoenberg. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1732.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1732 would lift the twenty-five-person -- twenty-five-person State employee threshold for -- for the review process that has to do with closing State facilities and would require all State facilities to come before the Commission on Government Forecasting and Accountability. Previous measure has passed without any opposition. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1732 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1732, having

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

received the required constitutional majority, is declared passed. Senate Bill 1736. Senator Link. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1736.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This requires that hospitals file a copy of a policy to the Department of Public Health to {sic} prevent home rule regulations of immunization against flu and pneumonia as a matter of -- a violation of this Act. This is a agreed-upon bill with everybody. And I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1736 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1736, having received the required constitutional majority, is declared passed. Senate Bill 1737. Senator Demuzio. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 1737.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President, Members of the Senate. Senate Bill -- 1737 amends the Procurement Code. It replaces the phrase "the severely handicapped" with the phrase "severe disabilities" -- for "persons with (severe) disabilities". I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1737 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1737, having received the required constitutional majority, is declared passed. Senate Bill 1738. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1738.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, again, thank you, Mr. President. 1738 amends the Code of Civil Procedure and removes a provision that allows an interpreter for the deaf and the hard of hearing to voluntarily

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

disclose information in court hearings concerning issues of adoption, child abuse, child neglect, and other matters pertaining to children.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1738 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1738, having received the required constitutional majority, is declared passed. It was my intention to vote Aye on that bill. The record will so reflect. Senator Lightford, for what purpose do you seek recognition? Senator Lightford, for what purpose do you seek recognition, ma'am?

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR LIGHTFORD:

Mr. President and Ladies and Gentlemen of the Senate, I have a couple guests here for spring break. They're going to be Pages with us for the rest of the week. And we have Vincent Williams and Emily Williams from River Forest. And Maya-Gabrielle Gary and Alexander Gary are from Oak Park. And I'd like for you to please welcome them to the Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to the Illinois Senate, young people. See your

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator at work. Senate Bill 1739. Senator Schoenberg. Out of the record. Senate Bill 1743. Senator John Jones. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1743.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. Senate Bill 1743 was brought to me by one of my constituents who owns Frey's Produce in -- in southern Illinois and is a large producer of specialty crops for -- for many vendors. And it exempts them from paying into the unemployment insurance for H-2A workers. For many years, they were exempt in the State of Illinois. They are exempt from having to pay at the federal level. So I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1743 pass. All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1743, having received the required constitutional majority, is declared passed. Senate Bill 1750. Senator Noland. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1750.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. Chair. Senate Bill 1750 amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that the term "aggregate extension" does not include special purpose extensions made for community mental health purposes. Amends the Community Mental Health Act, providing that if a government unit levies a tax for community mental health purposes at a rate of less than 0.15 percent, that the levy may be increased to not more than that 0.15 percent by submitting the question to the voters. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I would just like to point out to the -- to the Senate that this is a tax cap exception. It's for a very worthy cause. So I -- I respectfully stand in opposition to the good Senator's bill. But this is a tax cap exception during a time when people are having the hardest time paying their property taxes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. Chair. I would just -- simply say that this is an issue of local control. Folks within their own respective

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

communities can make this decision to help those who are in need the most, those suffering from mental illness. Thank you. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1750 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, none voting Nay -- I mean, 19 voting Nay, 1 voting Present. Senate Bill 1750, having received the required constitutional majority, is declared passed. Senator Pankau, for what purpose do you seek recognition, ma'am?

SENATOR PANKAU:

Thank you, Mr. President. To my right up here in the -- in the gallery with all the orange shirts on are the Henry Hyde Resource Center that's from Addison, Illinois. Would you guys give 'em a big hand and greet them here in the Illinois Senate?

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise? And welcome to the Illinois Senate. Senate Bill 1753. Senator Dillard. Senate Bill 1769. Senator Steans. Senator Steans seeks leave of the Body -- Body to return Senate Bill 1769 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1769. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Steans.

SENATOR STEANS:

This amendment replaces all and becomes the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1769. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1769.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This bill requires each school district to adopt a procedure to comply with the Lawn Care Products Application and Notice Act. The school district assigns a staff person. We worked with the School Management Alliance to do it in a way that works for the schools. And daycares are complying with this Act as well. Urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR RIGHTER:

Yes, a inquiry of the Chair. I want to make sure we're clear. The Senator said the "bill" and then described something. We're on recall. Is she talking about the substance of the amendment that she's trying to put on Senate Bill 1769?

PRESIDING OFFICER: (SENATOR HENDON)

We -- we already adopted the amendment, sir. The amendment...

SENATOR RIGHTER:

It says it's on recall. That would indicate to the Members of the Chamber, Mr. President, that we are still on -- on that order.

PRESIDING OFFICER: (SENATOR HENDON)

We adopted the amendment. All those in favor, say Aye. Opposed, Nay. The Ayes had it, and the amendment is adopted. So we should be off recall. You're correct. The bill is now correct. Anything further? Senator -- Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will yield. Senator Righter.

SENATOR RIGHTER:

Senator Steans, the -- you -- you described an Act that school districts would now have to comply with. I -- I didn't catch the term of the Act. Can you tell me what that is and what it requires?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans, just to -- hold one second. To be certain, we -- Madam Secretary, read the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SECRETARY ROCK:

Senate Bill 1769.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Right. It's the Lawn Care Products Application and Notice Act. There's -- schools already were doing internal to school buildings pest control safety -- using safe -- safe products for pest control. This is now doing it on safe applications of products outside on the lawn.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall Senate Bill -- 1769 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1769, having received the required constitutional majority, is declared passed. Senator Lightford, for what purpose do you seek recognition?

SENATOR LIGHTFORD:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your personal privilege.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I neglected to introduce the children's lovely mothers

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

that are in the gallery - President's Gallery. Miss Suzanne Williams - she's a speech pathologist in River Forest school district. And Yvette Gary is a teacher in the Oak Park/River Forest school district. Please welcome their moms to the General Assembly.

PRESIDING OFFICER: (SENATOR HENDON)

Will the lovely mothers for the lovely children -- welcome to the Illinois Senate. Senate Bill 1770. Senator Steans. Out -- Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 1770.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Are we on the -- we -- okay, 3rd Reading. This bill is the Victims' Economic Security and Safety Act. This was originally adopted five years ago with the negotiation of Senator Obama -- then Senator Obama at the time. After five years experience, now we're making recommended changes to the Act. One, the original Act applied to employers with fifty or more employees. This would now bring it to fifteen or more employees. Expands the definition of a family or household member who's a victim. What the -- what this Act basically does, by the way, is provides ability for folks who are being victims of domestic violence to take leave -- unpaid leave from their work. So it's -- it's lowering now who it applies to and there's also establishing a private right of action. It also establishes

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

finer for employers who are not complying with it. Now, just the day of our last committee on this, I did hear with some concerns from the Chamber of Commerce. I am planning on continuing to work with the Chamber of Commerce on an amendment in the House. There's a few changes I think we can make to make some accommodations with the Chamber. But I'm asking for an Aye vote today.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Yes, thank you, Mr. President. To the bill: I -- I -- I rise in strong opposition. With all due respect to my colleague, this is not justified. We've had five years' experience. The bill that is on the books right now -- or the law that is on the books right now is very generous. There was no compelling reason offered by the advocates in the committee for this change. I think you ought to carefully consider with the same spirit that we considered an earlier measure. This is a very hostile policy that will be imposed on businesses across the State of Illinois. It creates a -- although it's -- it's -- although we know that it's a -- it creates a new private right of action, which means more litigation. It expands remedies to include compensatory damages for emotional distress. I mean, look it, if you got a small business, you got -- you -- you have fifteen employees, and, you know, God help you, there -- there -- you know, one of your employees or a family member of an employee or a -- or a -- or a -- somebody who works for you whose family member has been a victim of -- of a domestic abuse or sexual abuse, it's your job to perceive that they have this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

problem. It's your job as the employer to support them and help them find counseling. I mean, please, these are good intentions, I -- I think. I'm not convinced that they are. The workplace is the workplace. We need people to come to work that want to make a living, that want to give an honest day's work for an honest day's pay. There was no example or case of an employer that did not support an employee who had a problem. This is just creative legislation that will create litigation and more problems for employers and small employers in the State of Illinois. I urge you to vote No, whether or not there's going to be an amendment in the House or not. Please just vote No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. I also urge a No vote on this. The basic problem with this bill is that it takes things that are -- that are currently in place for businesses that have thirty-five {sic} employees and lowers it -- the threshold down to fifteen employees. Fifteen employees is a very small business. And to -- with -- with -- with no guidelines as to the total amount of time or the total amount of effort, to put all of this on a very small employer can -- can be dastardly to that particular business. Everybody's heart bleeds when you have these circumstances, but you can't put all of it on the employer. Personal responsibility takes a part in this also. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR MALONEY:

Thank you, Mr. President. Just a question of the sponsor. In -- in the committee, on this bill, one of the -- the issues of contention was the term "perception" or "perceived". Is that -- is that the amendment that you plan to work on, to clear up that -- that...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes. That's one of them. Also, the fine was an issue - that -- that it's a very high fine. I think we'll also look at lowering the fine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates she will. Senator Righter, go right ahead.

SENATOR RIGHTER:

Thank you -- thank you, Mr. President. Senator Steans, I want to -- cover a -- cover a couple of areas that you're making substantive changes in the current law to. First, with regards to the fine, what is the present fine for an employer to violate this Act and what do they have to do to be subject to that fine?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

I -- I'm not sure what the current fine is. I know at this point it -- it establishes it at five thousand dollars, which

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

does seem high. And I do think we should look at lowering that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

I'm going to read from the language that you have as the bill is currently constituted, Senator Steans. It says that an employer could be fined five thousand dollars and it goes to an "employee aggrieved by the failure of an employer to post the notice required under Section 40". So if I read that correctly and if my folks back home read that correctly, what this says is that they could be fined five thousand dollars for their failure to put a poster up in the workplace. Now, do you agree with that reading?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes, and I do want to look at that. The other point to make, however, is that the posters that are issued now by the Department of Labor do -- include reference to this Act. So compliance with this Act is a much simpler event at this point. They are included in the posters that are generally posted with lots of Fair Management Labor Act issues.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I'm reading now from the definition of "family or household member" that you've expanded considerably. The new language would include "employees with a family or household member who is a victim of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

domestic or sexual violence or is perceived to be a victim of domestic or sexual violence". And then you go on to add "other persons {sic} (person) related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter". So we're talking about former spouses would be covered under this as well. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

This is one of the areas that I do plan on addressing in an amendment in the House, Senator Righter. And -- and just to speak, you know, I did not hear from the Chamber of Commerce until the day this came into -- so I did not have an opportunity to work that out in advance.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, to the bill.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. With all due respect to the sponsor of the bill, she characterized earlier the objection just brought to her yesterday. This amendment just popped up a couple days ago. So, up to that point, it's been a shell bill. So there's not been a chance for parties who represent the entities who would be affected by this to have some say. I think this is one of those situations where rather than putting a vote on something and sending it over to the House with hopes that the House of Representatives will clean up our problem, this is a bill that should stay in this Chamber, the deadline should be extended on it, and if there is some agreement that can be worked out, we

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

should go forward with that. Until then, I would urge this Body vote No and leave the bill in this Chamber. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President. To the bill: I, too, am a small employer and I think that this bill needs a lot of work. However, the sponsor has indicated that she will work with the House to try to amend this. Just to make a comment, that my concurring with this depends on how it comes back from the House. But I -- I do think it needs a lot of work. I will vote Aye just to get it out of the Chamber.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, I'm just curious, what makes someone safer at home than at work? I mean, I just don't -- I guess I -- I -- I understand what you're trying to do and I think it's very noble, but if -- if my neighbor is beat up by his wife and he goes to work, why is he safer at work than he is at -- at the tavern? I -- I -- I'm just a little bit confused by that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Yeah, this is providing the victim of domestic violence not a chance to be safer at work, but to leave work to go to court, to get court orders that are needed to give them protection, to look for alternative housing. It's those sorts of things. This is only providing unpaid absence of leave from work so that they can get the protection that they need.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Jacobs.

SENATOR JACOBS:

Senator, after the person receives that paper from the court that says that this person has to stay away from 'em, they -- they have to go back to work. So this is just so people can get out of work to go to court to take care of this problem. Correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Correct. And to find alternative housing and make those arrangements. That's correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, for a second time.

SENATOR RIGHTER:

Thank you very much, Mr. President. I want to correct something I said a little bit earlier. I referenced that the amendment was filed a couple days ago. I was wrong. The amendment was filed six days ago. It was heard in committee two days ago. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans, to close.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Just want to make a couple of comments in closing. You know, in the five years since this has been on the books, there have been one hundred cases only. It's not that this is a massive problem for employers, but it's a huge issue for the woman or man - 'cause there have been issues of it being men as well - who have been the victims of domestic violence. And there have been cases -- we did have somebody who was there to testify at committee - was not -- had the chance to get heard - where the employer did not give them the opportunity to take leave. The recommendation to enable a private right of action has come itself from the Department of Labor to us, because the -- the adjudicative law process that they offer has not always been adequate in their view to take care of this. So these recommendations are based on real problems that people are experiencing. And I do plan on continuing to work out recommendations with the Chamber of Commerce. And urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1770 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 19 voting Nay, 2 voting Present. Senate Bill 1770, having received the required constitutional majority, is declared passed. Mike Brooks from WICS seeks leave to videotape. Is leave granted? Leave is granted. Senate Bill 1776. Senator Hunter. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter, on Senate Bill 1776.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 1776 requires the Secretary of Human Services to select a person within the Department to coordinate with other State departments to make sure that all programs that impact the prevention and treatment of diabetes are maximized in an attempt to decrease the health consequences and complications associated with diabetes in the State. The Department must be the central repository for the State of Illinois for data related to the prevention and treatment of diabetes. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1776 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1776, having received the required constitutional majority, is declared passed. Senate Bill 1783. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1783.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank -- thank you, Mr. President. This bill simply adds some counties to the Quad City {sic} (Cities) Regional Economic Development Authority, which is a economic development authority that's based at a local level and allows businesses that are interested in locating in the area to -- to receive loans at a slightly lower rate than at a bank. I know of no -- of no opposition. And look forward to your help.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Just -- just a -- a word of caution here, that this does increase the bonding from one hundred to two hundred million. Could be an issue.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I would point out that the Quad City {sic} Regional Economic Development Authority is pushing their cap of a hundred million dollars. And we have never had those problems that have occurred in -- perhaps like in SWIDA. But I would acknowledge that we look for this bill to be changed when it reaches the House, because the Speaker, as you know, hates moral obligation. So we -- we will -- we -- we envision that happening, Senator.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1783 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, 3 voting Nay, none voting Present. Senate Bill 1783, having received the required constitutional majority, is declared passed. Senate Bill 1784. Senator Jacobs. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1784.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This port authority bill will allow some communities in northwestern Illinois to -- for the potential to put a port in. So we're looking for your support. It's an economic development project that is driven by the local communities. There's no known opposition that I'm aware of.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will yield. Senator Dahl.

SENATOR DAHL:

Thank you. Senator Jacobs, the -- how was the six-thousand-dollar annual salary arrived at for the board members?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I think, Senator, that's a standard number that's used in other port authorities that are stationed throughout Illinois. We are looking to make sure those are locally controlled positions. Those are positions appointed by the county chairmen of those districts, with one appointment by the Governor. So we want to keep as much local control, and, you know, hopefully the people will give back their money. But, you know.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Senator Jacobs, will there be any tax imposed on the individuals of Carroll, Jo Daviess, Rock Island or Whiteside counties?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I think that there is potential. But there is no tax in -- in the system. Look, you know, a port authority or as a park district, they do have wide-ranging powers. We have a great stretch of railroad along there, the Mississippi River, which will provide us the opportunity to create some opportunities by bringing barges, unloading them and driving them -- the -- the products straight to Chicago on rail. So, you know, these will be decided by local governments, not by me or you. There's no particular tax in the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Does this not also create a utility district within the corporate bounds of the district that can collect a 1.5-percent property tax for the utilities without a referendum?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Yes, it does, sir. The fact is, is that this allows local communities to make local decisions about what they want to do. The -- and this is the same as every park district, every port authority that currently exists in Illinois. It's no different and no better.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Dahl.

SENATOR DAHL:

Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. A question for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Lauzen.

SENATOR LAUZEN:

First of all, I commend the sponsor for his work on economic development, because we know that what our constituents want are jobs. And so you're taking action in that direction. In the bonding Section of this bill, I think that it could use

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

tightening up, because there's a forty-year bonding provision, which under - I don't know what we'd call it in the Chamber - some kind of responsible debt, it's a shorter period of time so that the interest doesn't just kill us. And then it has that there are no -- there's no requirement for competitive bidding for some of this. So would you address those two things? And I'm certainly with you in the spirit of it, but the bonding Section should cause us and -- and your community some distress.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator, for your question. First off, this bill was patterned after every other port authority and park district in Illinois. And -- so we took the boilerplate language. And if you would ask your second question again, I didn't -- I didn't quite catch it 'cause my seatmate was in my ear.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

It was just the concern that in the bonding provision of this bill, there's no requirement for competitive bidding.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I'd be happy to work with you or any other Member to clean up those specifics. Look, I've never handled a port authority. My district has not had one. There's sixteen in Illinois, but we have not had it. So, if you think that we need to clean up

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

that language and the other sixteen and the park districts, I'm -- I'm more than willing to work with you. But, like I said, we took boilerplate language that is consistent and all over the State of Illinois and just applied it to what we were hoping to do.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1784 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 voting Aye, 3 voting Nay, none voting Present. Senate Bill 1784, having received the required constitutional majority, is declared passed. Senate Bill 1796. Senator Lightford. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1796.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1796, as amended, provides an opportunity to re-enroll high school dropouts. A couple years back, we established a high school dropout task force, and based on the information that's been provided to us over the past four or five years, the number of dropouts is increasing dramatically. And I encourage students to return to the system and earn high school equivalency, opposed to encouraging them to just simply

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

earn a GED. And so what this program would do is to support bringing children back into the -- the school system - and young adults, I should add. It's one of the initiatives of the Alternative Schools Network. It -- it's to assist with the Truant Alternative and Optional Education Program. And it's currently administered and would be by ISBE to provide truancy prevention and intervention programs to serve dropouts and truants. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1796 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. Senate Bill 1796, having received the required constitutional majority, is declared passed. Senator Koehler, for what purpose do you seek recognition, sir?

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point, sir.

SENATOR KOEHLER:

Well, I want to do this on behalf of my colleague Dale Risinger as well, because we're very proud of the Easter Seals Organization in Peoria. But we have three representatives from Easter Seals - Steve Thompson, the Director; Jim Runyon; and Drew Griffin. And we want to welcome them to Springfield and to the Senate.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Will our friends from Easter Seals please stand? Welcome to the Illinois Senate. Keep up the good work. Senate Bill 1799. Senator Righter. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1799.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Senate Bill 1799 is an initiative of the Illinois State Board of Elections. It makes three changes to the Election Code with regards to votes based on -- for constitutional conventions. The most notable, Mr. President - I want to point out for you - is that it will no longer require the State Board of Elections to use blue paper on which to vote. I want to assure you, that is not aimed at -- you or a member -- any members of your party. But it would not require us to use blue paper anymore. But I'll be happy to answer any questions about any other changes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1799 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

voting Nay, none voting Present. Senate Bill 1799, having received the required constitutional majority, is declared passed. It's a good thing I didn't wear my blue suit today as I planned. Senate Bill 1801. Senator Righter. 1801, sir? Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1801.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Senate Bill 1801 is also an initiative of the Illinois State Board of Elections and provides that if the first or last day of early voting falls on a State holiday, the first business day after that State holiday will either be the first or last day of early voting. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1801 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1801, having received the required constitutional majority, is declared passed. Senate Bill 1809. Senator Holmes. Senator Holmes seeks leave of the Body to return Senate Bill 1809 to the Order of 2nd Reading for purpose of amendment. Leave is granted. Now

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

on the Order of 2nd Reading is Senate Bill 1809. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Holmes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Holmes.

SENATOR HOLMES:

Yes, Floor Amendment 1 very simply takes out the definition of "medically necessary" in this bill. And that was done at the request of the insurance companies. I..

PRESIDING OFFICER: (SENATOR HENDON)

Is there -- is there any discussion? If not, all those in favor will say Aye. Opposed, say Nay. The -- the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1809. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1809.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Holmes.

SENATOR HOLMES:

This bill simply requires coverage for medically necessary preventative physical therapy for insureds diagnosed with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

multiple sclerosis. Basically all we're looking to do is discuss that patients who receive MS therapy, in addition to taking the drugs, that they have physical therapy, because it's shown that they have increased improvement in functional status, mobility, quality of life, and disability, allowing them to stay working.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1809 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 1 voting Nay, none voting Present. Senate Bill 1809, having received the required constitutional majority, is declared passed. Senate Bill 1810. Senator Millner. Out of the record. Senate Bill 1811. Senator Millner. Out of the record. Senate Bill 1812. Senator Millner. There my friend goes. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. Senator -- or Senate Bill 1812 amends the Criminal Code to create the offense of unlawful manipulation of a judicial sale. And what it is, the offense is committed by knowingly making a contract with or engaging in a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

conspiracy with another person who would otherwise be a competitor. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1812 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1812, having received the required constitutional majority, is declared passed. Senate Bill 1813. Senator Millner. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1813.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. This amends the Criminal Code consensual eavesdropping exemptions to allow in-car camera audio recordings of statements made by an occupant of a police car and expands the current exemption for investigation of Vehicle Code offenses for any offenses under Illinois law. And what it means is, is today we all think that as a police officer has the in-car cameras that they can keep 'em on all the time. But what happens is, police officer pulls up to an armed robbery in Illinois, they have to turn it off. If they're pulling up to a domestic violence, they have to turn it off. They can only keep

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the camera and audio on now if it's a traffic stop, so we're just expanding it to just let the cameras roll when they pull up to a scene. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1813 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Senate Bill 1813, having received the required constitutional majority, is declared passed. Senate Bill 1814. Senator Kotowski. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1814.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

...Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1814 clarifies that the eavesdropping exemption for monitoring the conversations of police officers and other agents of law enforcement investigating certain felonies to include firearms-related felonies.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1814 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 1 voting Nay, none -- none voting Nay, 1 voting Present. Senate Bill 1814, having received the required constitutional majority, is declared passed. Senate Bill 1815. Senator Righter. Senator Righter. Senate Bill 1816. Senator Hultgren. Senate Bill 1817. Senator Hultgren. Senate Bill 1818. Senator Millner. 1818. Madam Secretary, read the gentleman's bill. Senate Bill 1818. Senate Bill 1818. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1818.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. This amends the Criminal Code to increase the penalty from a Class 1 felony to a Class X felony for a theft of over a million dollars. The bill also raises the penalty for loan fraud on residential real estate consistent with other financial crime penalties. Ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1818 pass. All those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. Senate Bill 1818, having

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

received the required constitutional majority, is declared passed. Senate Bill 1819. Senator Millner. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1819.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. Amends the Criminal Code to apply public contractor misconduct offense to seeking compensation for goods and services that were never delivered. The bill also bars a person convicted of public contractor misconduct or similar law from contracting or holding public office for ten years from the date of conviction. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1819 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1819, having received the required constitutional majority, is declared passed. There was a scheduled Democratic Caucus at 12 noon. It will be delayed slightly. Senate Bill 1825. Senator Sullivan. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1825.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. Chairman. 1825 amends the Property Tax Code with regard to certificates of -- of errors. It requires certificate of errors to be issued whenever a property owner in any county - that's currently only in Cook County, so this allows any county - when they fail to file an application for an homestead exemption. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just rise to support the legislation. It passed unanimously out of Revenue.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1825 pass. All those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1825, having received the required constitutional majority, is declared passed. Senate Bill 1827. Senator Noland. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1827.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1827 allows a firefighter employed by a village with a population on July 1st, 2007, greater than nine thousand but less than twelve thousand, who was excluded from participation in a downstate firefighter fund prior to January 1st, 1996, because the firefighter had earned credit for that service under the Illinois Municipal Retirement Fund to then participate in Article 4. I'd happy -- be happy to entertain any questions. Urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Duffy.

SENATOR DUFFY:

Thank you, Mr. President. This -- this bill came out of committee without any -- identifying any of the communities it would affect and without the costs with the understanding that we would learn the costs and what communities it would affect. Now, Senator gave me some information on that yesterday, before 3rd Reading, and I appreciate that, but that still doesn't identify the exact costs. And I've come to find out that this bill only affects one community and that's my hometown community. This will cost the Village of Barrington 1.8 million dollars for a few firefighters. And considering the fact that the Village of Barrington is already cutting their costs by ten percent and laying off police officers in April, this will cause

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

more layoffs in the police department and in the fire department. And in a time when the Governor's talking about pension reforms, Mr. President, I don't think expanding these pensions right now is a good idea.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Noland, you wanted to respond? No. Senator Althoff.

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Althoff.

SENATOR ALTHOFF:

Thank you. Without going into too much detail, this also affects my community. Senator Duffy and I actually share this community. So let me ask, Senator Noland, can you now identify those communities that this legislation would affect?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

I am informed by Joe McCoy from the Illinois Municipal League that there are approximately ten. He did not identify that, but we did make a good faith effort to identify those. I'm not aware -- this is only intended to affect those communities with populations between nine and twelve thousand.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Well, in my due diligence, let me tell you, I can tell you what communities those were: Barrington, Flossmoor, Fox Lake,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Glenwood, Lyons, River Forest, Sauk Village, Schiller Park, Swansea and Worth. And out of all of those - let me also tell you, I took the time to call them - one community will be affected by this piece of legislation, although all ten of those would be included. Only one is going to be affected by this. Question - is that community now in litigation with the entity that is requesting this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

I'm aware that they are, but I am not aware of the specifics -- specific arguments within that litigation. This is not intended to affect that in any way. If it does, it's simply incidental.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

I -- again, with great respect for the bill's sponsor and with great understanding of why the proponents of this legislation feels it's necessary, I would truly request this Body to understand that there already is a court case that will address the needs of this community and it only affects one community. It is a 1.8-million-dollar cost. And they're going to be able to address it in only one fashion: They're going to cut the very people that are asking for this bill. They're going to cut their fire service. People are going to lose jobs, because this community is not going to be able to afford 1.8 million dollar in payment. And at a time when we're talking about the importance of creating jobs for the State of Illinois,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

I think this is a direct reverse. And because it is only one community, and it's Senator Duffy's and my community, I would ask this Body to take that into consideration. Do us the courtesy and vote a big No on this legislation. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Noland, tell me if I understand the facts correct. At -- at some point in the not too distant past, the General Assembly adopted legislation that expressly authorized the transfer of credits from participants in the IMRF to a firefighter -- downstate firefighter pension fund. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Yes, that is correct. That legislation was passed in 2004.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. And it's my understanding that in most municipalities that intent of the General Assembly was reflected in practice and members were allowed to transfer their credit from the IMRF to the -- the pension fund. Correct?

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Noland.

SENATOR NOLAND:

That is correct. And in -- in direct contrast to the legislation, unfortunately, this community neglected or declined to make that transfer.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. So, for -- for the purposes of this legislation, it's your intent to clarify the existing intent of the General Assembly to permit that sort of transfer and obviate the need for any litigation over what had been our intent. Is that correct, Mr. -- Senator Noland?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

That is exactly correct. And I thank you for helping to make my closing argument.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. I rise in support of the comments of my colleagues Senators Duffy and Althoff and the village that's also in my community. As they well said, this will cost fire -- or this will cost policemen's jobs. They are already laying off policemen in this town. My suggestion would be -- first of all, there is legislation, and the name of the case, so we're all clear, is McLearn versus the Village of Barrington. This -- the Circuit Court ruled for the Village of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Barrington. The matter is pending before the Appellate Court right now. So we are basically circumventing the Circuit Court's decision, number one. Secondly, this Village can't afford this. Now, we're sitting here at a time where we have record -- record - number one in the country - get our foam finger out, we're number one - in pension debt and we're going to add it on here. Did these gentlemen maybe deserve to be included in some previous legislation? Maybe they did, but the bottom line is this bill is adding to the pension debt of the municipalities in the State of Illinois. We can't afford it. The Village can't afford it. Is there -- has there been any effort - and I guess this would be a question of the sponsor - has there been any effort at trying to make this revenue-neutral? In other words, taking these few individuals' IMRF time and giving them only -- a proportional credit in the downstate firefighter's pension so that it would be revenue-neutral. That way they get some of their time without the Village actually taking the hit. Seems like this was a discussion that could have been had a long time ago, and probably should have been by both sides. But I'm asking the sponsor now, as a way to resolve this entire issue, is there the ability to negotiate this and modify this legislation so that this can be brought to a revenue-neutral position, where they get some credit for the time, but the Village doesn't have to take the hit and layoff more police officers? That would be my suggestion. Until we have that, I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland, to respond to the question and close, sir.

SENATOR NOLAND:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President. All of these are -- are -- are good points, but they're not really persuasive. This is a community that had an opportunity to resolve this issue in 1980 when they had the opportunity to move these firefighters over. These are firefighters; they are not just simply EMTs. What this community did was to take advantage of what it perceived was a technicality under the statute. These were EMTs who have been trained as firefighters. They have moved over. They've sought to move over to Article 4. And this has been an ongoing discussion, I am aware, between these firefighters and the Village. In fact, you asked if there have been efforts made to resolve this. Indeed, there have been. I have here a document that was from the Village that indicates that their efforts -- or efforts by the Village and the district shall include taking action to get special legislation if required - which obviously it has been, at long last - okay? - which would allow such a transfer of credits, contributing financially to getting special legislation enacted and other financial contributions as are necessary to securing the transfer of credits. They recognize their obligation. They recognize it, but now, after all this time and their great expense in engaging in a litigation, as opposed to doing the right thing by not leaving these firefighters behind and out of this Article 4 classification, now they come complaining. Well, I'm sorry. But, you know what? Either you stand with the men -- working men and women of -- of this State, irrespective of their geography, or you don't. And I do. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1827 pass. All those in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 19 voting No, 4 voting Present. Senate Bill 1827, having received the required constitutional majority, is declared passed. Senate Bill 1828. Senator Steans. Madam Secretary -- Senator Steans seeks leave of the Body to return Senate Bill -- I'm sorry, Senator Steans, just one moment. Senator Trotter, for what purpose do you seek recognition, sir?
SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR TROTTER:

Sorry to break things... I would like to -- the -- the Body to acknowledge some of my neighbors who are here today with us, with the child/adolescent health care rally, which is going on down in the Rotunda. We have students from the South Shore High School. Will you please give them recognition that they deserve...

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise and be welcomed to the Illinois Senate? South Shore in the house. Welcome. South side. Senate Bill 1828. Madam Secretary, read the bill. Senator Steans seeks leave of the Body to return Senate Bill 1828 to the Order of 2nd Reading for purpose of amendment. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1828. Madam Secretary, are there any Floor amendments approved for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yeah. This Floor amendment deletes all and becomes the bill. I'll talk about it on the reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans, on Amendment 2.

SENATOR STEANS:

Yeah. Excuse me, yeah, Floor Amendment No. 2 deletes all and becomes the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Bill 1828. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1828.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

I'm very excited about this bill. It truly has the opportunity to be -- sort of transform our educational system. For the first time, we'll now be able to track data from pre-school through graduate school by the establishment of a longitudinal P-20 data system underneath the State Board of Education, the Board of Higher Education, the Illinois Community College Board. This has been long months of negotiation with many interested parties. We've come to the table, and everybody from business groups to the IEA and the IFT are all in support of this bill. It provides -- there's national groups saying what should we collect in terms of data so that we can better evaluate our educational systems. There's ten elements that's required according to this national study. And this bill will put in place all ten of those data elements. We'll be able to track a student from pre-school through graduate school and know how they're doing. I very much urge support of this bill. For..

PRESIDING OFFICER: (SENATOR HENDON)

Any...

SENATOR STEANS:

...for purposes of -- for purposes of legislative intent, I want to acknowledge that information will be collected not only

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

for each school and each teacher and each student, but it's going to be for each school campus, including every charter school and each campus of the charter school and each of the contract schools.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. Chairman {sic}. I rise in strong support of this bill. This is something that we have been trying to do for a couple of years here. And the data that will -- the data will impact and be able to give us judgment on -- on the most effective courses in terms of preparing high school students for college and even -- the data can even pinpoint the most effective teachers in our State. It will do a tremendous amount to, I think, help our graduation and retention rates in terms of preparation for community colleges and -- and higher education learning. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Cronin.

SENATOR CRONIN:

Yes, thank you very much. I rise in enthusiastic support for this measure. And I commend the sponsor and all those that worked on this. It's long overdue. It's very thoughtful. And it could and should have meaningful impact on our educational system in the State. Kudos to you, Senator -- Steans.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1828 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1828, having received the required constitutional majority, is declared passed. I recommend you be ready to vote. Senate Bill 1830. Senator Frerichs. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1830.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. Senate Bill 1830 amends the Veterinary Medicine and Surgery Practice Act by authorizing the Department of Financial and Professional Regulation to issue temporary permits to a person holding a degree of Doctor of Veterinary Medicine, provided that the person practices under the direct supervision of a veterinarian.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1830 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 1830, having received the required constitutional majority, is declared passed. Senate Bill 1832. Senator Frerichs. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. Senate Bill 1832 authorizes licensed attorneys to issue subpoenas in pending criminal cases. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1832 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 1832, having received the required constitutional majority, is declared passed. I gave you your only breather of the day, so take advantage of it. Senate Bill 1833. Senator Crotty. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1833.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Senate Bill 1833 provides that in funeral processions, vehicles with their headlights and hazard

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

lights have the right-of-way at intersections. The law currently just says headlights. It also states that vehicles that are not part of the procession may not have their headlights or hazards lights on -- both for the purpose of gaining the right-of-way. And, finally the bill also allows funeral directors and his or her designees to direct traffic during the procession.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. Unlike Senator Crotty on my earlier bill, which she did not support it, I am supporting this one. It did come out of committee unanimously. And I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Bill 1833 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Bill 1833, having received the required constitutional majority, is declared passed. Senate Bill 1837. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1837.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR DEMUZIO:

Yes, thank you, Mr. President. 1837 amends the Department of Veterans Affairs Act by eliminating a provision which required the Department to make a -- to make maintenance charges first and to the fullest extent possible from income sources other than the resident's pension or any compensation paid by the U.S. Department of Veterans Affairs.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1837 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1837, having received the required constitutional majority, is declared passed. Senate Bill 1838. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1838.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you. 1838 also amends the Department of Veterans Affairs Act. Actually, I'm going to hold this bill, I believe. I want to hold this.

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. Senate Bill 1841. Senator Hultgren.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Out of the record. Senate Bill 1843. Senator Althoff. Madam Secretary, read the bill. I'm sorry, Senator Althoff, if you could... Senator Noland, for what purpose do you seek recognition, sir?

SENATOR NOLAND:

Sorry. On -- on 1837, I wish to be recorded as a -- a Yes vote.

PRESIDING OFFICER: (SENATOR HENDON)

Record will so reflect.

SENATOR NOLAND:

Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senate Bill 1843. Senator Althoff seeks -- Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senate Bill 1843 amends the Unified Code of Corrections to prevent a person from getting credit towards a sentence of imprisonment on a new offense for time spent in custody on a parole, mandatory supervision release, or probation violation on a different offense. I know of no objections. It passed out of committee unanimously. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Is there any discussion? Seeing none, the question is, shall Senate Bill 1843 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 1843, having received the required constitutional majority, is declared passed. Senate Bill 1846. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 1846 to the Order of 2nd Reading for the purpose of amendment. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1846. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. Floor Amendment 2 allows the Department of Commerce and Economic Opportunity and the Metropolitan Pier -- Exposition Authority to enter into grant agreements that reimburse the Authority up to ten million dollars per year for incentives that it awards to attract large conventions, meetings, and trade shows to its facilities. The Authority may only obtain reimbursement if the trade show or convention attracts at least ten thousand attendees and would not have used the facilities but for receiving these incentives.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Is there any discussion? This is on the amendment. Senator -- okay. Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there -- have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1846. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1846.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank -- thank you, Mr. President. Senate Bill 1846 is similar to a bill -- it passed out last year. It expands the -- it raises the maximum amount of State sales tax supporting bonds for MPEA's debt service beginning in 2026 up to a maximum amount of three hundred and fifty -- three hundred and fifty million in fiscal year 2030. Increases the bond authorization for MPEA from -- 2.107 billion to 2.457 {sic} billion. Places limitations when bonds may mature by amending various provisions of the State Finance Act. And, again, it provides for the..

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill -- is there any... Put your light on. Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Lauzen. He took his light off, Senator Righter. What am I supposed to do? Senator Righter, for what -- Senator Righter, your light is on. I will recognize you. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Raoul, I am not a finance expert, but this is the perception I have of this bill - and if I'm wrong, please tell me why and -- and how that is: Right now, as the law stands, the State sales tax is a backup for these bonds; that if the revenue -- the local revenues fall short, the State taxpayers are going to pay some of the bill here. What this bill would do is refinance the system that is in law already; push off what is the inevitable State taxpayer involvement in helping pay for these bonds so we don't see it as soon. But the price for that is that the potential cost to the State taxpayers is more in the outyears. Is that an accurate portrayal of this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

It -- it extends the time by eight years, but it doesn't actually refinance in the legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Then how does it just, I mean, simply extend it? Where do you come up with the rest of the money? If the local sales tax revenues are already falling short, how is it that you get an extension before the State steps in if you're not refinancing?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul. Senator Raoul.

SENATOR RAOUL:

The bill allows -- allows for them to restructure, but it's not contained within the -- the -- the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

So what -- what you're saying, Senator, is, is that the bill will allow for a refinancing or a restructuring. That's -- just the details of that are not being done in this bill. So going back to my original question, we are pushing off the -- what appears to be now, the inevitable hit to the State sales tax to the State taxpayers. But the tradeoff is that hit could be bigger later. Is that -- is that -- again, is that fair?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Yes, Senator. If -- but one of the things you -- you need to consider is that this is being done to generate -- Chicago is a -- a major convention city. Others -- other convention cities are -- are making investments into their facilities that we, as a State, have not been making to keep ourselves competitive. McCormick Place generates a lot of revenue for the -- for the -- the City of Chicago and the State of Illinois by bringing

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

conventions and bringing visitors that spend dollars that -- that will -- will be reflected in sales tax revenue, will be reflected in income tax revenue, because it creates jobs. McCormick Place is responsible for sixty-six thousand jobs in our -- in our State's economy.

PRESIDING OFFICER: (SENATOR HENDON)

Chair would appreciate succinct questions and answers. This being the last bill before break -- Democratic Caucus and lunch. Senator Righter, are you done? Senator -- Senator Righter.

SENATOR RIGHTER:

I don't want to keep you from your lunch, Mr. President, but this is a pretty important bill. Senator, the bill also contains language with regards to ten-million-dollar incentive grants that come from the State taxpayers. Can you explain to us how that works, please?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

On -- on the front end, the Pier Authority with -- in conjunction with the convention and bureau -- convention -- the Convention Bureau would identify major conventions that they'd be competing with other cities for, and they -- they -- they could, on the front end, put forth incentives to bring those conventions, again, to MPEA. And if they can demonstrate that those conventions brought in excess of ten -- ten thousand attendees, then -- then -- then, on the back end, they can be reimbursed.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Some questions for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Thank you. First of all, Senator, I think that all of us recognize that McCormick Place is a job-generating gem for our entire region and a source of great pride for everybody who cares about the great State of Illinois. As we go through this bill, isn't it true that what this bill does is it puts the State of Illinois on the hook for four billion more dollars? Isn't it true that because these bonds are so back-loaded in their financing that we get some short-term debt relief, but that the cost of that is over 3.9 or nearly 4 billion dollars more - actually it might be 4.7 billion dollars more - in the long run? So that means that all the people of Illinois are on the hook because of this bill for four billion dollars more. And so a grave decision that we all face today.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Senator, it's -- it's a backup pledge. It is -- it is not State debt.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

This is like any of us on behalf of two hundred and fifteen

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

thousand people signing a guarantor note for McCormick Place if they don't fulfill their responsibilities. And we pretty much are being forced into this kind of legislation - a refinancing. It's like any of us guaranteeing someone's loans. So we should not kid ourselves of what we're doing today. This is guaranteeing a McCormick Place loan for four billion. So, however we cut that, this is like a guarantee. The other -- the only other question that I'd like to ask you is, can you assure the Members of this Senate and twelve and a half million people in Illinois that this McCormick Place is run efficiently? For instance, this page of -- from top to bottom in print that's so small I can barely read it, is a list of fifty management executives at McCormick Place - fifty of 'em who are earning more than a hundred thousand dollars.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen, you -- you asked a question, sir. Could you -- to the bill. You asked the gentleman a question. It's more like you're closing on a bill, sir. Senator Lauzen.

SENATOR LAUZEN:

Then -- then let me address the bill, because I think that the evidence is, unfortunately, that it is not run as efficiently as it could - when you have fifty people here in management - fifty, 5-0 people - between two hundred and one hundred thousand dollars and then consider their benefits, and then when you have three pages, certainly two and a half full pages, of workers who -- and -- and I don't -- you know, I think everybody has a job, but from a hundred and sixty-one thousand dollars to a hundred thousand sixty-four dollars - three pages, a hundred and twenty-two people, a hundred and twenty-two

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

people. And then, finally, in Crain's Chicago Business, just this week, there is an article that certainly the management of McCormick Place says, "Oh, no, that didn't happen" - but they're saying that a thirty-million-dollar excess has been paid on just the janitorial services. Unfortunately, it looks pretty bad. Two politically connected contributors, thirty million dollars in excess of what the next bidder was - thirty million dollars. That's what we're being asked to -- to kick the can down as far as the financing. I think that before you were to vote Yes on something like this, you really have to take a look. Is it being run tight? And, unfortunately, the evidence at least says to me that it's not. Thank -- thank you for your indulgence.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Sullivan.

SENATOR SULLIVAN:

Senator Raoul, and -- the Authority has reached out to me on -- on this particular legislation. I appreciate that. And I certainly recognize the economic engine of the Authority. But tell -- tell us a little bit about this but -- what they refer to as the "but for" provision. And -- and, really, when the -- when they come to the State asking for this reimbursement, how can we feel comfortable in knowing that there has been proper oversight, that the information that we receive is -- is accurate?

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Raoul.

SENATOR RAOUL:

They -- they would have to certify that the -- that there were at least ten thousand -- ten thousand at -- attendees at the event and -- and -- and that they wouldn't have -- they would not have come there if the incentives were not offered.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

I understand that. What I'm saying is, who is going to over -- who is going to look at that information to ensure that the information that is being presented to us is accurate? Is it going to be the Authority themselves? It seems to me that there should be some other neutral party looking at that information to ensure that the information that we receive is accurate.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

First of all, it's subject to appropriation. And along with the Comptroller and the Treasurer, the Department of Commerce and Economic Opportunity would -- would -- would play that role.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. I rise in support of that bill. We talked about jobs this morning. We talked about a bill that was presented earlier that wouldn't be favorable for jobs. This

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

is about jobs. And not only that, we already owe the money. This is extending it so they can do more with the convention center. We are competing nationally -- actually, internationally for conventions in this State. It's important that we have the best, most state-of-the-art center. We especially are competing with places like Las Vegas and also Orlando, Florida, who are spending literally millions of dollars more per year just on marketing their facilities. So we have to do what it takes to make sure Chicago is the premier location. We have to do what it takes to make sure that if we're going to refinance, we do it the right way, with the protections. And also, the figure that I heard that there are fifty administrators and someone's upset with fifty administrators -- well, if there's sixty-six thousand employees with fifty administrators, that doesn't seem out of whack to me. I think this is the right thing to do. I would encourage all of you to consider this and vote for this legislation. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Final speaker, Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. I rise in support of this bill. This is actually sort of a -- a -- a private sector kind of application to a public sector entity. What we're saying is, we'll allow you the opportunity to use money to go draw business to Chicago and Illinois, and if you prove that you actually were successful and generated revenue as a result of that, then we'll let you do it again next year. But every year you have to come back here, and it's subject to appropriation, which means this Chamber gets to decide every year, did you, in fact, generate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

revenue off of this idea. So they get the money if they generate the revenue. That to me sounds like a good pro-business bill. And I support the bill. I understand there are concerns about the salaries. I don't like the -- kicking the bonding down the road, but the truth of the matter is, Ladies and Gentlemen, this tax, like every other tax that's ever passed, isn't going away anyway. So we might as well have it actually applied to something useful and productive like this. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Bill 1846 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record. On that question, there are 44 voting Aye, 9 voting Nay, 2 voting Present. Senate Bill 1846, having received the required constitutional majority, is declared passed. Senator Kotowski, for what purpose do you seek recognition, sir?

SENATOR KOTOWSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR KOTOWSKI:

I'm very pleased today to make an announcement. I have a group of students visiting from Maine East High School. They're from the school-based health clinic. They're a group of very impressive young women. Could you please rise and be acknowledged by the General Assembly?

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Welcome to the Illinois Senate. Welcome. Senator Muñoz, for what purpose do you seek recognition, sir?

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement, Leader.

SENATOR MUÑOZ:

Democrats are requesting a caucus in the President's Office immediately, for about a half hour.

PRESIDING OFFICER: (SENATOR HENDON)

Be a thirty-minute Democratic Caucus in the President's Office from twelve -- from now to ten after -- quarter after one -- one. Senator Righter.

SENATOR RIGHTER:

Mr. President, the Senate Republicans would request a caucus immediately in Senator Radogno's Office. Mr. President, we'd ask for -- until 1:30, please.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, are you certain a half an hour won't be sufficient? I mean, we are trying to move out of here the next two days. Senator Righter.

SENATOR RIGHTER:

I would ask for 1:30, Mr. President. I would also ask you to consider that there are some documents that we are waiting from -- from your caucus that we were supposed to have received and we're still waiting on those.

PRESIDING OFFICER: (SENATOR HENDON)

There'll be a Democratic Caucus in President Cullerton's Office until 1:30. There will be a Republican Caucus in Leader

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Radogno's Office until 1:30. The Senate stands in recess until the call of the Chair. We will be back to do further business.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Will all Members under the sound of my voice please come to the Senate Floor? Will all Members under the sound of my voice please come to the Senate Floor? We're about to do substantial Senate action. We are actually -- gave each caucus an extra hour beyond the time that we had set. So we're going to get started. If you want your bills moved, you will come to the Senate Floor immediately. Will all Members please come to the Senate Floor? We're about to go back to 3rd Readings. Please turn your Calendar to the middle of page 59. The middle of page 59 is where we're going to begin. Will all Members please come to the Senate Floor? We're about to begin. We're going to the middle of page 59 on your Calendar. Will all Members please come to the Senate Floor? We have substantial business to take care of. The caucuses -- we gave everyone an additional hour. Senate will stand in recess till the call of the Chair -- until 2:50 - 2:50. So you have twenty minutes to -- and then we're going to be -- go to doing substantial business. 2:50.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Will all Members under the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

sound of my voice please come to the Senate Floor? We're about to go to substantial Senate action. And we're going to it quickly. Bethany Carson seeks leave to videotape. Leave is granted? Leave is granted. Senate Bill... University of Illinois at Springfield. Okay. Leave is granted? Leave is granted. Senator Koehler, for what purpose do you seek recognition, sir?

SENATOR KOEHLER:

Mr. President, a point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR KOEHLER:

I've got two people in the gallery behind me that I'd like to introduce. They're from State Farm Insurance - Gina Driscoll and Jackie Padesky. So if the Senate would please welcome them.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to the Illinois Senate - from State Farm Insurance. Some of these Senators going to need some insurance if they don't get to the Senate Floor soon. Page 59. Middle of page 59. Senate Bill 1847. Senator Harmon. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate. Senate Bill 1847 is a shell bill. It creates the Community College Construction Act. It's intended to be similar to the K through 12 School Construction Law currently on the books. I've been informed by the proponents that there is now language, but obviously we don't have time to deal with it before our deadline. I have secured a House sponsor who is willing to work with us on the bill there. And I'd ask for your support...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing -- Senator Righter. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Harmon, there's language out there that I'm assuming that you've seen it. Can you give us at least a pencil sketch of -- of what we're looking at in terms of a program and a funding source?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, actually, just today I learned that there was language, is why I decided to call the bill. I have not seen it yet. It is intended to be similar in nature to the K through 12 School Construction Law. But, again, I have not seen the language. I'd ask to move this to the House so that we can work through that language. If it isn't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

satisfactory, it won't come back here for a concurrence vote.

PRESIDING OFFICER: (SENATOR HENDON)

Anything further? Seeing none, the question is, shall Senate Bill 1847 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1847, having received the required constitutional majority, is declared passed. Senate Bill 1852. Senator Link. Senator Link. Out of the record. Senate Bill 1855. Senator Schoenberg. 1855, sir. Schoenberg. Out of the record. Senate Bill 1857. Schoenberg. Out of the record. Senate Bill 1858. Senator DeLeo. Madam Secretary, please read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1858.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jimmy DeLeo, on Senate Bill 1858. Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Assembly. As you know, we passed a bill last year and this was inadvertently left out. This is a trailer bill to Senate Bill 2520, which Governor Quinn signed into law in February of this year. And what's -- it's -- this is Senator Raoul's bill from last year. And it contained numerous provisions for fund transfers. This allows service credit. So if you're a Chicago police officer and you went over to the air

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

marshal for a couple of years or to the FBI or to one of the federal agencies, this would give them credit when they came back. So I'd ask for an affirmative roll call, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1858 pass. All those in favor will vote Aye. Opposed will vote No. 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1858, having received the required constitutional majority, is declared passed. Senate Bill 1860. Senator Bond. Out of the record. Senate Bill 1865. Let's go to 1865. Senator Raoul. Senator Raoul. Out of the record. Senate Bill 1866. Senator Sullivan. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1866.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Mr. President, if I could have a point of personal privilege as well.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, Leader.

SENATOR SULLIVAN:

You bet. Thank you very much. Ladies and Gentlemen, we have a group of students here from Western Illinois University.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

They are the Inside State Government class, taught by one of my State Representatives, Representative Rich Myers. They are joining us up in the gallery today. And I'd like for the Senate to welcome them if they would, please.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise? Welcome to the Illinois Senate. Welcome. Fine group they are too, Senator. Now, Senator, on your bill, sir.

SENATOR SULLIVAN:

Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you very much. Senate Bill 1866 is an initiative of the Secretary of -- of State's Office. It would authorize the use of low-speed vehicles on streets with speed limits of thirty-mile-per-hours {sic} or less. There's a great deal of restrictions on what vehicles could be on the streets - and local governments and IDOT could restrict those - and certainly criteria that they would need to meet before they could drive on the streets. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you. Senator Sullivan, are any of these vehicles vehicles that are currently allowed on the -- on the roads now? You -- you understand why I'm -- it's not a fee increase necessarily; it's just the ability to license or register new types of vehicles that can travel - I think.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

That -- that is correct. Absolutely. These are new vehicles. They would have to meet a very stringent criteria of what would be allowed. They have to -- obviously have to have a licensed driver, insurance, so on and so forth.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1866 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1866, having received the required constitutional majority, is declared passed. Senator Demuzio. We'll move on to the next bill. Senate Bill 1868. Senator Kotowski. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1868.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1868, as introduced, changes the procedure for the Cook County Board of Commissioners to override the veto of the Board President. Currently it takes four-fifths of the Board to override a veto. Senate Bill 1868 would make it only three-fifths of the Board could override a veto.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter, sir.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Kotowski, as I'm sure you've learned by now, anytime there's a bill coming before the General Assembly that has to do with the governance of Cook County, most of us are interested in that. So, what I would ask is, one, who brought this bill to you? And, two, why do you think it's a good idea?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you for your question, Senator. Well, I'd like to say it was -- my own genius brought the bill. So, partially my own motivation and genius on that. Thank you, everyone, for that. Secondly, I -- I've been working very closely with the Civic Federation - a good government accountability bill - been talking about this. I think it's a great way to make what they do in Cook County consistent with what we do in the General

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Assembly in terms of its capacity to override the veto of the Board President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy. How did I know you were going to speak on this bill?

SENATOR MURPHY:

I don't know, Mr. President. To the bill: I just commend the sponsor. This is an excellent bill. As he said, it's a good government bill, putting us in line with -- putting Cook County in line with the State. I urge an Aye vote strongly on this bill. And, again, commend the sponsor for an outstanding piece of legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski, to close.

SENATOR KOTOWSKI:

Mr. President, I just would've appreciated Senator Murphy indicating me by name in talking about how he appreciated the sponsor. My name is Senator Kotowski, for all future reference. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1868 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, 2 voting Present. Senate Bill 1868, having received the required constitutional majority, is declared passed. Senate Bill 1874. Senator Kotowski. Madam -- out of the record. Senate Bill 1877. Senator Kotowski. Madam Secretary -- Senator Kotowski -- seeks leave of the Body

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

to return Senate Bill 1877 to the Order of 2nd Reading for the purpose of amendment. Leave is granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1877. Madam Secretary, are there any amendments approved for consideration? Any Floor amendments?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President. Floor Amendment No. 1 to Senate Bill -- 1877 deletes all and becomes the bill. Floor Amendment No. 1 to Senate Bill 1870 {sic} provides that an insurer or any managed care plan may offer wellness coverage that allows for a reward, a health spending account contribution, a reduction in premiums or reduced medical, prescription drug, or equipment copayments, coinsurance, or deductibles, or a combination of those incentives, for participation in any health behavior wellness, maintenance, or improvement program approved by the insurer or managed care plan.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? This is on the amendment. On the amendment, sir? Okay. All in favor, say Aye. Opposed, say Nay. The Ayes have it, and the -- the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1877. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1877.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President. I -- I would simply ask for an Aye vote for the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I stand in support of the gentleman's bill. Encourage all Members to vote for it.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Bill 1877 pass. All those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, 1 voting Present. Senate Bill 1877, having received the required constitutional majority, is declared passed. Senate Bill 1882. Senator Cronin. Madam Secretary, read the gentleman's bill. Senator Cronin seeks leave of the Body to return Senate Bill 1882 to the Order of 2nd Reading for purpose of amendment. Leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1882. Madam Secretary, are there any Floor amendments approved for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President. This Floor Amendment No. 1 slightly changes the task force membership, reporting date, and mission. It was agreed to in committee. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1882. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1882.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. Senate Bill 1882 creates the Streamlining Illinois' Educational Delivery System {sic}

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

(Systems) Task Force in order to determine which duties and responsibilities the regional support system could more appropriately and efficiently deliver to school districts. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1882 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 1 voting Nay, none voting Present. Senate Bill 1882, having received the required constitutional majority, is declared passed. Senate Bill 1883. Senator Burzynski. Madam Secretary, please read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1883 creates the Collaborative Baccalaureate Degree (Development Grant) Program to be administered by the Illinois Board of Higher Education. It will help deliver upper division courses and bachelor's degree programs to community college student populations.

PRESIDING OFFICER: (SENATOR HENDON)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

shall Senate Bill 1883 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1883, having received the required constitutional majority, is declared passed. Senate Bill 1885. Senator Hultgren. Senator Hultgren seeks leave of the Body to return Senate Bill 1885 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1885. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Hultgren.

PRESIDING OFFICER: (SENATOR HENDON)

...Hultgren.

SENATOR HULTGREN:

Thank you. Would ask to adopt Floor Amendment 1. Deals with forcible felonies. Was agreement with some of the parties that were interested in this bill. And would be happy to discuss it on 3rd.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion on the amendment? On -- seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1885. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1885.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hultgren.

SENATOR HULTGREN:

Thank you very much. This is a tool -- legislation that is given to school districts - not including Chicago school districts, but other school districts - when there's a forcible felony. And that was language that was discussed, with school board member concerns, that it gives a tool to be able to have alternative schooling in a situation, for the safety of the students. Would be happy to answer any questions. Would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

...discussion? Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. Chairman {sic} and Members of the Senate. I -- I stand in very -- in opposition to this bill for a couple reasons. First of all, I am very uncomfortable that -- right now when you look at the high school dropout rate that we have, because of problems that our young people have in school. Now, on top of that, we're going to let the school also decide to transfer a child out to an alternative program just based on the fact that there's some alleged misconduct on their behalf or alleged felony, or whatever, without having been allowed due

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

process. So I'm very uncomfortable that right now we are letting the schools decide when a student who has just been -- not even convicted - he's just been charged with something. There hasn't been a due process given to this child yet. And yet we're sending him off to an alternative school or the school can just get rid of him. And I think that this is just not the right thing to do, especially given the -- the high school dropout rate and the fact that I think every young person needs an opportunity. And I understand that the Senator on the other side of the aisle did say that other -- other kids will make fun of them or there will be problems with the other students. I really believe that we have to allow due process to take place before we're -- we are allowing schools to decide the fate of this child and not -- and giving them an opportunity. So I stand in -- in strong opposition to this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Yeah -- yes, thank you very much, Mr. President. To the bill: You know, Ladies and Gentlemen, I think this is a bill much like some of the themes that we've discussed earlier here today. We're just talking about giving school districts a tool, a tool for them to make a decision about the relative safety or disruptiveness about a student in the classroom. We're not talking about convicting somebody or we're not talking about -- we're talking about prioritizing the kids in the classroom who want to learn. We're talking about holding those folks out as first and foremost. We're mostly interested in kids who want to learn. If there are kids in the classroom that are disruptive

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

and they may have been charged with a forcible felony, don't you think common sense dictates that a teacher or a principal ought to be given the tool to remove that kid from the classroom? Come on. Vote Yes on the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator. Do you have in place in this bill -- after you brought the amendment back, did you include an opportunity here for the student to have a due process?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hultgren.

SENATOR HULTGREN:

We had met with the groups that were concerned. It was the school board, counselors. It was also the juvenile justice group. And the -- the key for them was that this isn't mandatory. That if it was a mandate on school districts, they were opposed to it. So their concern was, first of all, to tighten it, which we absolutely did, of a forcible felony. It fits -- it does not apply at all to Chicago schools. So that's really important for people to realize that this only deals with schools outside of the Chicago public school district. And what it does do is puts, I think, a pretty significant burden or decision-making process on the school board for the safety of the students. And in fact, this -- that's the exact place where

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

this fits in. It's a very minor change to the Safe Schools provision, outside of the school districts, that it would be added just as forcible felony. That's all the amendment did. It did not discuss due process. But, again, it -- it's not a mandate.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford.

SENATOR LIGHTFORD:

...Hultgren, you -- you should not be excused by just simply stating that it's not a mandate. And you should not be excused by saying that it does not include the City of Chicago. I happen to support and represent sixty percent of my district outside of Chicago. So it affects me and it affects many legislators on this side of the aisle that do not represent Chicago public schools or the City as a direct legislator. But we all legislate for the entire State of Illinois. But what's so exciting about today being April Fool's Day and today's the big joke, that whatever you seem to bring forth, you can twist it to accommodate what it is you're personally trying to accomplish. Let's be clear. This is no different from the bill that you just voted No against this morning and many Members on the side of your aisle. Because this is alleging, this is alleging the commission. And you can't go to school if you're alleged for something. You can't get a job if you're alleged for something. So what in the world should more than half of our State's population do? They can't go to school. They can't get jobs, because they've been alleged to have done something - not convicted of the crime, but just alleged. And I'd ask all the Members to read the bill. If it was such a good bill, then

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the Association of Social Workers would not be opposed to it. Read the bill. And I would encourage all of you to vote No. We have to, at some point, stop kicking our kids out of school. I understand separating bad apples from good ripe apples. But you're forcing children out of school based on an alleged incident that was not proven. And then how do we get them back into the school system? That's why we have such a high school - - a high high school dropout rate. And that's why we have so much high crime amongst our youth. They're hanging out. They have nowhere to go. They're uneducated. They're jobless. And you're adding to that effort. And I'd encourage a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Raoul.

SENATOR RAOUL:

Is this bill designed specifically to bypass due process or -- so -- so, under current laws, if we had such a situation where somebody were charged, what would a school do, in the -- in the current system?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hultgren.

SENATOR HULTGREN:

It's not my intention at all to get around due process. There still would be full hearing within the school board. They would obviously take it very seriously. We talked even to the attorneys that would be advising the school board. So it's not

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

something that's taken lightly. It purely is for the safety of students - if there's a concern, if there's a forcible felony. The court system, as we all know, might move rather slowly. And so it's to protect both sides, all parties involved in that, is the only intent. There's no desire to go around due process. This is specifically under the Safe Schools. We want students to be safe in school. And both -- both sides potentially could be in danger. So that is the only intention of this. Honestly, it is a tool. It's not a mandate. It's a tool given to school districts; if they feel like students are in danger, then this is a tool that they could use very warily. And we've heard that over and over again, that this would be an absolutely last resort that school districts would turn towards.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

You indicated that there would be a hearing before the school board. Is that a hearing before or after action has been taken?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hultgren.

SENATOR HULTGREN:

My understanding is, it would be before action would be taken, that that hearing would, again, be very thorough. Some of these things are -- they need to be careful, again, to protect the students and make sure that everything is done there. But it would be done beforehand and -- that hearing would -- would take place then.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Raoul, to the bill, sir. To the bill, please, sir.

SENATOR RAOUL:

To -- to -- to the bill: It's -- it's my understanding that the bill does not provide for -- for -- for a hearing. I would -- I would -- I would caution that everybody look at the language of the bill. And as Senator Martinez and Senator Lightford has indicated, we -- we want to be educating kids. We -- we -- you know, there -- there -- there are many situations when people can be accused for the -- for the wrong reasoning. And -- and, you know, we've talked about racial profiling. It happens in the schools as well. And -- and it's usually going to be people that look like me or Senator Lightford or Senator Martinez that are going to be subject to -- to this. So I -- I'd -- I'd encourage everybody to look at the language of this and -- and -- and I'd encourage a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Final speaker before the sponsor closes, Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. Senator Hultgren, you know I have the greatest respect for you. You and I came in together. But let me ask you, have you filed legislation recently or in the past to add youth counselors and youth retention counselors to schools for prevention or any kind of legislation to restore truant officers to school districts? Have you taken -- have you

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

submitted any legislation in prevention in that aspect?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hultgren.

SENATOR HULTGREN:

I don't think, to your question, I've -- I've sponsored any bills directly on that. I have definitely supported that. And certainly that's my intention, is if there's any way that this can be handled a different way, you know, to keep these people in the situation where they're in -- honestly, my heart on this is that all I want is our students to be safe. It's not a mandate. It's purely a tool. If we can have that along -- the tool where counselors can step in, truant officers, keep people in school, but make sure our schools are safe. And I think everyone on this Floor agrees with that desire that I have of making sure that our schools are a safe place where kids can learn. And that's honestly my only intent on this. And I've heard, again, talking directly to school boards, counselors, others, that this would absolutely be a last resort; only if it was for the safety of the students in a forcible felony, is the only time, nothing else, no gray areas there. There'd be, I think, some pretty good protection there.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado, to the bill, sir.

SENATOR DELGADO:

Thank you -- thank you, Mr. President. To the bill: Because the -- actually it means immediate action on it. But, Ladies and Gentlemen of -- of the Senate, I asked those questions because I believe this is the wrong direction to go in, because these people, as the Senator pointed out, are sons

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

and daughters of many people that may even be in this Chamber. My son is a teacher and he's a high school teacher. And what we should be doing is making sure that the students have what we got rid of and that were truant officers, who know where these kids are at. We need to make sure that we're hiring counselors to retain students within the school system, because if not the -- the -- the ramification is going to be you're going -- you're setting them up for the correctional system, which is much more expensive, which doesn't provide a life, when we should be doing everything to -- to prevent these situations. And, of course, as everyone keeps arguing, we keep giving more to the schools to do and yet they're really not in the position to make these judgments, if you will, to decide allegedly that someone is in that category. On my screen I see quite a few very scary charges: predatory criminal sexual assault, second-degree murders, those type of things. Those are egregious and -- and isolated cases that are high profile and media. However, we should be taking the step to do everything to keep our youth whole and to keep them out of the correctional system. And it disproportionately, Mr. President, impacts socioeconomically deprived communities, and those communities are communities of color. I would ask for a No or Present vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hultgren, to close.

SENATOR HULTGREN:

Thank you. And, again, I -- I appreciate the questions. They're good questions. I share -- the concerns of many of the speakers that have asked questions on this. This is something that a school district in my area asked for - this type of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

legislation as a tool, not as a mandate, not as something that they would relish using, but, again, to make sure that our schools are safe. I know all of us want safe schools. It was a very specific situation with eleven-year-olds in my district, where there was some very serious bullying, some very -- very serious forcible felony that was involved. And these kids were going to be sitting next to each other until all of this was taken care of. All we're looking for, again, is for the district to have some opportunity to protect everybody in that process, to make sure our schools are safe. We want to be so careful on this. I did talk to people who had concerns, so I don't enter this cavalierly. I know it's a big decision. But I would ask, again, for your Yes vote and to be able to have safe schools for our kids to be able to -- to learn. And thank you very much. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Bill 1885 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 voting Aye, 23 voting Nay, 1 voting Present. Senate Bill 1885, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, we are going to be -- the Leaders are working on a -- a bill package. So we're going to skip some bills. We are going to go to the bills that have an amendment that need to be adopted. And then we'll send them to 3rds and then pass those. So, if we pass your bill, it's probably on the Agreed Bill List being worked on. Moving on. Senate Bill 1888. Senator Harmon. 1888, sir.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Out of the record. Senate Bill 1892. Senator Noland. Out of the record. Senate Bill 1893. Senator Haine. Out of the record. Senate Bill 1894, we're going to go back to 2nd, adopt the amendment, but not pass. Senator Haine seeks leave of the Body to return Senate Bill 1894 to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1894. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Floor Amendment No. 2 is a -- a -- an amendment of the Illinois Department of Financial and Professional Reg. It adopts what they want in this -- in this proposed bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion on the amendment? Seeing none, all those -- on the amendment? Seeing -- seeing none, all those in favor, will vote -- say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

I was just going to wait until he actually presented the bill. I was a little quick on my speaker. You're talking real fast and so I was too.

PRESIDING OFFICER: (SENATOR HENDON)

That's one of those bills that's on the Agreed Bill List work -- being worked on. Senator Cronin, for what purpose do you seek recognition, sir?

SENATOR CRONIN:

I made an egregious error. I spoke in favor of Senate Bill 1885 and felt passionately about it. I think I'm even a cosponsor, but I inadvertently, unintentionally voted No. I wish the record to reflect that my true intention was to vote Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Your sincerity was heartfelt. The record will so reflect. Senate Bill 1894. Senator Haine. Senate Bill 1896. We're moving on. Senator Haine. 1896. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1896.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is a bill which provides and mandates rules to be followed by the Prisoner Review Board when considering C-numbered prisoner releases. For example, a State's attorney must be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

given notice if the Board intends to make a parole as its preliminary finding. Authorizes victims be provided in person a -- a notice and opportunity to object and a number of other things.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill -- 1896 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1896, having received the required constitutional majority, is declared passed. Senator Brady, for what purpose do you seek recognition, my friend?

SENATOR BRADY:

Purposes of announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement, sir.

SENATOR BRADY:

Thank you, Mr. President. I would like to announce today that today is State Farm Insurance Legislative Day. They have over two hundred and fifty agents here visiting from all over the State. And they wanted me to invite each of you to their reception at The Inn at 835 this evening.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senate Bill 1897. Senator Haine. Madam Secretary, read the bill. 1897.

SECRETARY ROCK:

Senate Bill 1897.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this bill merely updates the Illinois Vehicle Code, defining what is a recreational off-road vehicle to comport with the latest designs, what -- what is being sold in the marketplace, and what's being regulated by the national government.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1897 pass. All those in favor, vote Aye. Opposed, vote Nay. 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 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1897, having received the required constitutional majority, is declared passed. Senate Bill 1905. Senator Garrett. Madam Secretary, please read the lady's -- Senator Garrett seeks leave of the Body to return Senate Bill 1905 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1905. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Yes, thank you, Mr. President. Floor Amendment No. 1 becomes the bill. This is the Health Facilities Planning Board reform. What we did last year was set up a task force of nineteen members. Twelve of those members supported the concept that I'm going to be talking about today and we had one dissenter. Basically, what we did is we set up a Center for Comprehensive Health Planning. If you think of the -- the -- the wording "Health Facilities Planning Board", what we learned was there was no direct and immediate planning in place and so we included this. We also established the Health Facilities and Services Review Board and we gave the Board members more responsibility. We also expanded from the number of five to nine. We also added a salary and -- and a penalty if in fact Board members didn't attend the meetings.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. This is on the amendment, correct? Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. We're going to hold this one on 3rd. It's on the Agreed -- it's not on -- okay. 3rd -- I'm sorry, Senator Garrett, they told me something different. Now on the Order of 3rd Reading is Senate Bill 1905. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1905.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Now, Senator Garrett.

SENATOR GARRETT:

And so, as I was saying, we also made sure that we have a -
- Safety Net Impact Statements. So, when the CON - certificate
of need - process is being addressed, if a hospital wants to
expand or just even build a new hospital, they have to talk
about the impact of the under- and uninsured. We also made
changes to the process on how we look at cardiac catheterization
facilities, open heart surgery facilities, and facilities with
major medical equipment, such as proton therapy. And then,
finally, we put together a Special Nomination Panel which would
be responsible for putting together three different -- three
Board members for each open position. Those Board members would
be sent to the Governor for final appointment. I'd be happy to
answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Couple questions of the sponsor.
The first one is, this sets up a -- a new salary arrangement and
we're increasing the Board to nine and the new minimum salaries
is going to be sixty-five thousand dollars a year. That's the
minimum it can be, but it could also be more than that. Is that
set by the Board itself or who sets those new salaries?

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Garrett.

SENATOR GARRETT:

Yes, I'm sorry. The panel would make that recommendation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

I guess, this -- you know, that -- that's one thing I'd have concern to begin with, that that's -- that's a dramatic cost. I mean, there's a large number of people that are more than willing to serve on these boards that are willing to serve at a significantly lower rate than what this is for a -- a part-time job. The other concern is, I know there was discussion about trying to make this Board independent. There's nothing in this legislation that addresses the problems that we have now with the underlying reason for having a Health Facilities Board, because the -- none of the guidelines are changing. We hear a lot of concerns about these surgicenters being put in communities where there are hospitals. Well, that's already taking place under the current Health Facility Board rules and guidelines and nothing changes in this to change those core rules. You're doing some good things with changing the integrity of the -- of the makeup, but my concern is on -- the underlying guidelines are not being changed except for taking into effect the uninsured portion. So, that, and this extends the sunset for ten years. Historically, we've always sunsetted the -- the program for five years. And -- and ten seems to be a little long for a program that has had its share of concerns. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

That was to the bill. No question was in there. Okay.
Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. Just to the bill: I served on this task force and want to commend Senator Garrett for the work that was done on this. I think it's an excellent piece of legislation. I'm certain we're going to still be dealing with some of these issues. But I would rise in strong support and urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett, to close. I'm sorry, Senator Garrett. Senator Brady, I'm sorry, sir. I -- I saw your light. I lost myself. Senator Brady.

SENATOR BRADY:

Oh, Senator, you've never lost yourself. I rise in support of this legislation. The task force that Senator Garrett chaired along with many other people put a lot of hard work into this. Although, I will tell you that I sponsored six or seven amendments and drafted a minority report that I think is going to cause us to have to revisit this issue. Where we're moving forward on this issue, I think we've still got some problems - the connection that this still has to the Department of Public Health and the control under the Governor's Office. The nominating panel, frankly, we think is a constitutional problem and needs to be corrected. But, by and large, we have a serious problem in this State when it comes to providing for our health facility needs around this State. This Board -- the corrupt environment which surrounded the last administration and some of the members have put a great deal of our assets -- health care

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

assets at risk. This should move forward, allowing us to cause for the investments that should have been made in an ethical and a pure way. So I want to compliment Senator Garrett and the rest of the members of the task force. Hopefully, this will close a sad chapter in Illinois' corrupt history.

PRESIDING OFFICER: (SENATOR HENDON)

Okay. Senator Burzynski, did you want to speak on this bill? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Just one quick question to the sponsor. Senator, will this particular legislation have any impact on any request or any certificate of need process that's in front of the current Health Facilities Planning Board?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

This legislation is really reforming the Board. It -- it can't respond to special requests or do any kind of special, you know, responses, I guess. No, it doesn't.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just as a follow-up then, any -- anything that's in front of the current Health Facilities Planning Board, though, won't be affected by this particular piece of legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

That is correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett, to close.

SENATOR GARRETT:

Well, it's been a long and winding road. We, as I said, spent over a year dealing with this. We have put major reforms into this public policy initiative. I think it's one of our most important initiatives that we -- we are addressing, because, in fact, it's health care. And the whole notion of putting planning into how we deal with health care on many different levels will I think change how Illinois addresses health care needs in years to come. As far as some of the issues on salary, this will go through the House. The -- I'm sure they will make changes, but we had a report that was given to us before we even started our task force. It was called the Lewin Report. They actually recommended -- an independent consultant recommended that we do have salaried, professional Board members. So I think that is a plus, not a negative. And with that, I hope that we can move this bill out of the Senate unanimously. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1905 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 3 voting Nay, none voting Present. Senate Bill 1905, having received the required constitutional majority, is declared passed. Senate Bill 1909. Senator Clayborne. 1909. This is on the Agreed Bill List, so we're going to --

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

1909. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. This is a -- a new initiative as it relates to economic development called STAR bonds. And STAR bonds are basically bonds that will be used to provide economic development and support projects based upon using the sales tax of the local communities and the State sales tax. But for these STAR bonds, the projects wouldn't be -- would not be built. This project is projected to be ten thousand construction jobs, thirty-one hundred full-time equivalent jobs once all of the -- the projects are built. This is for retail, as well as shopping, resorts and so forth. The total economic construction impact is about 1.5 billion dollars and will increase local income by five hundred and sixty-nine million dollars. 9.5 million dollars will go to the local schools, which means the other -- the difference of about five and a half will go to the local municipality. I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

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

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Indicates he will yield. Senator Murphy.

SENATOR MURPHY:

First, let me say, I commend the sponsor on -- on his efforts to bring jobs to his district and in the creativity with which he's doing it. But this does not -- there's no front-door referendum for voters to decide on the sale of bonds that will have the effect of fixing the sales tax rate for a number of years. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, to answer your question, the city council has to accept and approve this -- this concept. So, in essence, it's not a direct referendum, but it is done by the local municipality that makes that determination.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

And you had made reference to the fact that the tax is only in the actual STAR bond district, but I believe in committee they had indicated that municipalities and counties that are included in the district but expand beyond it could also have tax revenue utilized and that the State could be on the hook for a forty-million-dollar sales tax loss. Is that an accurate assessment of sort of the worst-case scenario?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. To a greater extent it is, but it -- it

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

requires for ninety percent of the land that could be annexed to be undeveloped. This is a nine-hundred-acre site.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

And the -- the -- the development company, is it private or publicly owned? Is it a public company or private?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

It's a private company.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Just to the bill, Mr. President. Again, I commend the -- the Senator for an effort at putting people to work in his district. There's a lot to like in this, but a little bit more to be concerned about. And for that reason, at this time, I'd urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I rise in favor of this bill. It came before the Revenue department -- Committee. And I can honestly say it's probably one of the few times that we really see a economic opportunity to help a depressed area. It's a very great initiative on the part of the sponsor. He deserves a great deal of credit for bringing it to this Body. And I commend him. And I hope that everybody will vote Yes on this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

bill, because it's extremely important to bring jobs and things that are needed for our society today. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs, last speaker.

SENATOR JACOBS:

I -- I, too, rise in strong support of the Senator's bill. It did come before the Revenue Committee. It was complicated. We took a long time. We looked it over and it is something that I believe will pay off for Illinois. And I do compliment the sponsor, because he tends to bring up these bills that I -- that I wish were mine.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Clayborne, to close.

SENATOR CLAYBORNE:

Thank you. This is a -- a nine-hundred-acre development of land that sits vacant and is farmed. This will -- be a major impact. When -- when they look at the STAR bonds and -- and the location of -- of this destination, they look at the radius in which it will attract people. In Kansas City, they paid off the bonds in about eight years, because they had an attraction within two hundred fifty miles of twelve million people. We expect to double that number of -- twenty-four million people, within a two-hundred-and -- and-fifty-mile radius. I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1909 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

are 51 voting Aye, 4 voting Nay, 1 voting Present. Senate Bill 1909, having received the required constitutional majority, is declared passed. Just for the information of the Body, the last two bills took all of twenty-five minutes and they both got well over fifty votes. I hope we will not -- we can pick up the pace just a bit. Senate Bill 1912. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1912.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This is a -- a bill that was brought to me by the Illinois Finance Authority. It allows them to increase their authorization for bonding power. It's part of the FutureGen and the stimulus package. And we'd appreciate your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1912 pass. All those in favor, vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 1 voting Nay, 1 voting Present. Senate Bill 1912, having received the required constitutional majority, is declared passed. Senate Bill 1917. Senator Delgado. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1917.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado. I'm looking for you over there.

SENATOR DELGADO:

Thank you, Mr. President. Yeah, I'm located over here now. I know everybody keeps looking to that side of the -- over by that aisle there. Senate Bill 1917, Ladies and Gentlemen, requesting that when a notice of penalty is sent to a facility, the Department must enclose a detailed computation worksheet containing the number of days and number of residents and how the penalty was devised. This was created for Developmental Disabilities. And this legislation would allow transparency among the departments. And I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1917 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1917, having received the required constitutional majority, is declared passed. Senate Bill 1918. Senator Delgado. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1918.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Senate Bill 1918 amends the Illinois Migrant Labor Camp Law by providing that the Department of Public Health shall issue licenses for migrant labor camps prior to operation, rather than on a calendar year basis and -- as is current law. This was a proponent of the Department of Public Health. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1918 pass. All those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1918, having received the required constitutional majority, is declared passed. Senate Bill 1919. Senator Garrett. Madam Secretary, please read the lady's bill.

SECRETARY ROCK:

Senate Bill 1919.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Yes, thank you, again, Mr. President. Senate Bill 1919 prohibits a health care facility, which includes hospitals,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

nursing homes, residential health care facilities, home health care agencies and hospice programs, mental health facilities and developmental disability facilities, or any employee, staff, contractor, or any individual under the direction or jurisdiction of a health care facility from discharging, disposing of, flushing, pouring or emptying any unused medication into a public waterway collection system or a septic system.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1919 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1919, having received the required constitutional majority, is declared passed. Senate Bill 1920. Senator Garrett. 1920? Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 1920.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Yes, thank you, again, Mr. President. Senate Bill 1920 is the beginning of a discussion between the mobile home residents and the property owners. The current amendment that has been added to this shell bill will be changed, I believe.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Discussions will be starting on Friday with the property owners. It is a very important issue for mobile home owners to make sure that their leases are at least more than one year so they're not pushed out of their home with {sic} any prior notice. This bill will not proceed in the House if, in fact, we don't have an agreement. So I would ask for a positive vote.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Garrett, your opening words struck me a little bit, because usually we have a bill at the end of a discussion rather than at the beginning of a discussion. But I want to ask you specifically what problems the opponents have with the legislation as you have it right now.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Well, many of the property owners feel that the cost, for instance, of paying a -- a -- a -- a resident to move from one location to the next is too high, as an example. What I'd like to do is really get the property owners together with the homeowners so we can come up with an agreement. And maybe this is the agreement. I'm not sure, but we haven't had those discussions.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Who are the -- the primary opponents to the bill as it stands right now, Senator?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

It's hard to say, because we didn't really have any opposition when I introduced it in committee. I think that there are land development companies in the State. Sam Zell is the owner of probably one of the largest, but there are smaller ones. I've been talking to them in the last couple of days.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Last point. Thank you, Mr. President. I'm sorry. Senator Garrett, I just saw a note that one of the opponents is the Affordable Housing Institute, which I assume the Affordable Housing Institute is not made up of large developers. What -- what -- what would be their objection to the bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

I -- I -- I haven't -- I'm not sure exactly. Maybe you know. They may represent some of the landowners. The only opposition is really with the landowners at some level. I'm -- can tell you that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator McCarter -- McCarter.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR McCARTER:

To the bill: Many -- there are many people in my district that are affected by this issue. And I -- and I understand that what -- what we see here is probably not the most ideal bill. But I do believe that it's possible to look at some similar -- similar legislation in other states that's been -- that has been very effective in protecting both the landowners and the tenants. And I think that's something we can come up with in the future. So, for that reason, I'll -- I will be voting in favor of this.

PRESIDING OFFICER: (SENATOR HENDON)

Susan -- Senator Garrett, to close.

SENATOR GARRETT:

Thank you. I -- I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Bill 1920 pass. All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Senate Bill 1920, having received the required constitutional majority, declared passed. Senate Bill 1922 - Agreed Bill List. Senate Bill 1925. Senator Martinez. Just to adopt the amendment, Senator Martinez. Just to adopt the amendment. Senator Martinez seeks leave of the Body to return Senate Bill 1926 {sic} (1925) to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1926 {sic}. Madam Secretary, are there any Floor amendments approved for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez, just to adopt the amendment.

SENATOR MARTINEZ:

For 1926? I...

PRESIDING OFFICER: (SENATOR HENDON)

1925, I'm sorry.

SENATOR MARTINEZ:

That's -- that's what I'm -- okay. 1925.

PRESIDING OFFICER: (SENATOR HENDON)

1925, sorry. To -- to the amendment, Amendment No. 1.

SENATOR MARTINEZ:

Right. It just becomes the bill. It's actually just a sunset of the Landscaper's Architect {sic} (Landscape Architecture) Act of 1989.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now we're going to go to 1927. That one's on Agreed Bill List - 1926. 1927. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1927.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This establishes criterions and procedures for reporting and investigating patient abuse by hospitals. This was given to us by the Office of State Guardian -- Illinois Guardianship and Advocacy Committee {sic}, I'm sorry. There's going to be some more work on this in the House. I expect this back. But we're -- we're going to put it over there so we can get the process going.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1927 pass. All those in favor will vote Aye. Opposed will vote Nay. The -- the voting is open. ...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1927, having received the required constitutional majority, is declared passed. Senate Bill 1930. We're going to skip to 1930. Senator Silverstein. 1930, you want to do that one, sir? Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1930.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Silverstein.

SENATOR SILVERSTEIN:

Again, this is another initiative by the Illinois Guardianship and Advocacy Commission. It contains provisions regarding the means of cooperation and communicating between courts and -- in Illinois and other states regarding appointments of guardianships or protective orders of adults.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1930 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 1930, having received the required constitutional majority, is declared passed. We're going to go to 1933. Senator Wilhelmi. 1933. Madam Secretary, read the bill. We -- 1933. Read the bill. Senator Wilhelmi seeks leave of the Body to return Senate Bill 1933 to the Order of 2nd -- 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1933. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. Floor Amendment No. 1 shells the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1933. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1933.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. As I stated, the bill is now shelled, and what we're going to do is send this over to the House so we can continue to work on the homeowners' bill of rights to protect residents from runaway boards. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1933 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, and none voting Present. Senate Bill 1933,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

having received the required constitutional majority, is declared passed. 1936. Senator Wilhelmi. Madam Secretary, read the bill. 1934 is an agreed bill. We're going to 1936. You want 1936, sir? Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1936.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. Senate Bill 1936 allows municipalities to refinance their original special service area bond issues without having to repeat the original bond issue requirements, which would include notice and hearing and other items like that. And allows a municipality to pledge the property taxes in multiple special service areas to secure a single bond issue that benefits the multiple special service areas. This will lower administrative costs and lower the interest rates. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Rise in support of the bill. It passed unanimously out of Revenue.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 1936 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 1936, having received the required constitutional majority, is declared passed. Senate Bill 1937. Senator Link. Madam Secretary, please read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1937.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This exempts riverboats from admissions tax if the licensed owner of the riverboat operating January 1, '09, has a capital project of at least forty-five million and is approved by the Illinois Gaming Board in the calendar year of 2006 through 2009.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1937 pass. All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye -- 49 voting Aye, 7 voting Nay, 1 voting Present. Senate Bill 1937, having received the required constitutional majority, is declared passed. The fine gentleman from Cook County, Senator DeLeo, is in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, continuing on Senate Bills 3rd

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Reading, we will go to -- continue on page 62 of your Calendar. Senator Link, on Senate Bill 1938, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1938.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link, to the bill, sir.

SENATOR LINK:

Thank you, Mr. President. This adds new judgeships in the 19th and the 12th circuits. It's three additional judges in each county through a process of a number of years. Changes them from full county to subcircuits. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you, Mr. President. If the sponsor would yield for a quick question.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

...or Senator Dillard. I'm sorry.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR DILLARD:

Senator Link, have you talked to The Right Honourable, former Member of this Body, Judge Edward Petka, from Will County on this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

No, I haven't, because I didn't see any reason to be talking to him, because he's just one of a number of the subcircuit judges in Will County that successfully was elected in the last election.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Althoff, for what purpose you rise, ma'am? Nice to see you today.

SENATOR ALTHOFF:

Thank you. Nice to see you too, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ALTHOFF:

Thank you. Might I ask, Senator Link, was there a particular criteria that was used to determine which areas needed additional judges?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

It was basically the amount of caseloads that were looked at, the population growth that was in these two areas, and the amount of -- being able to switch these from full circuits to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

subcircuits and the availability. That was what was looked at in this process.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Might -- might I also ask, too, I remember when we did this last Session and we added some additional judges and we did the subcircuits. We were extraordinarily careful about making sure that we had enough judges to represent the diversity of the areas. Is this legislation going to affect that or is it going to actually, in fact, make it better?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

This does not change the districts. The districts same -- stay the same. But it -- what it will do is add additional judges into those districts.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Senator Link, I'm going to support this bill, because I understand how important it is. But I just am going to look forward to working with you in the future on getting some additional judges for McHenry County as well, as our caseload rises. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, any further discussion? Any further discussion? Senator Link, to close, sir.

SENATOR LINK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

I just ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1938 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 53 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1938, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 1942. Senator Raoul, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1942.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to the bill, sir.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 1942 allows the City of Chicago to abate any percentage of property taxes for surviving spouses of falling -- fallen police officers or rescue workers.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. Support of the bill. Passed out

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

of Revenue Committee unanimously.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1942 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 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1942, having received the required constitutional majority, is declared passed. Senator Raoul, on 1942 -- 1944, sir. Do you wish to proceed with that bill, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1944.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Raoul, to the bill, sir.

SENATOR RAOUL:

Thank you. Senate Bill -- Senate Bill 1944 allows for a education program as a penalty for a violation of any city ordinance pertaining to -- to -- pertaining to traffic violations.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1944 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
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1944, having received the required constitutional majority, is declared passed. Skipping over 1946 is 1948. Senator Noland, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1948.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Noland, to the bill, sir.

SENATOR NOLAND:

Thank you, Mr. President, Members of the Senate. Senate Bill 1948 amends the Property Tax Code. In counties of less than three -- three million, excuse me, provides that the chief county assessment officer needs not notify the township assessor concerning views -- actual views of the property if the township assessor fails to timely return the assessment books or work -- workbooks. In counties of less than six hundred thousand, provides that township -- the township assessor must return assessment books or workbooks before June 15th. I ask an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. This came through the Revenue

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Committee without any No votes. There is -- I was a Present vote. But it was supported by the Revenue Committee for the Senator's bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1948 pass. All those in favor will vote Aye. All those opposed will -- 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 59 Ayes, 0 voting Nay, 0 voting Present -- excuse me, let me correct the record. There's 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1948, having received the required constitutional majority, is declared passed. Senator Hutchinson, on your first bill. Wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's first bill.

SECRETARY ROCK:

Senate Bill 1955.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson, to the bill, ma'am.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Chamber - the Senate Chamber. Senate Bill 1955 is an initiative of the Illinois Department of Military Affairs. The bill addresses three areas of the Illinois Military Code. It allows for the Adjutant General to order Guard members to State active duty for the purposes of homeland security training. It provides the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Adjutant General with the same authority for safety and security of State-owned installations as -- the same as he has as federally owned installations. And it updates and clarifies the law concerning the treatment of injuries of Illinois National Guard members while on State active duty. I'd urge an Aye vote. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there anybody seeking recognition on this matter? And before we -- recognize any Members for comments, the Chair will invoke the Cronin rule. Senator -- Senator Noland, are you seeking recognition, sir? Senator Hendon, are you seeking recognition, sir?

SENATOR HENDON:

Yeah, thank you, Mr. President. Senator Hutchinson, you -- you -- what? I said... You, you, Senator. How you dealing with home stuff and all your kids down here this week? I -- you had about seventeen or eighteen kids down here with you this week. So, is your husband doing the homeland security or is Senate staff doing homeland security, 'cause you're not home, you're here? I don't understand.

PRESIDING OFFICER: (SENATOR DeLEO)

I think that's a question. Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you for the question, Senator. I thought it was important for them to see us do the work of the -- of the people.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Duh, what do that got to do with your bill? But -- but on another note, this is your first bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

...is, Senator. Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

The white button. You push the white button when you want to talk, Senator. You -- you know, I'm going to let you go, because the last time I did this I made the front page of the Tribune, the Sun-Times, Associated Press, and on and on. But one last question, Senator Halvorson -- oh! Oh, forget about it. Just forget about it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Holmes, are you seeking recognition, ma'am?

SENATOR HOLMES:

Yes, I am, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please proceed, ma'am.

SENATOR HOLMES:

Yes, I just have a question. What brought about this bill? Do you have a special relationship with anybody in the military that perhaps you might want to share with us?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Well, actually, I think that we need to make sure that the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Illinois National Guard is able to help in emergencies of all kinds. And this is a bill that will help them do that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Holmes, press your light.

SENATOR HOLMES:

I just -- I just...

PRESIDING OFFICER: (SENATOR DeLEO)

I know you're new here, too.

SENATOR HOLMES:

...wondered how you're helping out our military. That was my only question, if there's any other ways that you're helping out any specific military members.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

I'm actually concerned with all the members of the Illinois National Guard because they are one our best assets in times of emergencies. So -- and in that respect, yes, Senator. But, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, are you seeking recognition, sir?

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Thank you, Mr. President. Senator, I -- a question I've always wanted the answer to, what exactly is an adjutant

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

general? Is it like a brigadier general where adjutant modifies general or is it like an attorney general where general modifies attorney?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Actually, Senator, the Adjutant General is the Department Director and Commander of the Illinois National Guard.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

But what does adjutant mean?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

It means that he's the Department Director and the Commander of the Illinois National Guard.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, are you seeking recognition on this bill, sir?

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

I believe she will yield for a question, sir.

SENATOR RISINGER:

Now, Senator, this bill has to do with the military, so does this bill have anything to do with guns?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR HUTCHINSON:

I'm -- I'm aware that the Illinois National Guard at -- sometimes does have to use guns. But this in particular is just about responding to crises.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Well, couldn't that be a crisis? I mean, it -- it -- it talks about injuries. What types of injuries are we talking about?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

It actually talks about things wherein it wouldn't necessarily be homeland security, but it could be things like floods or other things where we need to deploy in areas. And it would give the Adjutant General the ability to do that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Is that the only one that would have that authority then?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

The Governor is able to deploy the Illinois National Guard. But this would expand the ability of the Adjutant General to do it as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR RISINGER:

Good luck to you, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans, you know, you're seatmates; you can lean over and talk. Senator Steans.

SENATOR STEANS:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR STEANS:

Well, and as her seatmate, I do have the privilege of sometimes observing some of the home-front kind of emergencies that come up and I'm wondering if this bill will help address any shoe emergencies on the home front.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

I would love it if it could; however, I don't think I want to burden the Illinois National Guard with my shoe emergencies.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter, good afternoon. How are you, Senator Hunter? Nice to see you today.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HUNTER:

Senator Hutchinson, I was wondering, does this bill preempt

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

home rule?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you for the question, Senator. I don't believe it does.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Are you sure about that, Senator? Because I was reading somewhere in here that -- that it does preempt home rule.

PRESIDING OFFICER: (SENATOR DeLEO)

She's reading a smoke alarm paper. Hutchinson.

SENATOR HUTCHINSON:

Thank you for the question, Senator Hunter. But I don't believe it has anything to do with home rule.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there further -- Senator Lightford. How are you today?

SENATOR LIGHTFORD:

Thank you, Mr. President. It's April Fool's Day. Doing well.

PRESIDING OFFICER: (SENATOR DeLEO)

You look very good today.

SENATOR LIGHTFORD:

Thank you, sir. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

She'll indicate she'll yield for a question, ma'am.

SENATOR LIGHTFORD:

Thank you. Senator Hutchinson, can you please define what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

"while on duty" means? The definition for "while on duty".

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Whenever they're in uniform and -- and serving their duties as -- as enacted by the Adjutant General.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

That -- could that be after hours?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

If there were an emergency that occurred after hours, I'm sure it could.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, anything further, ma'am?

SENATOR LIGHTFORD:

But I'd like to know, does she prefer the Army or the Marines.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, further discussion? Anything further, Senator Lightford?

SENATOR LIGHTFORD:

I'd like to know if she prefer Army or Marines.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Actually, this bill has to do with the Illinois National

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Guard, but I am partial to all of our members in uniform that protect us on a daily basis.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator Hutchinson, and you'll do well loving all types of men.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, are you seeking recognition on this bill, sir?

SENATOR RAOUL:

Yes, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAOUL:

I'm just wondering if the Illinois National Guard were deployed to an emergency, let's say at a -- at the third airport, who would be controlling the third airport?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you for the question, Senator. I'm sure we would be able to discuss that once we have a third airport.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks, are you seeking recognition, sir?

SENATOR MEEKS:

Yeah, Senator Hutchinson, I just wanted to know that if you are still also going to sponsor the bill to name the third airport the Jesse Jackson, Jr., Airport?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Actually, Senator, I'm speaking to Senate Bill 1955 which has to do with the Illinois National Guard and its deployment in emergency situations.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks.

SENATOR MEEKS:

Will -- will the Illinois National Guard be on duty at the Jesse Jackson, Jr., Airport?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

If there is an emergency that happens around the third airport and -- and we see fit to call the Illinois National Guard, I'm sure they would be ready and willing and able to handle whatever crisis would arise.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. Senator, we've been engaged in many discussions on many bills and I -- I have a very serious question to ask you. Would you consider naming the third airport the Larry Walsh Municipal Airport?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson.

SENATOR HUTCHINSON:

Senator, thank you, again, for your question. But this is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

-- also speaks to Senate Bill 1955 which really doesn't have anything to do with the third airport.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

May I just echo the sentiments of the entire Chamber that you are doing a fine job as a State Senator. And we all wish you a lot of success in your career.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, we have one person -- final person seeking recognition. And, once again, the Cronin rule is invoked. Senator Jacobs.

SENATOR JACOBS:

I -- I just have a -- a -- a simple question, Senator. I would like you to explain your relationship to Senator Kay Bailey Hutchinson {sic} (Hutchison). You don't have to answer, but I want to go to the second question. Given your love of -- of all things military, are you in support of the war in Afghanistan and Iraq?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson, to close, ma'am, on the bill. Close -- to -- to the bill, ma'am.

SENATOR HUTCHINSON:

Thank you, Mr. President. I would just request respectfully an Aye vote. And I wanted to say to all the Members of this Chamber that not a day goes by when I'm not learning an incredible amount from all of you. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Bill 1955 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 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1955, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, now that we've burned up about twenty-five minutes on the clock, we will continue on Senate Bills 3rd Reading. We will skip down to Senate Bill 1957. Senator Demuzio, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the lady's bill.

SECRETARY ROCK:

Senate Bill 1957.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Demuzio, to the bill, ma'am.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Members of the Senate. Senate Bill 1957 adds a nontraditional breakfast incentive that allows the State Board of Ed to make grants to school boards and welfare centers to offer the school breakfast program in nontraditional settings or using nontraditional methods with priority given to applications through October {sic} (August) the 15th of each year from schools on the Early Academic Warning List. Special reporting dates are also changed regarding the school breakfast incentive program.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Senator. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1957 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 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1957, having received the required constitutional majority, is declared passed. Skipping over 1958, we will go to Senate Bill 1959. Senator Sullivan, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1959.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Sullivan, to the bill, sir.

SENATOR SULLIVAN:

Thank you, Mr. President. The bill provides for the regulation of stretcher vans and stretcher van services, which are unregulated in Illinois right now. It would require the Department of Public Health would -- they would be vested with the responsibility to license, establish the standards, and to take action against stretcher van providers if they were not in compliance. It also lays out who would be permissible to be transported in a stretcher van and who would not be permissible. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1959 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 1959, having received the required constitutional majority, is declared passed. Senator Dahl, are -- are you seeking recognition, sir? Senator Dahl. No. Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading on page 62 of the Calendar is Senate Bill 1960. Senator Sullivan, do you want to proceed on 1960, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1960.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, to the bill, sir.

SENATOR SULLIVAN:

Thank you, Mr. President. The bill is a shell bill, as introduced. But I want to tell you what we've been working on with regard to the bill and what I hope to continue this process in the House, and that is with regard to Medicaid reimbursement rates for ambulance services throughout the State of Illinois. And this is a bill that I've -- I had last year. We made some good success with it, but -- and worked on it again this year, but we still are trying to work out an agreement with the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Department as to the -- to try to address the additional costs.
Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing no discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1960 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting's 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 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1960, having received the required constitutional majority, is declared passed. Senate Bill 1970. Senator Duffy, you wish to proceed, sir? Nice to see you, Senator. Indicates he would like to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1970.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, we have an inquiry of the Chair. Is this your first bill? Senator Duffy?

SENATOR DUFFY:

Yes, it is.

PRESIDING OFFICER: (SENATOR DeLEO)

It is. Oh! I'm sorry. Ladies and Gentlemen, could we -- could we have your attention, please? It's the speaker's first bill, so we'd like you to please pay attention. Senate Bill 1970. Could we have some silence in the Chamber, please? Senator Duffy, to the bill, sir.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR DUFFY:

Thank you, Mr. President. This amends the Solicitations {sic} (Solicitation) for Charity Act to increase the threshold at which a charitable organization is required to file an audit from contributions of a hundred and fifty thousand to contributions of three hundred thousand.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Senator. Once again, the Chair will invoke the Cronin rule. Be -- it will be strictly enforced. Senator Murphy, do you -- for what purpose do you rise, sir?

SENATOR MURPHY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Senator, is there anything in here about Senatorial parking space equity?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Duffy.

SENATOR DUFFY:

Absolutely not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

How far is your space now, as opposed to the first day of Session from the front door of the Capitol?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Duffy.

SENATOR DUFFY:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

It's a bit further, but a good workout.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

If there are any township roads between your space and the front door, if I could recommend Senator Hendon to show you the way along -- along those township roads. Welcome, Senator, you're doing a great job.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Is there any further discussion? You're getting off easy. Ladies and Gentlemen, the question is, shall Senate Bill 1970 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 57 Ayes, 0 voting Nay, 1 voting Present. Senate Bill 1970, having received the required constitutional majority, is declared passed. On Senate Bills 3rd Reading, Senate Bill 1971. Senator Dillard, do you want to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1971.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, to the bill, sir.

SENATOR DILLARD:

Thank you, Mr. President and Members. This is not my first

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

bill. This is an initiative of the Illinois Education Association and it extends a window that has been opened for private school teachers' credit to be used if you've taught more than ten years in the public schools. This is a very expensive bill to the teacher, not the State or the local school district. The bill requires the teacher to pay the employer's normal cost and the employee contribution, plus actuarial interest from the date of service to the date of payment. Therefore, there should not be any cost here. I think the last window only one or two people took an opportunity to do this. But this is a two-year pension credit for private school work for public school teachers. An initiative of the IEA. And the teacher bears all of the cost including the actuarial interest cost. Mr. President, I'd be happy to answer any non-hazing questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1971 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 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1971, having received the required constitutional majority, is declared passed. We'll skip Senate Bill 1972. We will go to 1973. Senator Harmon. Senator Harmon. Leave of the Body, we'll come back to that. Okay. Let's go back to Senate Bills 3rd Reading on the bottom of page 62. With leave of the Body, we will go to Senate Bill 1973. Senator Harmon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Secretary. Okay, Senator Harmon, I believe that you have -- you're asking leave of the Body to recall Senate Bill 1973 to return it to the Order of 2nd Reading for the purpose of amendment. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1973. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Pankau.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau, to the amendment, ma'am.

SENATOR PANKAU:

Thank you, Mr. President. This amendment puts into the legislation that -- when the original O'Hare Modernization Act was voted through, there was a provision that the local school districts were to receive a certain amount of money from the City of Chicago that would even out as -- even out the assessed valuation as other properties that were being bought by the City were taken off the tax rolls to help the school districts. We have had a situation in Bensenville, particularly, where other taxing bodies have wished to get ahold of some of that money. And this amendment says they cannot. And it can only be used for the schools because that was what it -- was intended for.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, is there any discussion to the amendment? Senator Harmon, to the amendment, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want to clarify, this is a friendly amendment and I appreciate Senator Pankau offering it.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is -- seeing no further discussion on the amendment, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment is adopted. Is there any further amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1973. Senator Harmon, do you wish to proceed now, sir? No? Out of the record. Okay, Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, we'll go to the top of page 63 of your Calendar, is Senate Bill 1974. Senator Harmon, you wish to proceed with this? And I believe the Senator wishes -- he's seeking leave of the Body to return Senate Bill 1974 back to the Order of 2nd Reading. Is that correct, sir? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1974. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill, and with leave of the Body, I'd like to adopt it and debate the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Okay, seeing no -- is there any discussion? Is there any discussion? Seeing no discussion, all those in favor will say Aye. All those opposed will say Nay to Floor Amendment No. 1. It's in the opinion of the Chair, the Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1974. Senator Harmon, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1974.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to the bill, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1974 creates a framework for training and certification of police and fire pension fund trustees. As amended, I'm not aware of any opposition, and I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1974 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1974, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 1975, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1975.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to the bill, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1975 amends the Income Tax Act to offer technical definitions -- technical amendments to the definition of "captive REIT", the real estate investment trust. The Senate passed a virtually identical bill last Session. It was caught up in the debate over administrative rules. I'm not aware of any opposition and I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

Thank you, Mr. President. In support of the bill. It passed out of Revenue unanimously.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 1975 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1975, having received the required constitutional majority, is declared passed. We'll skip Senate Bill 1977. We'll go to Bill 1978. Senator Kotowski, do you wish to proceed? He indicate -- no, out of the record. Senator Wilhelmi, on 1982, sir? Out of the record. Senator Lightford, on 1984, ma'am? She indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 1984.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Lightford, to the bill, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1984 amends the Charter School Law in the Illinois Educational Labor Relations Act. It's basically clarifying existing law regarding the application of the Illinois Educational Labor Relations Act to charters. This is not the actual charter school legislation that we've been working on for months at a time to figure out how we collectively expand charters. This is not that discussion whatsoever. And I'd be happy to answer questions.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1984 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 1 voting Nay, 1 voting Present. Senate Bill 1984, having received the required constitutional majority, is declared passed. Senator Noland, on 1988, sir? Do you wish to proceed? How are you today, Senator Noland? Nice to see you. Senator Noland. Madam Secretary, please read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1988.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Noland, to the bill, sir.

SENATOR NOLAND:

Thank you, Mr. President. Lovely to see you, as well. This bill, Senate Bill 1988, provides that if a fire protection district makes a contract with a separate fire department entity to provide for fire protection services for the district, then the fire protection district may sell assets and invest the proceeds using Public Treasurers' Investment (Pool). The -- the proceeds must, however, be used by the fire protection district to pay for the district's contractual obligations to a separate fire department entity or for any other fire protection related

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

purposes. I know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any --
Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

Yes, question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DAHL:

Senator Noland, in committee, you -- you promised you were
going to hold this bill for an amendment. Nothing has --
nothing has happened here. Can you...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

Well, I certainly don't want to go back on a promise. Can
you tell me what the nature of that amendment was?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl.

SENATOR DAHL:

Yes, thank you, Mr. President. We were requesting
annexation before -- before doing this to cut down on the
number.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

Well, Senator, with all due respect, I have to say that the
term "annexation" in this is new to me. I'm certainly willing
to work with the House to try to perhaps accommodate the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

language that you're seeking. But aside from that, I would ask for this to be called for a vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Just -- just to the bill. This -- this was a -- a commitment that we had in committee and -- and we didn't get it. I -- I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Senator Althoff.

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield.

SENATOR ALTHOFF:

Thank you. Senator Noland, I understand the -- the conversation that went on here, too. It is my recollection that we did have discussion; you did promise that there would be an amendment going forward. Can I just get for you -- from you right now a commitment that this would be an issue that you'll continue to work on over in the House, as you're going to call this for a vote?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

Absolutely. And -- and to any extent that it's an oversight on my part, I really do apologize for it. We'll try to work with them. Sure.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Althoff.

SENATOR ALTHOFF:

Thank you. With that understanding - thank you, Senator Noland - we'll continue to make this a work in progress. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Todd -- Todd Althoff. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR BURZYNSKI:

Thank you. Senator, there does seem to be some concern here that there was a commitment made. Perhaps you can make sure your staffer writes it down so that this is corrected when it comes back from the House?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

In -- in making the record here, I'm not sure exactly what you would consider it to be to be corrected. I do make a commitment to work with Members in the House to try to accommodate and to incorporate the language that you're seeking. However, I cannot make a commitment to make the actual corrections you're seeking.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President. I do not have any comments about what happened in committee about a commitment. I do have questions about the bill. I wonder if the sponsor will yield.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR RIGHTER:

Thank you. Senator Noland, I want to make sure I understand your bill. Your bill says that a unit of local government that is currently taxing its citizens can, without the approval of those citizens, sell off -- sell off its assets, contract with another unit of local government, but while -- after it does that, it continues to tax its residents as if it were a functioning unit of local government still providing the service that clearly it's no longer providing anymore because it sold off its assets. Is that an accurate characterization of the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

Senator, only to the extent that the district continues to contract with this -- with this other district, with the second fire department or other entity for services.

PRESIDING OFFICER: (SENATOR DeLEO)

Sorry. Senator Righter. Senator Righter, for further discussion?

SENATOR RIGHTER:

Thank you, Mr. President. So, Senator Noland, let me walk through a hypothetical. If someone in my district lives in the Lincoln Fire Protection District and they pay taxes to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Lincoln Fire Protection District and they go to the Lincoln Fire Protection's chili dinners to support 'em and whatnot, of course in exchange for that, they hope that the Lincoln Fire Protection's equipment will come to their house in case their house is burning down. What you're saying is that without telling that individual or any of the other individuals who pay taxes to the Lincoln Fire Protection District, that that protection district can sell off its assets, contract with some other unit of local government or a private entity perhaps to provide those services, yet continue to collect the taxes..

PRESIDING OFFICER: (SENATOR DeLEO)

I'm sorry. Senator, hold on one second, please. I'm -- excuse me for one second. Senator Noland, did -- you seeking recognition, sir?

SENATOR NOLAND:

Yes, I am. Thank you very much, Mr. President. I would like to answer that question, and the answer to that question is yes. However, given the uncertainty and given perhaps the opportunity to work with colleagues in -- in enough time, I'd like to pull this from the record and perhaps revisit it -- revisit this perhaps tomorrow or the next day.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much.

SENATOR NOLAND:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor asks the -- the bill to be taken out of the record. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading is Senate Bill 1995. Senator Wilhelmi, do you wish to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1995.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Wilhelmi, to the bill, sir.

SENATOR WILHELMI:

Thank you, Mr. President. Senate Bill 1995 amends the Local Government Debt Reform Act. It allows school boards to issue thirty-year bonds for the purpose of purchasing, constructing, or improving real property. Currently, bonds issued by school districts are due within twenty years. This'll actually minimize the cost -- or tax impact by extending the payment terms over a thirty-year period. I'd be happy to answer any questions and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. Senator, in committee, we had a little bit of a discussion on the purposes of -- of the bond authorization. So, would you care to just outline that again so that we know exactly what it's for? Just a point of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

clarification.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. Yes, Senator. We talked about -
- in fact, had a witness there from Lockport Township High
School - in terms of constructing a third high school for that
district, that if we have that bond issue over a thirty-year
period, that jurisdiction -- the -- the residents of the
jurisdiction would likely see a -- a reduced tax burden, because
now we're going from a twenty-year period to a thirty-year
period. And so what we're trying to accomplish is, number one,
giving school boards flexibility in their construction projects,
including renovations and -- and additions. And, number two,
we're trying to minimize the tax burden on the residents of that
jurisdiction.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Senator, when -- when we talked
about this in committee, one of the things that I asked you
about - and I forget that you have more bills than we do, so
it's harder to remember everything that's in them - but when --
what I asked about in particular was the fact that, according to
our analysis, you would be able to -- a district would be able
to bond thirty years for playground equipment that might not
last thirty years. So the intent is not to let them bond to
build a playground; it's to let them bond to build a new
building, rehab, whatever. So I -- that's where I was going

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

with the clarification.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just to comment on the bill. I understand, Senator -- first of all, the objection that Senator Burzynski brought up, about including anything that you're going to bond for longer than its useful life, is just not good financial practice. And then, I think that you -- when you said before that the cost -- and then you -- that the cost would be less, but then you corrected what you were saying, saying that the tax burden in the short term, basically, would be less. Aren't we trading off, you know, the short-term easing up versus long-term dramatic, dramatic increase in the amount of interest that's going to be paid under these bonds? The equivalent would be our mortgages - the difference between a twenty-year mortgage and a thirty-year mortgage is an enormous amount of interest expense.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Yes. This is very much consistent with when you go from a twenty-year mortgage to a thirty-year mortgage, which allows you on a monthly basis to have a lower monthly cost. Similarly, school boards would have a lower annual cost, but it would be extended an additional ten years. And at the end of that thirty-year period, Senator, to answer your question, there is no question that the interest paid would be greater than under a twenty-year bond scenario. That's number one. Number two, I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

will make sure if it needs to be cleaned up in the House, we'll do that, but the -- the language in the bill talks about construction and -- and improvements to school property. So I want to make it clear to the Members of this Chamber, we're not talking about playground equipment. And it's a very valid point. We're talking about additions, renovations and new school buildings.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Just a final question. Isn't this -- isn't this really a dramatic policy change in financing school construction? That - the difference between the twenty- and the thirty-year mortgage and the, again, huge amount of interest expense increase, it's literally a fifty-percent longer extension of the time it's going to take to pay back bonds. And if we've done okay across the State with twenty-year bonds, why is it prudent to go to a thirty-year period - fifty percent more -- more time?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Senator, it's very important to note for the Members of the Chamber that this is permissive. School boards can ignore this if it becomes law, or they can decide to have greater flexibility in their construction plans for a new high school, for an addition, for a renovation. And if they choose to have lower annual payments, but extend it out thirty years instead of twenty years, that will be their decision to make and they are duly elected, just as we are - school board members are - and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

they'll have to use their discretion on whether or not to exercise the opportunity presented by this piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. I -- I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1995 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 54 Ayes, 1 voting Nay, 1 voting Present. Senate Bill 1995, having received the required constitutional majority, is declared passed. Senator Radogno, on 1996, ma'am? Out of the record. 1997, ma'am? Out of the record. Leader Radogno, on 1998, ma'am? Out of the record. Senator Righter, on 2001 Space Odyssey -- that's 2001? Out of the record. You want -- do you want to proceed with it? 2001. Out of the record. Senator Pankau, on 2002. You wish to proceed? The lady indicates she wishes to proceed. Madam Secretary, please read her bill.

SECRETARY ROCK:

Senate Bill 2002.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau, to the bill, ma'am.

SENATOR PANKAU:

Thank you, Mr. President. This bill creates the Medicaid

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Fund Account -- Receipt Account to track receipts for all the federal Medicaid reimbursements. And so that we can take the federal money as it comes back from Medicaid, put it in this special dedicated account, so that we can turn the money faster as it comes in and it goes back out to pay Medicaid providers. I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Trotter, are you seeking recognition on this bill, sir?

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR TROTTER:

Thank you very much. Senator Pankau, in your bill, there - as I understand it, you want all the federal matching funds for Medicaid services which are returned to the State to be placed in this account. Correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

Correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Once they're in this account, how would they be spent?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Would be sent back out for additional payments to our Medicaid providers - the doctors, hospitals, pharmacists and nursing homes, or whomever that is waiting to be paid, and has been waiting for so very long.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

So, with that being said, wouldn't we have to have an appropriation authority in the Department to actually administer this -- these funds?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

Yes. We -- we do that every year when we appropriate. But there's always the opportunity to do a supplemental appropriation if the funds start accumulating there and we want to move them back out to pay more of our providers.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you, Mr. President. Just two other short questions. One, are there any other accounts like this, or is this a -- a new concept?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

I honestly don't know. I know that some of the providers have been irked over a period of time that money that was meant for them from the federal reimbursement has been used for other

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

things. So this would assure them that the money that's coming back to be used to pay them is, in fact, going to be used to pay them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you, again, Mr. President. A final question. Have you spoken to anyone in the Comptroller's Office since they'll have the responsibility of getting these dollars back out? Have you spoken to anyone down in their office of how they feel about this new fund that is being created?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

No -- no, I haven't. No one -- none of them approached me about it. No one from the Comptroller's Office came to talk to me about it, so I haven't reached out to them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter. Senator Trotter.

SENATOR TROTTER:

Once again, I ask the question because they will be the ones that would be responsible for administering these funds, with the direction, I'm sure, of the Department of Family Services as well. And if we can probably go forward and at least get an opinion of how that's going to work.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

I will be very happy to -- to do that. They create special

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

funds all the time. It's a bookkeeping method for them. So -- but, yes, I'll be happy to talk to them about it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau, to close, ma'am.

SENATOR PANKAU:

I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill -- 2002 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 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2002, having received the required constitutional majority, is declared passed. Senator Righter, on Senate Bill 2009, sir. Do you wish to proceed? I believe Senator Righter is seeking leave of the Body to return Senate Bill 2009 to the Order of 2nd Reading for purpose of amendment. Okay, now on the Order of 2nd Reading is Senate Bill 2009. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Righter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Righter, to the amendment, sir.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. Senate Bill 2009 is an effort to help Eastern Illinois University in my district with a pilot project to construct a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

renewable energy center. It requires an amendment to the Public University Energy Conservation Act. Now just for purpose of information, Mr. President, it's my understanding this bill is on the Agreed Bill List. What I would like to do is attach the amendment. I'm going to ask that it be pulled off the Agreed Bill List, because the Senate President has given me a deadline extension. It needs more work and I want to make sure that it's right for this Body before we send it over to the House of Representatives.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, is there any discussion on the amendment? Seeing -- seeing none, all those in favor will say Aye. All those opposed will say Nay. And it's the opinion of the Chair, the Ayes have it, and the amendment is adopted. Now, has there been any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Continuing on Senate Bills 3rd Reading on the page 63 of your Calendar, we will skip -- 2010. We will go to 2011. Senator Althoff, do you wish to proceed? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 2011.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff, to the bill, ma'am.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR ALTHOFF:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2011 amends the Downstate Police Article of the Illinois Pension Code. What it actually does is it restarts the amortization period for Articles 3 and 4 and extends it for another twenty years. So, currently, where the deadline would have been July, 2033, we've extended it to 2049. Be happy to take any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Garrett, are you seeking recognition on this bill, ma'am?

SENATOR GARRETT:

Yes. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR GARRETT:

I -- I am -- I am here to support Senator Althoff's efforts in making sure that municipalities have the opportunity to ensure that their pension payments can be paid over a longer period of time. Many municipalities are suffering from the economic crisis and they need to have this tool in place. And I think we should be able to all support this initiative.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Garrett. Any further discussion? Further discussion? Senator Viverito, are you seeking recognition on this bill, sir?

SENATOR VIVERITO:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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

SENATOR VIVERITO:

What are the alternatives if this bill doesn't pass? How would it affect these municipalities that you're asking for relief from?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Well, home rule communities will have the option to raise taxes to raise enough money to be able to make the pension payments. Non-home rules will be left with the alternative of either reducing the number of employees that they have or they'll be reducing the services that they provide.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, you seeking recognition, sir? Senator Link.

SENATOR LINK:

Thank you. Will the sponsor yield for questions?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

Thank you. Senator Althoff, I -- I think you were at a meeting that I was at with the Northwest Suburban Conference and -- a little legislative meeting that we had there, and I kind of indicated my feelings on some things, and one of the things that was part of their agenda was that we should not touch pensions. Is that true?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

I would probably phrase that a little bit differently in -- in how you presented their agenda for this Session. I do believe, as Senator Garrett stated, that this -- this is a difficult decision, but it's the only alternative many municipalities have in making sure that they can balance their budget, remain fiscally responsible and still provide the excellent basic services that they do to their communities.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, for further discussion?

SENATOR LINK:

I'm not disagreeing with you that. But I -- I think what I wanted to get at an answer there, and then -- then I'll make my statement at that. My -- what I'd like is an answer from you. In their wish list of things that they wanted us legislators to do down here was do not touch pensions. I think was very clearly stated by them. Was that not one of their wish lists?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

The bill, sir.

SENATOR LINK:

I'm going to be supportive of this bill, Senator Althoff, but I'm going to be very clear on my feelings. And I'm going to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

be very clear the same as I was that day. Local government, which is very essential to the running of government, stands here and points at the legislators, Republican and Democrats, and tells us all the things that we do wrong and the things we should not be doing because we're hurting local government. But when it comes to times of bailing them out, they're always looking for us. And here comes another time. And I gave this same speech in front of these mayors and city managers and other elected officials. The fact is, we should be standing together in economic times that we have today. Local officials, State officials, county officials should be standing arm in arm and trying to figure out solutions and not pointing fingers that this is a problem we have. I agree this is not going to be a solution to what a problem is in the local government. It will help. But they should realize and understand what we are trying to do is solve problems also. And they should be standing behind you and every other elected official in their area and working with them instead of pointing fingers. And I hope that they're hearing this message and that you relay that message back to them when we vote on this. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussions? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just one question for the sponsor. Senator Althoff, you know better than most of us in this Chamber how difficult some of these decisions are, having had the public responsibilities of mayors of a town. So you understand the complexities. I think that you're probably right. I'm -- and I'm going to join Senator Link in voting Yes

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

for this bill because what the alternatives are. But could you share with us your thoughts about how we keep not only State government, but local government decision makers focus on not expanding benefits, not -- not expanding benefits just because we can kick the can down the -- down the street? How are we going to keep the pressure on limiting how much government at all levels gives away?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. Excellent question, Senator Lauzen. I think it's incumbent upon every individual in this Chamber and the Chamber across the hall, as well as all of our local elected officials, to know that we have obligations that we need to take care of first prior to expanding benefits to anyone else. I think that we've done an excellent job this past Session in doing exactly that. And I'll continue to work with both you and Senator Link, who was extremely elegant that day at the Northwest Municipal Conference, as well as today. And working together, setting a role, being leaders ourselves, we can do that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson, you seeking recognition, sir?

SENATOR SYVERSON:

Yes, Mr. President. A question for the sponsor. And first let me begin by saying, I -- I appreciate Senator Link's comments. I think we've all heard the complaints from local government, until they want something, and then all of a sudden we're the good guys. But in regards to this pension holiday

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

that we're doing for local governments, do -- this is the ideal time to be talking about reforms. Are there any pension reforms as part of this that is going to -- at a time of crisis is the time we can act to move some reforms in place. Have there been any changes in this legislation that new hires will be working longer or participating more in this, or is this maintaining as is, just having the pension holiday?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Senator Syverson, as this legislation is currently drafted, no, there are absolutely no reforms. However, I can assure you from a personal perspective, as well as by action of last Session, that many organizations are attempting to move forward on a local level and address exactly that and have pension reform.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

The districts that are looking to utilize this -- this new tool, are they the ones that are going to be implementing the reforms? Or would it make sense to say, if you want to be able to take advantage of this, then you have to take advantage of -- of utilizing the reforms? Otherwise, all we're doing is doing what the State of Illinois has done for thirty years, give a pension holiday. And once they do it once, I think, as Senator Lauzen said, the concern is, once we give it to them once, nothing is going to stop them from doing this again in the future. And so I think we're setting a bad precedent, unless we

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

can get some meaningful reforms as part of this. So, you know, it may be too late to change it now, but when this -- when this goes to the House, I think this is the ideal time to say any district that wants to do this needs to put some of those reforms in place, just like we're talking about doing here in Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there further discussion? Senator Garrett, for the second time.

SENATOR GARRETT:

Yes, to the bill: We have met with many municipalities. Just as the State, for decades, hasn't had enough money to make the prescribed contributions to our pension funds, we have -- amortized the -- the payments, and that's exactly what the municipalities are asking to do. So we do it for ourselves and we've been doing it for decades. We should be able to make sure that the municipalities have the same opportunities and tools in place, especially during this economic downturn. So that's what this bill is about. The municipalities are asking to do exactly what we're doing here in Springfield. And I think we should all vote Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you. Ladies and Gentlemen, no further discussion. Senator Althoff, to close, ma'am.

SENATOR ALTHOFF:

Thank you. Again, I've heard all of the comments that were provided today with regard to reforms. There actually have been several suggestions and pieces of legislation that we have seen, not only in this Chamber, but in the Chamber across the hall.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Right now, what this bill does is exactly what Senator Garrett has already stated. It allows our municipalities more flexibility in dealing with their budgets and taking care of their constituents, which are also our constituents, in the best fashion that they can find and still provide excellent basic services that every resident in Illinois expects. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 2011 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 48 Ayes, 8 voting Nay, 1 voting Present. Senate Bill 2011, having received the required constitutional majority, is declared passed. Larry Corley of WAND-TV, here in Springfield, requests permission to videotape the proceedings. Seeing no objection, leave is granted. We will skip down to the bottom of page 63. Continuing on Senate Bills 3rd Reading is Senate Bill 2022. Senator Frerichs, do you wish to proceed? I think Senator Frerichs is seeking leave of the Body to return this back to the Order of 2nd Reading for an amendment. Is that correct, sir? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2022. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Frerichs.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Frerichs, to Floor Amendment No. 1,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

sir.

SENATOR FRERICHS:

Thank you very much, Mr. President. Floor Amendment No. 1 to Senate Bill 2022 makes cleanup changes, including reinstating provisions of current law regarding persons physically incapable who receive assistance in personally marking ballots.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Seeing none, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2022. Senator Frerichs, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 2022.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Frerichs, to the bill, sir.

SENATOR FRERICHS:

Mr. President, Senate Bill 2022 allows registered voters to vote absentee without being required to specify a reason for their absence on election day. I request a favorable vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Senator Righter, are you seeking recognition on this bill, sir?

SENATOR RIGHTER:

I am. To the bill, simply, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

I rise in support of Senate Bill 2022. This bill did pass out of the Elections Committee unanimously, and I congratulate the sponsor on his good work on an important piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 2022 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 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2022, having received the required constitutional majority, is declared passed. Senator Lauzen, are you seeking recognition, sir?

SENATOR LAUZEN:

Yes. Thank you, Mr. President. Made an error on 2011, and I would like the record to indicate that my intention was to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Record will so reflect your intention, sir. Ladies and Gentlemen, with leave of the Body, I'd ask you to turn to page

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

50 of your printed Calendar. Page 50 of your printed Calendar, Senate Bills 3rd Reading. Leave of the Body, we will return to Senate Bill 1351. Senator Trotter. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

How about... Senator Trotter, to the bill, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1351 is, by all practical purposes, one of those things that we call a merely bill. I am merely asking and requiring that every operator and passenger on a motorcycle -- motor driven cycle, or a motorized pedalcycle to wear a helmet. I'm merely asking what -- our people and the -- the citizens of the State of Illinois to do what they're doing in forty-seven other states. The only two other states that do not authorize helmet usage is Iowa and New Hampshire. And the statistics are clear. This bill is more than just a public safety issue; it is a public health issue. We know that eighty percent of all Illinois motorcyclists killed were not wearing a helmet. We know, in 2007, one hundred and fifty-seven motorcyclists were killed in one hundred and fifty-four motor vehicle crashes. In 2007, we had three hundred and four and thirty-eight {sic} (304,038) motorcycle registrations, compared to one hundred and ninety-eight, four hundred and forty-four (198,444)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

registrations in 1999. We also know for a fact that sixty-five percent of motorcyclists killed in 2005 were not wearing helmets in states without universal helmet laws, compared to fourteen percent of states that do have -- do require helmets. If you crash without a helmet, you are three times more likely to have brain injuries. Wearing a helmet reduces the overall risk of dying in a crash by thirty-seven percent. And I could go on and on with the statistics that bear us out that it is time for Illinois to do what is right for all of our citizens and that is, again, put them in the most safest mode that they can and that is wearing a helmet when you're riding a motorcycle. And I'm open for questions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Is there any discussion? Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

Senator, I -- I -- I love the -- the fact that you're -- we're talking about that the statistics are clear that in forty-eight other states that the facts show that this works and that we should be doing that. It's the same thing with concealed carry. It's great. I am -- I'm -- I guess the first question is, does this mean we're endorsing concealed carry legislation, because the statistics are pretty clear on that in forty-eight other states as well?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

The Chair would like to remind Members of this Body, let's stay within the four corners of the bill. Senator Trotter.

SENATOR TROTTER:

Thank you very much, -- President. I was going to say the same thing. This is not a concealed carry bill. Certainly, when that bill comes to the Floor, we'll have ample discussion at that time.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. I think the point I was just trying to make is, statistics can be made to do any -- whatever results you want, which is what's been said before about the concealed carry issue. And so, that's why I -- I -- I -- I mentioned that. But, ultimately, doesn't this come down to these are adults that should be allowed to make their own choice? At some point, for those people who -- who think that adults have the ability to make that choice, should have that option to do it. One of the arguments that's -- has been raised, and you as a rider know, that being able to hear and having the peripheral sight is important for motorcycle riders as well. So many would argue that it is a safety issue that avoiding accidents is something that happens more so when you're not wearing a helmet than those who are wearing a helmet. So -- but I appreciate the opportunity to at least make those comments.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Further discussion? Senator Luechtefeld, are you seeking recognition, sir?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LUECHTEFELD:

Senator, obviously, this is more -- is -- is a lot a philosophical argument, you know, whether you -- where do you stop telling people what they can and cannot do for their own safety? But -- but as you -- you threw out statistics. I wonder how many lives we could save in this country - I would be willing to bet you more lives than we do on a motorcycle - if we were to require every person who rides in a car to have a helmet on. I think we'd save probably more lives than we do on motorcycles. And -- and I -- and I guess I see that's where it's going and that bothers me. So, again, that doesn't necessarily require an answer, but it's a philosophical issue, I think.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Forby, my friend and colleague. Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. I look up there, I see several motorcycle riders in the -- up in the audience. Would you please stand? Why do you think in this room down here that you are better than them people up there in that audience? They have a choice. He rides a motorcycle. Let him wear a helmet. I don't care. I ride a motorcycle. Let me do what I want to do. I do not want to wear a helmet. And I'm not worried about my health care. Why not -- you got a convertible. How about

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

people that drives convertible cars? Let's put a helmet on them. Why not? How about motorboats? How about putting helmets on motorboats -- people driving motorboats? How about a helmet on a motorboat? I can't understand - these guys up here in the audience and me - why do you worry about me wearing a helmet for? My life is my life, not yours. And you're -- not theirs. And I don't see too many medical people around here talking about this bill. These people are schoolteachers. They're lawyers. They're doctors. There's everybody you can think of. In my district, the motorcycle people does a great thing, especially when it comes to health care. They have rides every weekend, brings anywhere from five to ten thousand dollars in my district, for cancer kids, for people that can't make it. It's -- you know, a motorcycle is not something that people -- you know, the expense of one - twenty thousand dollars for a motorcycle. I think a person that spends twenty or twenty-five thousand dollars for a motorcycle, he ought to be able to know if he ought to wear a helmet or not. Same way a guy driving a convertible car, too. I mean, how far do we go? Where is the stopping of this? This is not right, people. We're supposed to live in a free country. Where is our freedom at? A free country, U.S.A. - what freedom do we have anymore? It won't be long, we'll have nothing. We still get to vote free. When will we -- going to do that? When that -- when is -- when we going to stop that, where you can't vote free? This is a bad bill, people. I hope you vote No on this bill, because it's very wrong. Donne knows it's wrong. If Donne wants to wear a helmet, that's fine. The motorcycle people that gets killed, you need to know the reason why they get killed. It's kind of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

like a gun. The motorcycle don't kill 'em. Most people in cars or trucks is what kills motorcycle people. Insurance people knows that. We got several insurance people in here today, know that. They know what happens. How many -- I mean, how many tickets do you see out of that deal when it's over with? All I'm going to say, let us have our freedom. Let us have our freedom. Let us ride the bikes. If we want to wear a helmet, fine. I don't care. But give me personally -- let me ride my bike without a helmet. Please vote No on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further -- further discussion? Further discussion? Senator Steans, are you seeking recognition, ma'am?

SENATOR STEANS:

Yeah. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR STEANS:

I just want to rise in support of Senator Trotter. Just to say that -- there'd been a comment made about the -- the health professionals and I just want to point out that proponents of the bill include BlueCross BlueShield of Illinois, Cook County Department of Public Health, the Illinois Academy of Family Physicians, the Illinois Association of Public Health Administrators, the Illinois Hospital Association, the Illinois State Medical Society, the Northern Illinois Public Health Consortium. I think there's a lot of evidence on the public health side of things that requiring helmets does, in fact, save lives and reduce health care costs. Thanks.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. Further discussion? Thank you.
Senator Brady, are you seeking recognition, sir?

SENATOR BRADY:

Yes, Mr. President. I yield my time to Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

Objection. Further discussion? Senator Jacobs.

SENATOR JACOBS:

I -- I -- I stand with my colleague Senator Forby. I believe that people do have rights. And, you know, if you really want to protect people, maybe we should keep 'em in a rubber room, not let 'em out. These stairs that I walk up and down at the Capitol are highly dangerous. Do I have to wear a helmet for that? And why a helmet? Why not shoulder pads and why not rib pads and hip pads? I mean, at some point, we got to draw the line. Illinois has become the nanny State. And many of the privileged people in this Chamber, along with myself, sometime think we know best. But I'll tell you, we don't. The people that ride these motorcycles take their life in their own hands. Let 'em take their life in their own hands. I don't understand, Senator, why a man as learned as yourself would want to tell others what they should do. I think that we should let people be free. This is America. Senator Hutchinson and her friends are fighting to keep our boys safe. And if we're going to let our boys, our eighteen-year-old boys, go over there and fight for freedom, this is the freedom they're fighting for. Help us here, Senator. Pull this bill out of the record.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, there's no further -- oh, I'm

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

sorry. Senator Holmes, are you seeking recognition on this matter, ma'am?

SENATOR HOLMES:

Please, Mr. President. As long as we were talking about statistics, I just wanted to sort of read off those from the Brain Injury Association of America. And sixty-two percent of occupants in an enclosed motor vehicle are more likely to have a brain injury; thirteen percent pedestrians; seven percent bicycles; twelve percent other; and six percent on motorcycles. So I think, at this point, we should probably -- be requiring the occupants of a motor vehicle to be wearing a helmet, rather than people on motorcycles.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. Okay, Ladies -- no further discussion? Ladies and Gentlemen, Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President. Senator Holmes, I think that'll be my next bill. We'll call that next week. But in all seriousness, that's why they call 'em accidents. You know, these are not "on purposes". Things happen and it is not how qualified we are to ride a bike. It is those car drivers who are opening their doors which cause us to have accidents, that cuts us off that makes us have an accident. I mean, this is -- the whole issue is, is the quality of life for the individual who has that accident, that if he hits his head, he, in fact, has -- there's at least a possibility that he will have severe brain damage. So I'm not -- nothing wrong with your right to ride. As -- as all of you know, I ride. I've been riding for over forty-two years and -- but stuff happens. Stuff

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

happens when you're on that bike that we do not have control over. And one of the things that happens is, if you do live after your motorcycle accident, how we pay for it is -- that ambulance that picks you up, nine times out of ten, the taxpayer's paying for it. When you go into the hospital -- and you may have insurance for your twenty-thousand-dollar bike, but you don't have long-term health insurance, which you're going to need once you're laying up in the hospital. Your insurance is not going to pay for that rehabilitation that you need. That's my taxpayer dollars. So -- though I want you to have all the fun that you want, I should not have to pay for it. I -- we should not have to pay for that. We, for too long, have romanticized this whole motorcycle riding issue. I mean, it is big fun. ...Easy Rider, Peter Fonda, and when we talk about - what? - what's that boy's name? Jimmy Dean. Right. Everybody and their mama ride on a motorcycle. James Dean, whatever his name is. Marlon Brando. I mean, we have romanticized this motorcycle riding. But it's -- it's serious business. When you're out there on that motorcycle, it's you and the ground. And the -- the statistics prove that when you hit that ground, more than likely, especially looking at the size of some of the people's heads around here, the first thing that's going to hit is your head. So -- so, I'm with you, but I believe that it's time that -- that we do be considerate -- or concerned, about the quality of life of our citizens. This bill proves that -- what other folks have proven in forty-seven other states, that is, this is the way to go. Not stopping you from riding. And - and I don't ride my helmet -- use my helmet all the time, Senator. Because if I have a rider - I only have one helmet - I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

give it to my passenger. So we need to ensure that all of us are covered. This bill -- this merely bill needs to be passed and it needs to be passed today. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1351 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 -- there are 14 Ayes, 42 Noes, 1 voting Present. Senate Bill 1351, having failed to receive the required constitutional majority, is declared failed. Senator Bomke, are you seeking recognition?

SENATOR BOMKE:

Yeah. Thank -- thank you -- thank you, Mr. President. I only want to compliment Senator Trotter for getting fewer votes on his bill than I did on my open primary bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, I ask you to go back on the printed Calendar. We will go back to page 64. Senate Bills 3rd Reading. Senate Bills 3rd Reading. Senator Schoenberg, do you wish to -- actually, Senator Schoenberg is seeking leave of the Body to return Senate Bill 2024 back to the Order of 2nd Reading for purpose of an amendment. Is that correct, sir? Okay, Ladies and Gentlemen, now -- so, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2024. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Schoenberg.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, good evening, sir. How are you?

SENATOR SCHOENBERG:

I'm well. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to Floor Amendment No. 1, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 is an agreed amendment that provides clarity in the statute to ensure that the fees which the circuit clerks administer, that they do indeed go to - those court clerks - that they do indeed go to the programs for which they are intended, such as DUI-related emergency responses, school safety, drug courts, and youth diversion programs. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion on the amendment? Senator Lauzen. No? Okay, Ladies and Gentlemen, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. We'll skip down to Senate Bill 2034. Senator Garrett. Senator Susan Garrett, on 2034, ma'am. Do you wish to proceed? She indicates -- you wish to proceed,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

ma'am? She indicates she wishes to proceed. Madam Secretary, read the lady's bill. She's...

SECRETARY ROCK:

Senate Bill 2034.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Garrett, to the bill, ma'am.

SENATOR GARRETT:

Thank you, Mr. President. Senate Bill 2034 addresses the materials that could be beneficially reused and these materials are currently being disposed in landfills. The bill authorizes the Illinois EPA to issue what they call beneficial use determinations, BUD, that certain materials otherwise required to be managed as waste or -- disposed of in a landfill can instead be considered non-waste if they are reused in a manner that protects human health and the environment. Some examples are asphalt and roofing shingles.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen... Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Thank you, Mr. President. I just want to mention that this bill came through the committee with no negative votes and I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 2034 pass. All those in favor will vote Aye. All those opposed will vote

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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 54 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2034, having received the required constitutional majority, is declared passed. Senator Steans, on 2043, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 2043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Steans, to the bill, ma'am.

SENATOR STEANS:

Yes, Senate Bill 2043 does two things. First, it includes the -- addressing the issue of at -- patients that are at risk of low birth weight or premature birth babies, including them in a pilot program at DHFS, similar to their disease management program. This program seemed to -- when you address the problems early upfront and do the intervention, it really reduces the cost later on of having low birth weight babies. It also enables data sharing between HFS, Public Health and Human Services on issues -- data relating to premature births.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 2043 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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2043, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose you seek recognition, ma'am?

SENATOR ALTHOFF:

Thank you, Mr. President. Inadvertently I -- I was not near my button when the vote for 2034 was called. Might the record reflect that I would like to be recorded as an Aye vote?

PRESIDING OFFICER: (SENATOR DeLEO)

Record will so reflect your intentions, ma'am. We will skip 2044. We will go to 2045. Senator Jacobs. Senator Jacobs, do you wish to proceed on 2045? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 2045.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Thank you, Mr. President. This is a bill that passed unanimously through the Senate. I brought it back this year. It's a bill to help the blind vendors and put Illinois in compliance with the Randolph-Sheppard Act. When it went through committee, I -- I promised Senator Demuzio and Senator Bivins that I would work out a compromise or -- or try to find an amendment. We have been unable to do that, but I believe that we have a -- a compromise waiting in the House. It's taken longer. I -- I ask the indulgence of the Senate to move the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

bill forward. We pass it over there and let them put on the amendment and then bring it back for concurrence.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Thank you for that disclosure. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Not a question, but just a request, I think, of Senator Jacobs. If you haven't already talked to 'em, do touch base with the Chicago Lighthouse for the blind. My guess is, they would be wholeheartedly for this. But I would just recommend, if you haven't, Senator Jacobs, to talk to the Chicago Lighthouse for the blind - one of the great agencies in all of metropolitan Chicago serving the visually impaired for years. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Dillard. Seeing no further discussion, the -- the question is, shall Senate Bill 2045 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting's open. All voted who wish? All voted who wish? All voted who wish? Madam Secretary, take the record. On that question, there are 53 Ayes, 0 -- 1 voting Nay, 1 voting Present. Senate Bill 2045, having received the constitutional majority, is declared passed. Senate Bill 2046. Senator Kotowski, do you wish to proceed on it? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 2046.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Kotowski, to the bill, sir.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2046 expands the current income tax credit for employers who employ qualified veterans. Currently, the credit is five percent of the gross wages paid by the employer to a qualified veteran, up to six hundred dollars. Does not include all veterans. Senate Bill -- 2046 expands the credit after December 30th, 2009, to ten percent, up to twelve hundred dollars, for veterans of Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

In support of the bill, Mr. President. This passed out of Revenue unanimously.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 2046 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 56 Ayes, 0 voting Nay, 1 voting Present. Senate Bill 2046, having received the required constitutional majority, is declared passed. Senate Bill 2051. Senator Crotty, do you wish to proceed, ma'am? She indicates

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 2051.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Crotty, to the bill, ma'am.

SENATOR CROTTY:

Thank you very much. Senate Bill 2051 corrects a flaw in the State aid formula by simply taking those school districts that pass a limiting rate tax increase off the formula for the years that the taxpayers approved the rate increase - limiting rates can be approved for up to four years - and then go back on the formula once the period has ended. While off the formula, their general State aid would be calculated within -- without consideration of the tax increase.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill. To -- to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

Thank you. I voted for the bill in committee, but I do have some concerns. First of all, I don't necessarily think it was a flaw. I think people misunderstood maybe what the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

ramifications were, but I'm not sure that this is a flaw. Certainly, what it boils down to is many of us have had school districts that, since PTEL has been in effect, have passed referendums and have -- then have increased their local property tax base and have lost corresponding reimbursement from the State of Illinois. So, I think that, you know, this is nothing new. And we've had school districts that have been faced with this situation in the past. Certainly, the Senator is trying to correct something in her district and a -- and a handful of other districts. But I think that perhaps we need to make sure we have a comprehensive fix if there is a fix that needs to be done. And certainly, as we look prospectively, we need to make sure that PTEL is working. We need to make sure that school districts understand the ramifications of passing tax rate increases. But I think there -- I do have some concerns with the bill. And it -- it's my understanding it is not retroactive. It only is looking to the future. So, anyway, vote your conscience.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. As the previous speaker had mentioned that it isn't a flaw, it is a flaw. The consequence is illogical. If taxpayers understood this flaw, tax referendums would never pass. In that I mean, our general State aid formula takes in consideration the local wealth that a school district has in order to see how much State funding they can get. So, when your taxpayers decide to help our school districts by passing a referendum, and not many school districts are able to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

do that, I think it is unconscionable for us to hold back State aid as those taxpayers take on more of that burden on their property taxes. This will help school districts who have passed referendums be able to get the amount of money that they voted for on that referendum on the ballot. I am going to work with the State Board of Ed to make sure that this is done for all school districts from now on. So I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further -- you're getting ahead of yourself. Senator Lauzen, are you rising on this matter, sir?

SENATOR LAUZEN:

Yes. Was that the closing statement or are their other...

PRESIDING OFFICER: (SENATOR DeLEO)

Your light was on.

SENATOR LAUZEN:

Oh. I -- I only rise in support of the bill. I think that good points are made.

PRESIDING OFFICER: (SENATOR DeLEO)

Then very good. Then the question is, shall Senate Bill 2051 pass. All of 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 56 Ayes, 1 voting -- 0 voting Nay, 0 voting Present. Senate Bill 2051, having received the required constitutional majority, is declared passed. Senator Kotowski, on 2052, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SECRETARY ROCK:

Senate Bill 2052.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Kotowski, to the bill, sir.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2052 amends the Department of Commerce and Economic Opportunity law of the Civil Administrative Code of Illinois and provides that employees who are unauthorized aliens may not participate in training under the Department of Commerce and Economic Opportunity's grant program for training in skills in critical demand. I worked with this -- with the Department of Commerce and Economic Opportunity. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any -- Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Wonder if the sponsor will yield, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Senator Kotowski, I want to make sure that I understand your bill. Your bill says that if someone is in the country illegally that they will not be able to access help from DCEO training funds for critical skills or other relevant programs.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Senator Righter, thank you for your question. That is the intent of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Okay. That's the intent of the bill. Is that -- I mean, that's what the bill would do then? The bill -- are there -- let me ask you, are there people in the country now who would be classified as here illegally who are receiving these training funds?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Under DCEO's - Senator? - under DCEO's training grant for skills in critical demand, no participating employee may be unauthorized alien, as defined under the Immigration and Nationality Act regarding the unlawful employment of aliens.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, for further discussion.

SENATOR RIGHTER:

Simply to rise in support of the bill. Thank the sponsor for his work.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion, on Senate Bill 2052? Senator Sandoval, are you seeking recognition on this bill, sir?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR SANDOVAL:

Will the speaker yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SANDOVAL:

Senator Kotowski, you just made a statement that your bill disenfranchises undocumented residents who are law-abiding residents in your district. Are you sending a message to the undocumented residents that live in Des Plaines and in your district that they -- although their families and they pay State taxes, pay sales tax, pay city's tax, pay all the taxes, are law-abiding, hardworking residents, that they cannot participate in these programs that are afforded by the State of Illinois? Is that what you're saying? Is that the kind of message you are sending to a large portion of the Latino community in your district?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Ladies and Gentlemen of the Senate, we for long -- for many years, for the last six years, we have been a Body that has provided protection to a lot of the undocumented residents who are some of the most law-abiding, hardest working residents. They are -- they are taxpaying residents that pay sales tax, that pay property taxes. They are a big contributor to our

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

economy in the State of Illinois. I find it unconscionable that a Member on my side of the aisle would send a message to the immigrant community in Illinois that they, through his action, would be disenfranchised. I ask everyone on this side of the aisle to vote No against Senate Bill 2052.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any further discussion? Any further discussion? Seeing none, Senator Kotowski, to close, sir.

SENATOR KOTOWSKI:

Thank you, Senator. This is what happens in this Chamber when people don't read the bills. The -- the reality is, if you're legally authorized to work, you can be eligible for the grants. If you're not legally authorized to work, you will not be. I highly recommend in the future if you're going to speak to legislation, you understand the legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill 2052 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 48 Ayes, 7 Nays, 2 voting Present. Senate Bill 2052, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading on page 64 of your Calendar is Senator Kotowski on 2060. Out of the record. Senator Hutchinson, on 2069, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

lady's second bill.

SECRETARY ROCK:

Senate Bill 2069.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hutchinson, to your second bill.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the -- of the Senate Chamber. Senate Bill 2069 is a bill that actually will harmonize the Illinois Cares Rx and Circuit Breaker program. And this -- the amendment that was drafted was drafted at the request of the Majority Leader Currie over in the House. It's also been filed in the House. The income eligibility for each aspect of the Circuit Breaker program has been synthesized. They've been operating at different levels. There is a fiscal impact on this - about 2.2 million dollars as written now. The Fiscal Year '10 impact will approximately be about a million dollars. But the outyears is only about five hundred thousand dollars. And we should see some administrative cost savings by harmonizing these programs and give our elderly citizens and those disabled who are part of that doughnut hole some much needed relief. I would respectfully ask for an Aye vote. I'd be happy to take any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Hunter, are you seeking recognition on this matter? Senator Hunter.

SENATOR HUNTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR HUNTER:

This bill came out of the Human Services Committee. It's a great bill. It's a wonderful bill. I commend the sponsor of this bill and I ask all of my colleagues to vote for it, please. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 2069 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 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2069, having received the required constitutional majority, is declared passed. We'll skip down to the bottom of page 64 to 2089. Senator Cronin, on 2089. Out of the record. We will -- Ladies and Gentlemen, we will skip 2090. We will go to the top of page 65 of your printed Calendar, continuing on Senate Bills 3rd Reading. Page 65. And Senator Schoenberg in the Chair.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate Bill 2091. Senator Haine. Do you wish to proceed? Senator Haine wishes to proceed. He -- he seeks leave of the Body to return -- to return Senate Bill 2091 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2091. Madam Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Mr. President, I wish to withdraw that amendment and explain the reason why and proceed to 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The gentleman wishes to table -- the gentleman wishes to withdraw Floor Amendment No. 1. So are there any -- further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senator Haine, do you wish to proceed with Senate Bill 2091? Gentleman wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very quickly, this has become a shell bill, although we do have pending the first amendment, which I withdrew, and two others and possibly a fourth. And we wanted to send it to the House to have one last session with all the interested parties.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

This is the viatical settlement bill, which -- which intends to regulate and prohibit stranger-originated life insurance, where -- where a -- where groups of -- of parties importune people to buy insurance. The -- the -- the -- the party that asked them to buy it funds it. They have a high death benefit and then that benefit -- death benefit is assigned to the people paying the freight. There are many interests at stake. There's a legitimate life settlement industry in Illinois. There's several other interests at the table - probate lawyers, banks, trusts, and the insurance industry itself. And we're trying to come to at least a bill which many other states have passed, which is based partly on two models, and these bills will regulate this growing industry and prohibit STOLI, which could threaten the life insurance industry itself. The word "viatical", by the way, comes from the Latin term "viaticum", which means the last journey. And hence it's usually a death benefit which is at stake. In fact, the last rights of the Roman Catholic Church are called the viaticum, interesting analogy. But that's what it is. I -- any -- any questions? You've heard about this bill. But this goes to the House. Hopefully, we'll have it worked out with Representative Frank Mautino handling the bill and it'll come back on a motion to concur. And it may not have any supporters, but hopefully everyone will be vehemently neutral.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion on this vehicle bill? Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. You know, it's very interesting

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

-- I -- I -- and I realize you have been thinking about this a long time with a lot of horsepower -- intellectual horsepower and I realize I am brand new to this, but are you saying that people would not be able to use their own property in these life insurance, and then, if they want to sell it, they would not be able to sell it? I mean, that's a wonderful thing for the insurance industry. And when we say, well, it threatens the insurance industry, wait a second. People have been paying a long time and -- and -- a long time these premiums, and if they choose, they take their own personal property in the form of an insurance contract and they say they sell it to someone else who's going to maintain it versus the life expectancy of that other person. So I'm -- I'm just -- I'm hoping that as you go through the process -- and you're a very rational even-keel kind of guy, so, I mean, you'll use good judgment. But is that one of the things that you're thinking, that we would restrict the people's use of their own property, especially with something as sensitive as life insurance?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Lauzen, for that question. And, in fact, this proposed regulation will preserve insurance as an asset, as a -- as a property right. It's consumer-oriented. What this prohibits, again, are stranger-originated life insurance policies in which the originator, the payor of the premiums, does not have a real insurable interest in the insured. But the idea of a life insurance policy as an asset will be preserved in this scheme.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Any discussion? Senator Haine, to close? Thank you. The question is, shall Senate Bill 2091 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? Madam Secretary, please take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 2091, having received the -- the required constitutional majority, is hereby declared passed. Senate Bill 2093. Senator Frerichs. Out of the record. Senate -- Senate Bill 2095. Senator Bivins. Senator Bivins. Madam Secretary, please proceed. Senator Bivins seeks leave of the Body to return Senate Bill -- 2095 to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2095. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Bivins.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. What this bill does, upon the notification from the Clerk of the Circuit Court of an outstanding fine, restitution, or costs imposed by the court on a jail inmate, the warden of the jail may, at any time prior to the release of the inmate, deduct from the money credited to any account of the inmate an amount to pay or reduce the outstanding balance. This amendment also addresses the concerns of the Cook

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

County Public Defender's Office. It had concerns of notifying the -- the inmate or anyone leaving money for the inmate, and also addresses the concerns of the compliance with any garnishment laws currently.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? On the amendment, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...you, Mr. Secretary. 3rd Reading. Now on the Order of 3rd Reading for Senate Bill 2095, Mr. Bivins, do you wish to proceed? Mr. Secretary, the Senator indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. This bill addresses a concern that every county in the State has of unpaid fines in the millions of dollars. Recently the Illinois Sheriffs' Association did a survey and responding were seventeen counties of average or small size, and it was found that each county on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

an average was owed 5.4 million dollars in fines. What this bill will help do is to start paying down some of those fines. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? The gentleman from Cook, Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

He indicates he'll yield.

SENATOR HENDON:

Senator Bivins, do you have an idea -- any idea of the average that a typical inmate would have in their account? Because everything I know, they -- they don't have no money in their accounts. How -- I mean, are there thousands of dollars in -- or hundreds of dollars even in inmate's accounts? I don't understand.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

Thank you. Some -- some have no money. Some have some money. Some have a lot of money. The impetus for this bill came from Stephenson County from Sheriff David Snyders. He had an inmate -- he had more than one; he had several inmates. But he had one in particular inmate that had twenty-four hundred dollars in his account, owed about half that amount in outstanding previous fines, and he could not collect those fines.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hendon.

SENATOR HENDON:

That's a one -- one-time situation, a one -- I'm saying, do you have an average of what the average inmate has in their account? This is the account they have in -- in prison or in jail, right?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

Yes. I believe I answered that and I -- I do not have an average. This -- there was -- he had four such inmates, not one. That was one example of one inmate that he had. This is an ongoing problem. This is just one step in the process. The other process that we have are -- are a lot of judges who give extensions to inmates not paying their fines or to people who owe fines not paying those fines. But this is the first step in the process of collecting -- some of those unpaid fines.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hendon, do you have any further questions?

SENATOR HENDON:

Just one last question. Do you have any idea how much a phone call costs an inmate or costs -- what -- when an inmate wants to call home and stay in touch with the family so that they can turn their lives around? Because I think communication with the outside world helps some of these people turn their lives around. Do you have any idea how expensive one phone call is from an incarcerated person?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Bivins.

SENATOR BIVINS:

Not at this time.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hendon.

SENATOR HENDON:

Well, just so the Body knows - and of course, everybody's going to do what they want to do - the average inmate has nothing in their account and the average phone call is ten dollars, nine dollars ninety-five cents. We're allowing the phone companies who have these contracts to get away with highway robbery. And people say, well, it's just the inmates so it doesn't matter. But there are some people who are incarcerated who did absolutely nothing wrong. Some of 'em are -- are just there because they can't pay the fine in the first place. And now if they -- somebody send 'em twenty dollars so they can buy something -- from the commissary, you want to -- want to take that. I -- I just think that this is wrong.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion?
The lady from Cook, Senator Lightford.

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Indicates he'll yield.

SENATOR LIGHTFORD:

Senator Bivins, can you give an idea for the Body what type of fines or restrictions or restitutions or costs will be imposed?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

It would be whatever the court ordered.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lightford.

SENATOR LIGHTFORD:

And is this as a -- as a result from them being arrested? Is this as a result from the time that they've served while they're in custody at the county jail? Is this from perhaps them not having a defense and they're being charged? So, just, can you give me an idea of where the fines might be imposed come from?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

This would be for a previous arrest and conviction and for fines assessed by the court that they owe and haven't paid.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lightford.

SENATOR LIGHTFORD:

So for previous arrests and convictions, so if the person has been picked up before and then now they come back -- they're picked up again and now they're back, and you say, "Oh, I've got this person. They've been here before. Let me look them up and see what fines they owe from a previous arrest or conviction so when any moneys come in we can draw that money down." Is that what you're saying? I'm trying to just get a understanding of the -- of the legislation.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bivins.

SENATOR BIVINS:

What -- what I'm saying is, if an inmate owes money to a court on previous convictions and has been fined, has money in their account while they're incarcerated, this gives the sheriff the ability to confiscate that money, garnish that money, if you will, and pay down that fine, or pay towards that fine. But they have to be notified by the circuit clerk of -- of that amount.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lightford, do you have any further questions?

SENATOR LIGHTFORD:

Just to the bill. I -- I think it's -- it's really a bill that could 'cause a lot of problems and unfair to those that are being released after they've served their time and they're back on the streets. You know, I just hope that they're not in a position where their families and friends have sent them funds and those funds are to help them get home, those funds are to help them provide clothing so that they're not wearing their inmate clothes when they arrive back in the street, funds for them to perhaps eat, and then all of a sudden they're released with zero dollars. And so I would just encourage the Body to take a look at that and possibly vote Present or No. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Any further discussion? The gentleman from Coles, Senator Righter.

SENATOR RIGHTER:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the bill.

SENATOR RIGHTER:

Thank you. I rise in support of Senate Bill 2095. I think it's important that we put what Senator Bivins does in context here. This is an attempt to help victims of a crime be compensated. As all of us who know anything about the criminal justice system know, that oftentimes one of the fines that an offender could be required to pay is restitution, restitution to a victim of a crime - a crime of sexual violence, a crime of domestic violence. Sometimes the courts order the offender to pay for counseling for the victim, the victim's health care bills, and on and on and on. This is another opportunity -- this is another opportunity for the person who committed the crime and who caused the problem in the first place to help the aggrieved party be made whole. This is a simple solution to a serious problem. I would urge a Yes vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR BIVINS:

Thank you, Mr. President. I'd remind the Body that this -- this does say "may". This is not "shall". It's up to each individual sheriff. I did have a conversation with a representative of the Cook County Sheriff. They did have some concerns, but when I informed them it was not mandatory, they -- they are okay with the bill. Also, on a comment by Senator Lightford, I don't know -- and maybe they do in Cook County, but the sheriffs I know and certainly in -- in my previous life, we

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

didn't release the inmates with inmate clothing, as it would have incurred quite a -- a cost burden to the county. This is also about -- many times when these people come to court and some judges will tell them that you either pay your fine or you're going to jail, amazingly they come up with the money to pay the fine. Many of these people have the ability to pay the fines when -- when the pressure's put on them. And I would encourage an Aye vote. Thank you very much.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The question is, shall Senate Bill 2095 pass. All those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On -- on that question -- Mr. Secretary, take the record. On that question, there are 51 voting Aye, 30 voting No -- 3 voting No, 3 voting Present. Senate Bill 2095, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we're going to skip 2097 because it is potentially going to be on the Agreed Bill List. We'll move next to 2103. Senator Hunter. Senator Hunter, do you wish to proceed? The lady wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate. Senate Bill 2103 is an initiative of the Illinois EPA. This bill authorizes the Illinois EPA to issue administrative citations for certain violations under the -- under the Agency's used tire program, specifically authorizing the Agency to issue administrative citations for causing or allowing the accumulation of water in stored used tires.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? The gentleman from DeKalb, Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates that she'll yield.

SENATOR BURZYNSKI:

Thank you, Mr. President. Senator, I think I understand where you're going with this, but I do have a question. Many farmers out on their farms have used tires that are utilized to cover silage. They have tarps that are thrown over silage. They have used tires that are holding the silage down. They will accumulate water during the winter, during the fall, during the spring. Does this have any impact upon their ability to use those to hold that structure or that cover down, or is this just strictly limited to retail operations of tire sales?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

Senator Burzynski, this is -- this is basically a -- a public -- well, IEPA considered it -- considers it as a -- a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

serious public health issue. In the summertime, when -- when the tires -- when the -- when the water sits in the tires, that's when you have outbreaks of the West Nile Virus. And so it's -- it's not for -- for retail tires. It's -- it's for used tires. It's used tires just sitting around.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I -- I understand the intent. What I'm saying is, I think there are unintended consequences and that's what I'm trying to find an answer for, are -- are for those types of uses like this. And -- and I know that -- that you've been a part of some of the Adopt a -- a Legislator programs, but farmers do utilize used tires to hold covers down over silage that's out in the open. And my question is, whether or not they could be impacted by this if they had large amounts. That's -- that's what I'm questioning, Senator.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further -- Senator Hunter. Pardon me.

SENATOR HUNTER:

Yes. They can be -- yes, they can be affected by this -- this bill. Sure. Any -- any used tires.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Well, in -- in that case, I'm going to encourage my colleagues to -- to vote No on the bill, recognizing that the EPA does have used tire collection programs that work very well, but they've been underfunded to some

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

degree, for this kind of thing. But I'm very concerned about the impact this could have in the agricultural community.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any further discussion? Any further discussion? Gentleman from Peoria, Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This bill came through Environment with no negative votes. Maybe it's time that -- you know, farmers are pretty ingenious. Maybe it's time that they look for some other method to hold things down and that we don't have that water standing in these tires, and it goes to promote disease. So I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUNTER:

I encourage all of my colleagues in this Chamber to vote Yes for this bill. Insects that carry the virus hatch their eggs and they inhibit {sic} large waste tires when the tires are left outside and they accumulate rainwater. So I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2103 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? Mr. Secretary, please take the record. On that question, there are 45 voting Yea, 12 voting Nay, none voting Present. Senate Bill 2103, having received the required constitutional majority, is declared passed. Senator Hunter,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

with 2104. Senator Hunter, do you wish to proceed? The Senator wishes -- indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2104.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2104 is in regards to excessive idling. This bill amends the State Finance Act, the Illinois Vehicle Act {sic} (Code), and the Clerks of Court {sic} (Courts) Act, which changes the fine for the violation of excessive idling from fifty to two hundred and fifty dollars for the first conviction and from a hundred and fifty dollars to five hundred dollars for the second or subsequent conviction. Portions of my area downtown are having a huge problem with buses sitting there idling all day long, waiting -- because they're tour buses and this is a tourist area. One of my aldermen down on the 42nd Ward has been complaining for a while regarding the fumes that are accumulating as a result. This bill in 2006 -- a bill similar to this in 2006 was passed by Senator Schoenberg and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? The gentleman from Peoria, Senator Risinger.

SENATOR RISINGER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President. Senator, while I supported you on your last bill, this bill here is a little different story. There are already fines for idling. All this bill does is raise those fines. It's not a matter of whether the police can issue a citation or not; it's a matter that they want more money. We think that the -- the law is out there already. It can be enforced. If it's a health issue, the -- the enforcement ought to -- ought to take place now. And the fact that you make more money shouldn't be the -- the factor that causes you to issue the citation. So, in committee, there were several negative votes, and -- and I urge a negative vote on this one.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? The gentleman from Putnam, Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Would the sponsor yield to a question? If I heard you right, Senator Hunter, you -- you mentioned buses.

SENATOR HUNTER:

Tour...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

Tour buses and trucks, sir.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dahl.

SENATOR DAHL:

Thank you. Tour -- tour buses. So -- so we're talking about tour buses that are parked, waiting for their rides to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

come back. Is -- is that right? You're not talking about city buses?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

No. I am -- I am speaking of tour buses and trucks.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dahl.

SENATOR DAHL:

Thank you. All right. I also see that there are exceptions to the rule. Can -- can you tell us what some of those are?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

Senator, the major problem with this excessive idling is that downtown Chicago's a major tourist attraction. You have all of these tour buses lined up twenty at a time. Their -- their clients are out shopping and having a great time and -- and contributing towards the tax bases here in -- well, in Chicago. And one of the problems is that the buses and trucks do not turn their vehicles off. They keep them running constantly. The police come by. The police write tickets for fifty dollars, and the buses and the truck drivers pay the fines and they keep running their vehicles. It's like thumbing -- thumbing their nose at the City and -- and the police department. So we feel that if we were to increase the fines, this will prohibit these guys from continuing this activity.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Dahl.

SENATOR DAHL:

Okay. Thank you. But -- but that still didn't answer my -
- my question. It says there are numerous exceptions to the
idle rule. Is -- is weather -- certain -- certain weather
conditions - if it's cold, if it's -- if it's a hundred degrees
out - are they allowed to -- allowed to run their engines?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

I think that you would have most of the effects during the
summertime, where it's eighty, ninety, a hundred degrees
outside. But you still have to -- I mean, it's less effective,
of course, in the wintertime, because there's not a lot of
people standing around on the streets and hanging out downtown.
But you have most of the effects, Senator, when it's summertime.
Spring and summertime.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dahl.

SENATOR DAHL:

Okay. Thank you. To -- to the bill: You know, here,
again, we -- we've got a -- we've got a bill that -- that is
increasing a fine. I don't have any idea about tour buses.
Maybe -- maybe they can afford to pay fines, but I -- I
seriously doubt that a -- a truck driver can afford to pay a
fifty-dollar fine, say nothing about a ninety-dollar or two-
hundred-and-and-fifty-dollar fine. And -- and also, you know,
the amount of trucks that you're going to find idling in the
downtown area are -- are slim and none. So I would -- I would

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

suggest if this is an issue with tour buses, that we go after tour buses. And let -- let the economy work the way it's supposed to. I encourage a No vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUNTER:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2104 pass. Those in -- 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? Mr. Secretary, please take the record. On that question, there are 29 Ayes, 25 Nays, none voting Present. Senate Bill 2104, having failed to receive -- Senator Hunter.

SENATOR HUNTER:

I wish to put this bill on Postponed Consideration, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter wishes -- requests that Senate Bill 2104 be placed on the Order of Postponed Consideration. We will place it on that order. Thank you. Senate Bill 2106. Senator Hunter. Out of the record. We're going to skip Senate Bill 2109. We're going to go to Senate Bill -- we're going to go to Senate Bill 2111. Senator -- Senate Bill 2111. Senator Harmon seeks leave of the Body to return to -- Senate Bill 2111 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2111. Mr. Secretary, are there any Floor amendments approved for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment corrects a scrivener's error. I move for its adoption and look forward to debating the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Those in -- all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, 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.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2111. Senator Harmon, do you wish to proceed? Senator Harmon indicates that he does wish to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2111.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

...Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2111 deals with the immediate negotiability of funds in a real estate closing. It is essentially identical to a bill passed by the Senate last year that got caught up in the debate over administrative rules. I'm not aware of any objection and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, Senator Harmon, you wish to close? The question is, shall Senate Bill 2111 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, 2 voting Present. Senate Bill 2111, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we're going to return to Senate Bill 2109. Senator Bond. Senator Bond seeks leave of the Body to return Senate Bill 2109 to the Order of 2nd Reading. Leave is granted. On the Order of Senate Bill -- on the Order of 2nd Reading is Senate Bill 2109. Mr. Secretary, are -- are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Bond.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bond.

SENATOR BOND:

Thank you, Mr. President. This is a -- a culmination of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

two years of work. It originally began as the Advanced Science Zone {sic} (Zones) Act. We commissioned a study. The study was completed last year. Worked with NIU and Lori Clark, put in tremendous amount of effort; Lake County Partners, with Dave Young; and Ros Franklin University, with Dr. Welch. We think we have a great framework to attract and retain advanced science in the State of Illinois. I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, 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 SCHOENBERG)

3rd Reading. Now we'll proceed to Senate Bill 2112 on the Order of 3rd Reading. Senator Harmon. Senator Harmon, do you wish to proceed? Gentleman indicates that he wishes proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2112 is a modernization of the Real Estate Timeshare Act of 1999. Most importantly, it extends certain

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

consumer protections currently applicable to the initial sale of a timeshare to resales as well. It also provides for a nonjudicial foreclosure option. Again, when you're foreclosing on someone's week versus their outright ownership of a -- of a - - a unit, certain protections need to apply in a different way. Again, I'm not aware of any opposition on this bill and I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, Senator Harmon, do you wish to close? The question is, shall Senate Bill 2112 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 2112, having received the required constitutional majority, is hereby declared passed. Senate Bill 2115. Senator Harmon. The Senator wishes -- the Senator indicates that he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2115 amends the Property Tax Code, the Section that describes the tax status of certain property that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

is owned by a municipality but operated by a private operator. We did this several years ago for parking lots, waste disposal facilities, and Midway Airport, if you recall. This is a much less ambitious expansion. It would include harbor facilities. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Harmon, do you wish to close? Seeing none, the question is, shall Senate Bill 2115 pass. All 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? On that question -- Mr. Secretary -- on that question, there are 58 voting -- take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2115, having received the required constitutional majority, is hereby declared passed. Senator Harmon, with Senate Bill 2116. Do you wish to proceed? The gentleman seeks leave of the Body to return Senate Bill 2116 to the Order of 2nd Reading. Leave is granted. On the Order of Senate -- 2nd Reading is Senate Bill 2116. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 offers some corrective language. I'd ask -- I move for its adoption and look forward to debating

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? All those in favor of the amendment will say Aye. Opposed, Nay. In opinion of the Chair, 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 SCHOENBERG)

3rd Reading. On the Order of 3rd Reading, Senate Bill 2116. Senator Harmon, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2116.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2116 amends the Local Government Energy Conservation Act on the topic of guaranteed energy savings contracts. We've entertained many bills on this topic over the last several years. This is a refinement dealing with the procurement. And most importantly, it would prohibit a company that assists in the preparation of municipal specifications or an RFP from then bidding on and securing that contract unless there's an express vote by the municipality that there is no

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

conflict of interest. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, Senator Harmon, you wish to close? The question is, shall Senate Bill 2116 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? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2116, having received the required constitutional majority, is hereby declared passed. Senate Bill 2119. Senator Steans. Senator Steans, do you wish to proceed? The lady wishes to proceed. Senator Steans seeks leave of the Body to return Senate Bill 2119 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2119. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President. Floor Amendment 1 deletes the bill -- deletes the underlying bill and becomes the bill, so we'll talk about it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? All those in favor of the amendment will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...the Order of 3rd Reading, Senate Bill 2121. Senator Demuzio. Does the lady wish to proceed? Senator Demuzio seeks leave of the Body to return Senate Bill 2121 to the Order of 2nd Reading. Leave is granted. On the Order of Senate Bill -- on the Order of 2nd Reading is Senate Bill 2121. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Floor Amendment No. 1 deletes the original provision of the bill, and I'll be happy to discuss...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, 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 SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2121. Senator Demuzio, do you wish to proceed? The lady indicates that she does. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

ACTING SECRETARY KAISER:

Senate Bill 2121.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Bill 2121, as amended with the Senate Amendment 1, is an agreed bill between the Illinois Home Builders Association and -- and the Illinois EPA. The bill changes a fee for storm water construction NPDES permits from an annual fee of five hundred to a one-time only up-front fee of seven hundred and fifty dollars. Additionally, it provides that this one-time fee is only two hundred and fifty dollars where the construction site is under five acres. And this is a revenue-neutral bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? The gentleman from Kane, Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Lady indicates that she'll yield.

SENATOR LAUZEN:

In our analysis, it shows that the Farm Bureau is opposed and perhaps -- oh, no, that's -- okay. After the Floor amendment, they went neutral. Okay. The second question is, intuitively, I would have thought that there are more plots that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

are less than five acres than more than five acres, but when you say that it's revenue-neutral, that'd be about the same number of those. Have you actually looked at those numbers and is that the case, that there's offsetting numbers? I would have thought that there'd be so many fewer.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Demuzio.

SENATOR DEMUZIO:

...not looked at that. But I -- has staff looked at -- to see what the number... But this is an EPA initiative. So, I'm sure that maybe they had those numbers. I'll be happy to get those for you. Okay?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Any further discussion? Seeing none, Senator Demuzio, to close.

SENATOR DEMUZIO:

Yes, I ask for a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2121 pass. All 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? Mr. Secretary, please take the record. On that question, there are 53 voting Aye, 4 voting Nay, none voting Present. Senate Bill 2121, having received the required constitutional majority, is hereby declared passed. The bottom of page 65. Senate Bill 2125. Senator Viverito. Senator Viverito, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 2125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. Senate Bill 2125 amends the Property Tax Code. In a Section concerning property tax installments in counties with three million or more inhabitants, provides that, beginning with taxes payable in 2010, the first installment shall be -- computerized {sic} at fifty-five percent, instead of fifty percent, of the total of each tax bill for the presiding {sic} year. This is a Cook County bill, with three million people or more. It's -- it's backed by the Federation of Taxpayers, as well as the City of Chicago. I would appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Gentleman from Kane, Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. This did come through the Revenue Committee, very ably chaired by Senator Viverito. The concern on this bill is that it -- two concerns: First of all, I think that the proponent was not the Illinois Federation of Taxpayers, but the Illinois Federation of Teachers. And I -- I don't have any information as far as the Illinois Federation of Taxpayers, but during a time that people are having an especially hard time paying their property taxes, why would we want to speed up the pain and have them pay earlier?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Viverito.

SENATOR VIVERITO:

Thank you for those good questions, Senator. But the Taxpayers' Federation of Illinois was in favor of it, as well as the Teachers. Your question, why would they want to? Obviously, with the tightening of the currency in the City of Chicago, by getting a few extra dollars, that first installation will probably relieve them where they'll be able to pay some of their bills more readily. I probably think that that's why they wanted this bill. So I don't know that -- how it would -- hurt or affect anybody outside of Cook County, because it's only in Cook County that they're requesting this.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

I understand that this is better -- and -- and this -- my last question. And I appreciated the point that you just made, about it's internal to Cook County. I hope that somebody from Cook County would say, well, my gosh, the taxpayers there are having as hard a time as the taxpayers in the three counties that I represent. But I know why this -- government wants -- I know why the government wants to speed up the payment. My question was, why would the taxpayers want to pay their taxes that much sooner?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Viverito.

SENATOR VIVERITO:

I think you make a point, Senator. I know your background

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

as a CPA and I applaud you. But I will tell you this, it'll actually be fairer and more equitable for the people to have the tax bills fifty-five and forty-five, because, obviously, they won't be hit with that extra burden at one time.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any further discussion? Any further discussion? The gentleman from Cook, Senator Murphy.

SENATOR MURPHY:

Well, thank you, Mr. President. To the bill: The -- the reason -- the -- and I voted for this in committee, intend to support it again out here on the Floor -- the reason why a Cook County taxpayer may want to do this and have this -- spread out is because we get sticker shock on the second payment. The first payment is based on half of last year. The second payment makes up the rest. So, to avoid having the sticker shock of the second payment, which makes it much more difficult, this allows it to be spread a little bit more evenly. Maybe makes it a little bit easier for people to take. It does allow the county to have five percent more on the front end. That's a -- that is a smaller amount, and the amount of, say, interest income you could have made off of that is really pretty miniscule. I think most people in our district would prefer to have a more normalized second payment and that's why I've supported the bill and urge a Yes vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Viverito, close.

SENATOR VIVERITO:

I would certainly thank Senator Murphy for those kind

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

words. And I would appreciate a Yes vote. Thank you very much.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2125 pass. All those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 48 voting Aye, 8 voting Nay, none voting Present. Senate Bill 2125, having received the required constitutional majority, is hereby declared passed. Now, to the -- the Order of Senate Bills 3rd Reading, top of page 66. We're going to skip 2129. 2145. Senator Haine. Senator Haine, do you wish to proceed? The gentleman wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2145.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Environmental Protection Agency. What it does is repeal Acts which are not used and changes the references to other Acts. Takes a fund that's not being used presently and puts it in another place. There's no opposition.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Haine, to close. The question is, shall Senate Bill 2145 pass. All

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2145, having received the required constitutional majority, is hereby declared passed. Senate Bill 2148. Senator Demuzio. Senator Demuzio, do you wish to proceed? The -- the lady indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2148.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Senate Bill 2148 amends the Military Code of Illinois regarding the Illinois Military Relief Fund and the establishment of a casualty-based grant program. This authorizes the Department of Military Affairs - and this is subject to appropriation - to expand the eligibility for grants given from the Illinois Military Family Relief Fund to families and members of the National Guard and active duty members or reservists wounded in combat in support of the global war on -- terror. Senate Bill 2148 requires the Department to give casualty-based grants. The Department shall determine criteria for the grants, but must award at least five thousand to each recipient.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Is there any discussion? Any discussion? Seeing none, Senator Demuzio, to close.

SENATOR DEMUZIO:

...for a -- an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2148 pass. All 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? Mr. Secretary, please take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Bill 2148, having received the required constitutional majority, is hereby declared passed. Senate Bill 2149. Senator Harmon. Out of the record. Senate Bill 2150. Senator Harmon. Senator Harmon wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2150.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2150 amends the Illinois Power Agency Act and a variety of other Acts. During the Veto Session, you may recall, the Senate approved Senator Demuzio's bill, Senate Bill 1987, which we refer to colloquially as the Tenaska bill. In that bill, there was an expansion of the renewable portfolio standards to the alternative retail energy suppliers. There

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

were some of us who thought that it was not done in the appropriate way. There were lengthy negotiations with all the stakeholders and the result is Senate Bill 2150. There was no opposition to the bill in committee. I understand, in just the last week, there have been some concerns raised by the large purchasers of power and we have had some discussions with them. We have not reached a point where we have any language to propose, but we will continue to work with them in the House. I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Gentleman from Peoria, Senator Risinger.

SENATOR RISINGER:

Thank you, Senator Harmon. I was going to bring up the issue of that concern, but it sounds like they've already talked to you and you're going to work through that after you pass the bill out of here. So, I -- I urge an Aye vote. It went through the committee unanimously.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any further discussion? Senator Harmon, to close? The question is, shall Senate Bill 2150 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2150, having received the required constitutional majority, hereby declared passed. Senator -- Leader Radogno. 2159. Out of the record. Leader Radogno. 2161. Out of the record. 2162. Senator Bond. Senator Bond,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

do you wish to proceed? Out of the record. 2163. Leader Radogno. Out of the record. 2165. Leader Radogno. Out of the record. 2167. Leader Radogno. Out of the record. Senate Bill 2168. Senator Hutchinson. Senator Hutchinson, do you wish to proceed? The lady indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2168.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Senate -- thank you, Mr. President, Members of the Body. Senate Bill 2168 attempts to address a small loophole in the law by establishing voting rights for dependent voting age children of active duty military parents. If the child has not lived in the State of Illinois and wants to register to vote where their family has an interest, this law would allow them to do that. I ask for an Aye vote. I'd be happy to take any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any discussion? Any discussion? Gentleman from Coles, Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

She indicates that she will.

SENATOR RIGHTER:

Senator, I want to make sure I'm -- I'm clear on what the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

bill says. The bill would allow an individual who has never resided in Illinois and does not currently reside in Illinois to vote in Illinois elections. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes, Senator, it does. What happens right now is that active duty military parents who have a connection to the State of Illinois, obviously by virtue of their service and residency, their spouses currently can register to vote along with their spouse, because the only reason they're not in Illinois is for the active duty status. Children, though, who travel with their parents have no control over where they live. So if they -- if they have never -- have -- if they've never lived in the State of Illinois, this law would allow them to have the same right that their -- their parent -- their -- the spouse of the active duty parent already enjoys.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

This is for dependent children only?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes, Senator, it is. It's only for voting age dependent children of active duty military parents.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

What if the dependent children -- I mean, they could live in another state. They could be on a -- on a base in the United States. So they're actually residing in one state and voting in another. Is there any assurances we have that they're not already -- already registered -- registering and voting in the state in which they reside? How do we know that they're not doing that?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Outside of normal voter fraud right now, no, there isn't. But this is really just an attempt to align voting rights or the franchise with -- for the spouses that we would do for the dependent voting age children.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Senator, who brought this to you? Can I ask, what is this an initiative of? I mean, a veterans group or a constituent?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

The Illinois Association of County Clerks and Recorders, actually.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Thank you for your indulgence, Mr. President. Senator, how does -- how do the county clerks verify that -- I mean, if this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

becomes law, how do they verify that the person is a -- a dependent child of a military family?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Senator, this is actually no different than any other absentee ballot. It's just -- it's -- it's actually trying to -- align the spouse's voting privileges with the dependent children. It would be the same as what they -- what we currently do. It just -- it just actually leaves out the -- the -- the dependent -- the dependent voting age child of that parent.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Well, I don't think it's the same as an absentee ballot procedure, because that -- I mean, that individual is already registered to vote in the county. I mean, how is -- once -- let's say a dependent child of a military family not located in Illinois wants to register to vote in Illinois, how does that happen? How does the county clerk verify that they have a right to vote in Illinois?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

As I -- what I mean to say is, as I understand this, this would be the same as a college-age student right now, who's not living in Illinois, but wants to vote. However, this -- this issue in particular is -- it affects the -- the voting age

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

dependent child while they're residing with their parent wherever they are, who would be in Illinois but for the fact that they are traveling with their active duty military parent.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUTCHINSON:

I would just ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2168 pass. All 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? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2168, having received the required constitutional majority, hereby declared passed. At the request of the sponsor, we're going to skip 2169, 2171. Without requesting permission of the sponsor, we're going to skip 2172. We're going to skip 2173, 2175 and 2177 at the request of Leader Radogno. We'll now move to Senate Bill 2178. Senator Noland. Senator Noland, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2178.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Noland, in plain language.

SENATOR NOLAND:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President. This bill is merely a cleanup bill from last year. We did pass an Act that established the Plain Language Task Force -- or at that time, it was the Lieutenant Governor who was -- or his or her designee was going to conduct the study and appoint members to the Task Force. As you know, the course of history has left us bereft of a Lieutenant Governor. So this cleanup language simply provides that the duties assigned to the Lieutenant Governor into the introduced bill shall be instead assigned to the Governor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Senator Noland, to close.

SENATOR NOLAND:

I just ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2178 pass. All those in favor, vote Aye. Opposed, Nay. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 2178, having received the required constitutional majority, is hereby declared passed. At the request of the sponsor, Leader Radogno, we're going to skip 2179. We're going to skip - - at the top of page 67, we're going to skip 2180, 2181, 2183. We're at -- at the request of the sponsor. We're at 2184. Top of page 67. Senator Garrett, do you wish to proceed? The lady indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2184.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Thank you very much, Mr. President. 21... Senate Bill 2184 mandates any individual or land occupant who is responsible for a point of withdrawal deemed as a high-capacity well, high-capacity intake or public water supply to participate in the Illinois State Water Survey Illinois Water Inventory Program. Basically what we're saying is that, either through a water meter or some sort of estimation, we're trying to make sure that we -- we know how much water we're taking out from our aquifers.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Senator Garrett, do you wish to close? The question is, shall Senate Bill 2184 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2184, having received the required constitutional majority, is hereby declared passed. At the request of Leader Radogno, the bills' sponsor, we will skip Senate Bills 2185, 2186, 2187, 2188, 2189, 2190, 2196. Move down to -- Senate Bill 2212. Senator Garrett, do you wish to proceed? The lady indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2212.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Thank you, again, Mr. President. This is a little bit of a cleanup bill. What we're doing is making sure that the downstate firefighters and police pension funds are going to be audited every five years. There's a cost involved with that. The cost will come from the pension fund and that's the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Garrett, do you wish to close?

SENATOR GARRETT:

This is agreed upon by the police and firefighters.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, -- shall Senate Bill 2212 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 2212, having received the required constitutional majority, is hereby declared passed. Senator Garrett. Senate Bill 2214. Do you wish to proceed? The lady indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2214.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Yes, Senate Bill 2214 requires that school districts report their cost of their driver's education programs to the State Board of Education, including equipment and personnel costs.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? The gentleman from Coles, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of Senate Bill 2214. I have heard from a number of my school districts concerning this issue. They feel compelled to report this information to the State Board of Education. And I appreciate the Senator's work.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Garrett, to close. Question is, shall Senate Bill 2214 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 2214, having received the required constitutional majority, is hereby declared passed. Senate Bill 2217. Leader Radogno. Leader Radogno seeks leave of the Body to return Senate Bill 2217 to Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2217. Mr. Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This amendment would recognize as an approved driver education course any course of driver's ed given at a Department of Defense Education Activity School.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

There any discussion? Any discussion? Seeing none, all those in favor, vote Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We will skip 2218. We'll now move to Senate Bill 2220. Senator Lightford. Out of the record. We will skip 2224. Senate Bill 2226. Senator Demuzio. Out of the record. We'll now move to the Order of Senate Bills 3rd Reading, top of page 68. We're in the homestretch. Senate Bill 2248. Senator Lauzen. Senator Lauzen. Out of the record. We're going to skip Senate Bill 2252, Senate Bill 2256. We're going to move to Senate Bill -- 2257. Senator Raoul. Out of the record. We're going to skip 2258. Senate Bill 227 {sic}. Senator Cronin. Senator Cronin seeks leave of the Body to return Senate Bill 2270 to the Order of 2nd Reading. Leave is granted. On the Order of Senate Bill -- on the Order of 2nd Reading is Senate Bill 2270. Mr. Secretary, are there any Floor amendments

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Cronin.

SENATOR CRONIN:

Yes, this amendment is in response to some issues that were brought to my attention from the teachers and it exempts them from the report because there's an -- already a mechanism to do what we were seeking to do. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. 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 SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2270. Senator Cronin, do you wish to proceed? Gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2270.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Cronin.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR CRONIN:

Thank you very much, Mr. President. This bill was drafted in response to an exposé that was published in the Chicago Sun-Times with respect to a superintendent in the Niles School District, whereby it was learned, after a lot of diligent work by reporters and journalists, that the -- the superintendent was making an excess of four hundred and ten thousand dollars annual salary. What was only disclosed in public documents was that his base salary was significantly less than that, a hundred and eighty-seven thousand dollars a year. This is an effort to get to the facts, to promote this culture of transparency and openness and to ask that school districts at our direction do just that. And so, I think that this enjoys widespread support as a good government measure and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Cronin, do you wish to close?

SENATOR CRONIN:

Wasn't that persuasive enough as a close? I thought that... Yes...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

You're a man with a lot to say.

SENATOR CRONIN:

I think this is a fantastic bill and I can't imagine anyone who would vote against it.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2270 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2270, having received the required constitutional majority, is hereby declared passed. Senate Bill 2271. Senator Koehler, do you wish to proceed? Gentleman indicates that he -- that he does. Mr. Secretary, please read the bill. Senator Koehler seeks leave of the Body to return Senate Bill 2271 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2271. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you, Mr. President. Also, I meant to vote Yes on that last bill, if I could be recorded as having had that intention.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Record will so reflect.

SENATOR KOEHLER:

The amendment merely changes the effective date and I'll talk about the rest on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it, and the amendment is adopted. Are there any

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

further Floor amendments approved for consideration, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 2271. Senator Koehler, do you wish to proceed? Gentleman indicates that he -- that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2271.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. Senate Bill 2271 allows the Department of Health {sic} (Healthcare) and Family Services to consider a household's extraordinary medical expenses, but not limited to the expenses related to life support equipment, when it considers the benefits available to a qualified household. And this was brought to me, actually, by the ALS Foundation. They have patients that have high utility bills and what happens is - because of the life support equipment - sometimes those families are just a little bit above the -- you know, the -- the level that would qualify them for IHEAP. And so this just allows the Department to take that into consideration when judging whether that family should be considered or not. I'd ask for your Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Gentleman from Coles, Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Indicates that he will.

SENATOR RIGHTER:

Senator Koehler, are you familiar with any other program of public assistance that's administered by the State wherein we take this particular factor into account?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

No, I'm not aware of any.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, how will the Department take this factor into account?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Well, they need to -- they need to base it on need. And what I just indicated is that there's one particular family situation, and I'm sure there's others, where the family, because of the -- the pension that the -- the husband actually was receiving, put them about two hundred dollars above the limit for being considered for -- for IHEAP. And what happens

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

is that because they're on the -- that he is on twenty-four-hour life support, their utility bills are extremely high. Now, for electric, they can't be shut off. But the family, in terms of paying the gas bill, they go from season to season with shutoff notices and all that. This just allows the Department to use these extenuating circumstances in making the determination as to whether this family might be eligible.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Senator Koehler, how are medical expenses defined?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Could you repeat that question, sir? I'm sorry.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter, repeat the question.

SENATOR RIGHTER:

How is -- how is the term "medical expenses" defined in the bill?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Senator. It's going to be determined by rule by the Department.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Let me ask you this, Senator Koehler. As the bill is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

written now, could fertility treatments qualify as medical expenses?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Well, in the bill, it -- it talks about "but not limited to expenses related to life support equipment for a household member", so I think the intention clearly is where someone has an extraordinary circumstance where they are on a life support piece of equipment that has to run twenty-four hours a day. Therefore, they're -- they're piling up enormous costs on this. These -- I mean, the -- the bill is -- is clear and that's what my intention is and that rule has to then be set by the Department in administering that.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Do you have in mind, Senator Koehler, an amount of medical expenses that would be a percentage of the family's annual income, or a gross amount, like once it's over six figures then we take that into account? I mean, can you give me a little more direction on -- on -- on what specifically you might be asking for?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Yeah, DCEO is now in charge of administering this program. They will have to set the rules on this. And because of the very limited funds on this, it's going to be a -- a pretty

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

limited, you know, category. So, no. You know, it's -- it's not going to be the sky is the limit. Again, what I've explained is -- is the intention of this bill and that is where a family is just, you know, a little bit beyond being able to qualify, where they have these extraordinary expenses that normal families don't incur, that that would be able to be a consideration. Now the Department doesn't have to do it. This is not a -- this is not a "shall". This is a -- this is a situation where they can determine whether that family is indeed eligible.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

...you -- thank you, Mr. President. To the bill, please.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the bill.

SENATOR RIGHTER:

Ladies and Gentlemen, this is a radical departure from means testing. There is no other program in this State that does this. And once we go down this step of, well, some kind of expense taken into account other than income, we can start talking about the expense that you incur in order to get to your place of work. We can talk about the expense you incur in order to have a roof over your head or put food in your stomach. I think that this concept, which is an interesting concept, is something that deserves a lot more study before we simply pass a bill and tell some administrators in some State department that you need to write the rules. All of us -- I'm sure that all of us get calls every fall, every winter about -- from people

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

saying there is not enough money in the LIHEAP program, we need more help. This will -- this will place potentially more strain on that and who will decide that will be the bureaucrats in the Department. I don't think that's a step that we want to take right now and I would urge a No vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, Senator Koehler, to close.

SENATOR KOEHLER:

Yes, thank you for those questions. And I -- I think those are very legitimate questions, Senator. But let me just read you from the -- the language in the bill, itself: "...the Department may consider the household's extraordinary medical expenses, as defined by the Department (by) rule, including but not limited to expenses related to life support equipment for a household member." I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question is, shall Senate Bill 2271 pass. All those in favor, vote Aye. Opposed, Nay. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 47 voting Aye, none voting Nay, none voting Present -- I'm sorry, 47 voting Aye, 10 voting Nay, none voting Present. Senate Bill 2271, having received the required constitutional majority, is hereby declared passed. Senate Bill 2272. Senator Lauzen. Senator Lauzen seeks leave of the Body to return Senate Bill 2272 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2272. Mr. Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

This Floor amendment corrected some drafting language that was requested by the committee that it appeared before - Local Government Committee.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing no discussion, all those in favor, vote Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Now on the Order of 3rd Reading, Senate Bill 2272. Senator Lauzen, do you wish to proceed? The gentleman indicates he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2272.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. A little levity at the end of the day. This is -- this bill was brought to me on the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

regulation and prohibition of pigeons from the City of Aurora. The City of Aurora is having a problem with pigeons, and so they asked me. And I appreciate Senator Holmes helping getting it out of committee onto the Senate Floor. We have a pigeon problem in Illinois -- or in Aurora and people wanted the ability to regulate it. It is may regulate or prohibit the orderly keeping of carrier, racing, hobby and show pigeons. And so it's permissive. I would ask your approval.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? The gentleman from Peoria, Senator Koehler.

SENATOR KOEHLER:

Yes, we discussed this in committee. It was voted out of committee, although not unanimously. Some even referred to these as flying rats. I think that's terribly discriminatory, but I just rise in support of the Senator's bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen, do you wish to close?

SENATOR LAUZEN:

Just -- thank you very much for your indulgence and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2272 pass. All those in favor will say Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 50 voting Aye, 5 voting Nay, none voting Present. Senate Bill 2272, having received the required constitutional majority, is hereby declared passed. We're going to skip Senate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Bill 2277. 2283. Senator Althoff. Senator Althoff, do you wish to proceed? The lady indicates that she does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2285. An Act concerning... Excuse me. Senate Bill 2283.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Senator Althoff, from McHenry County. Senate Bill 2283 amends the School Code and is limited to multi-county jurisdictional school districts. And when the estimated EAV is different than the actual operating rate extended in the previous year, it provides that the district's general State aid shall be recalculated in the first year applicable. It does prohibit the adjustment unless the district's Extension Limitation Equalized Assessed Valuation is changed by greater than five million dollars or five percent. This occurred in the school district in Huntley that is located in both Kane and McHenry County. When the Kane County assessor estimated the EAV and when it actually came back as -- as the actual figure, the school district lost in excess of eight million dollars. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Gentleman from Kane, Senator Lauzen.

SENATOR LAUZEN:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President. Just -- this came through the Revenue Committee with no No votes. I was a Present vote because of some concerns that the Illinois State Board of Education -- but knowing the sponsor, she's most likely going to be happy to work as it goes through the House on getting those taken care of, if I'm not mistaken.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Althoff, from McHenry County, to close.

SENATOR ALTHOFF:

I would just request an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 2283 pass. All those in favor will say Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 2283, having received the -- required constitutional majority, is hereby declared passed. Senate Bill 2285. Senator Harmon. Out of the record. 2288. Senator Martinez. Out of the record. We'll skip 2289. Senate Bill 2338. Senator Harmon. Senator Harmon, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 2338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- or, 2338 amends the Alternative Gas Supplier Law within the Public Utilities Act to add a definition for "single billing". My understanding is that we are simply codifying existing practice. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, Senator Harmon, do you wish to close? The question is, shall Senate Bill 2338 pass. All -- all those in favor, vote Aye. Opposed, Nay. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting No, none voting Present. Senate Bill 2338, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we'll go to page 53 of the Calendar. Senate Bill 1601. Toward the bottom of the page, page 53 of the Calendar. Senator Harmon seeks leave of the Body to return Senate Bill 1601 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1601. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2 becomes the bill -- Floor Amendment No. 2, I'm sorry, becomes the bill. I move for its adoption and would like to debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill deals with LEED certification, a green construction standard. Floor Amendment No. 2 -- or 3, I apologize, would include, as well, Green Globes. There has been some late concern raised on this issue. I would like to withdraw Floor Amendment No. 3, pass the bill over to the House where we can continue that conversation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Gentleman wishes to withdraw Floor Amendment No. 3. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

1601. Senator Harmon, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1601.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1601 simply makes LEED certified construction elements a TIF eligible expense. I'm -- I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, Senator Harmon, do you wish to close? The question is, shall Senate Bill 1601 pass. All those in favor, vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting No, none voting Present. Senate Bill 1601, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will -- we'll continue on page 53 of the Calendar. Toward the bottom of the page is Senate Bill 1602. Senator Harmon, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill. Senator Harmon seeks leave of the Body to recall Senate Bill 1602 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1602. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Bill 1602 becomes the bill and I move for its adoption.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? All those in favor, say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Are there any further amendment -- Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, Floor Amendment No. 2.

SENATOR HARMON:

Thank you, Mr. President. Floor Amendment No. 2 corrects a drafting error and fixes a couple of terms. I move for its adoption.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. On the Order of 3rd -- 3rd Reading, Senate Bill 1602. Senator Harmon, do you wish to proceed? Gentleman indicates he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1602.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. We're checking to see whether this bill was a candidate for the Agreed Bill List. I'm ready to proceed, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The gentleman wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1602.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1602 creates the Public Service Accountability Act. It prescribes the circumstances and means by which a State agency may enter into a contract with a private

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

contractor to perform services that are currently performed by State employees. With the amendments, I believe that we have addressed the concerns raised in the process. At this point, I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? The gentleman from Coles, Senator Righter. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Gentleman indicates that he'll yield.

SENATOR RIGHTER:

Senator Harmon, to your last statement about you're not aware of any opposition, I'm looking at a copy of our staff's analysis and the opponents and proponents section is typically taken from the record of committee witnesses who filed slips. I'm going to read you the list of opponents that we have: the Department of Central Management Services, the Department of Corrections, the Illinois Association of Rehabilitation Facilities, the Catholic Conference of Illinois, the Chicago Area Project, the Ada S. McKinley Community Services, Community Behavioral Health Association, and the Child Care Association of Illinois. Can you tell us anything about the opposition that comes from any or all of the people on that list?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. Are they opponents to the bill as amended?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

We have a measure of confidence that Corrections and CMS are still opposed. Beyond that, I -- I don't have a measure of confidence.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, with confidence.

SENATOR HARMON:

Thank you, Mr. President. Senator, I believe that CMS is no longer opposed with the information of auditing and information technology to the list of contracts that are no longer covered. I had not heard from Corrections and was not aware of their opposition and I apologize. That's an error on our part, but I've not heard from them. I would imagine that they might be opposed, but I have not heard from them. I apologize.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Senator Harmon, why do you feel that this is necessary?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, there's obviously a lot of pressure to economize today and there's a notion that we can economize by outsourcing government services. That's a fine notion and perhaps we can economize. But if we're going to do so, we should ensure that the private contractors are achieving

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

economies through leaner operations, better management, and not simply reducing costs by cutting the wages and benefits of the employees. And that's what this prescribes. It says if you're going to be a private contractor and you're going to start doing the work that State employees had been doing, you need to show your plan as to how you're going to do the services more efficiently. You need to show that you're going to pay comparable wages and benefits so that you're not achieving these savings simply by throwing people off of the health care rolls or denying them retirement security. As we see this pressure mount, I think it's very appropriate to have safeguards and a structure in place for evaluating these sorts of proposals to privatize or outsource State services.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Seeing none, Senator Harmon, to close.

SENATOR HARMON:

Thank you, Mr. President. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 1602 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 49 voting Aye, 6 voting Nay, none voting Present. Senate Bill 1602, having received the required constitutional majority, is hereby declared passed. Senator Harmon, on 1607. Bottom of page 53. Senator Harmon seeks leave of the Body to return Senate Bill 1607 -- pardon me, to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Order of 2nd Reading is Senate Bill 1607. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, on the amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 to Senate Bill 1607 becomes the bill. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? All those -- seeing none, all those in favor, say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1607. Senator Harmon, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1607 is a very complicated and technical bill, but at its essence, it deals with how we dispose of dirt from construction and demolition projects. To outline it briefly for you, today we dispose of soil that is contaminated in a landfill and we dispose of soil that is uncontaminated in a -- a quarry, an unregulated quarry. When clean soil or uncontaminated soil is mixed with construction and demolition debris, there's an uncertainty as whether we dispose of it in a clean construction/demolition debris facility or in a landfill. This bill sets out the markers along that continuum from clean to contaminated soil and allows for disposal of very clean residential soil in a clean construction/demolition debris facility. It permits slightly less clean soil to be disposed of in a restricted fill construction/demolition debris facility and remains -- or it provides that contaminated soil continues to need to be disposed of in a landfill. It also, for the first time, would regulate quarries that receive nothing but soil so that there would be some testing and regulation of those facilities. There's a lot of support for the bill. There's certainly opposition to the bill and that opposition comes primarily, if not exclusively, from the operators of the landfills that might see a diminution of their business because we're finding a more efficient way to dispose of some of this soil and from the operators of the quarries who, until this bill passes, are able to operate without any regulatory oversight. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? The gentleman

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

from Peoria, Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. To the bill: Senator Harmon, you did a lot of good work on the bill. You went back and amended it and took care of some of the issues that needed to be done. I do want to point out to this side, there were some issues with Waste Management and with -- and also with the quarries. We didn't get them totally satisfied. There was no negative votes in committee though, because after we heard the testimony, it -- it seemed like they were testifying as if they were EPA and yet EPA was neutral on the bill. So, I urge an Aye vote. But I also urge you, Senator Harmon, as it goes over to the House, if there's any way that you can continue to work and appease those that are opposed, that you continue to do that.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Harmon, do you wish to close?

SENATOR HARMON:

Thank you. Thank you, Senator Righter, for the -- the remarks and I appreciate your -- Risinger, I'm sorry. It's been a long day, hasn't it? Thank you for those remarks. And -- and I will continue to work with folks. The amendment we adopted today was responsive to the concerns of some of the opponents. It certainly didn't eliminate the opposition. But, as you pointed out, we -- the IEPA is neutral and they're a -- a good measure of the environmental soundness of the policy. So I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 1607 pass. All of those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

in favor will vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 voting Aye, none {sic} (1) voting Nay, none {sic} (1) voting Present. Senate Bill 1607, having received the required constitutional majority, is hereby declared passed. At the bottom of page 1609 -- bottom of page 53 of the Calendar. 1609. Senator Harmon, do you wish to proceed? Gentleman indicates that he does. Mr. Secretary, please read the bill. Senate -- Senator Harmon seeks leave of the Body to return Senate Bill 1609 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1609. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, on the amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment to Senate Bill 1609 is an accommodation to the Capital Development Board. We are adding some language that clarifies in design-build contracts that the MBE/WBE provisions apply to both the design and construction phases of a project. I move for its adoption.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. The gentleman from Peoria, Senator Risinger.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR RISINGER:

Yes, as I understand this -- will the gentleman yield for a question?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Gentleman indicates that he'll yield.

SENATOR RISINGER:

As I understand this, this -- this just -- one of the things it does is, is it repeals the sunset date. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, Senator Risinger, the -- the bill itself repeals the sunset date. The amendment is the language I just described.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Risinger.

SENATOR RISINGER:

Yeah, I -- I may be out of order here. Are we just discussing the amendment right now? Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

That's correct. Okay. Is there any further discussion? Any further discussion? All -- seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, Ayes have it. Amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1609. Senator Harmon, do you wish to proceed? The Senator indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1609.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As Senator Risinger indicated in his comments on the amendment, the bill itself repeals the sunset date on the Design-Build Procurement Act, now together with the language from the Capital Development Board regarding MBE/WBE. And I ask for your Aye votes. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any -- any discussion? The gentleman from Peoria, Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. To the bill: This -- this bill -- this process is used very sparingly. But it's also a tool that can be used very effectively and we have used it successfully. It's mainly -- this is mainly for vertical construction versus the highway or flat construction. So, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Seeing none, Senator Harmon, to close.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR HARMON:

Just ask for your Aye votes. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...you. The question is, shall Senate Bill 1609 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? Mr. Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Bill 1609, having received the required constitutional majority, is hereby declared passed. Mr. President.

SENATOR CULLERTON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, as you are aware, we have circulated an Agreed Bill List. With leave of the Body, the Agreed Bill List will be printed as a Supplemental Calendar No. 1 that we will take final action on tomorrow evening.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Seeing no objection, leave is granted. President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Now to facilitate this process, a copy of the list has been circulated to each Member for review. As the cover sheet on the list instructs, you must indicate whether you wish to vote No or Present on a particular bill on the list. If you fail to do so, then you'll be deemed a -- to be voting Yes. So if you fail to mark a No or a Present on a particular bill on the list, then the roll call will reflect that you voted Yes. Each Senator must file his or her

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

marked list no later than 5 p.m. tomorrow with the Secretary of the Senate. If you fail to file a list with the Secretary, then the roll call will reflect that you voted Yes for each bill on the list. With leave of the Body, this is how the process will work.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Seeing no objection, leave is granted. We just have a couple more that we're going to do and we'll be through the Calendar -- Senate Bills 3rd Reading for the evening. With leave of the Body, we'll return to page 56 on the Calendar, the Order of 3rd Reading. Senate Bill 1715. Senator Harmon. Senator Harmon seeks leave of the Body to return Senate Bill 1715 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of Senate Bill -- 2nd Reading is Senate Bill 1715. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, Floor Amendment No. 2.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill deals with the negotiation of the first contract by a bargaining unit following its organization. The Floor Amendment No. 2 becomes the bill and is responsive to concerns raised by some opponents. It's my intention to move the adoption of the amendment and then hold the bill on 3rd Reading while we continue to deal with some of the issues raised in the process. I move for the amendment's adoption.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will vote -- will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1716. Senator Harmon, do you wish to proceed? I'm sorry, Senate Bill 1715. We're going to hold Senate Bill 1715 on 3rd Reading per the sponsor's request. We will now move to -- Senate Bill 1716. Senator Harmon, do you wish to proceed? The gentleman indicates that he does. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1716.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1716 is, I believe, identical to a bill that passed the Senate last year. It deals with the very narrow procedural issue where a potential defendant in a lawsuit dies before the lawsuit is filed, but no estate is open and there's a looming statute of limitations. My understanding is that the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

negotiations between the interested stakeholders are ongoing. With leave of the Body, I'd like to pass this bill out of the Senate, send it to the House, where those discussions can continue. Again, the Senate -- the Senate passed this bill last year.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Gentleman from DuPage, Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. If the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor yields.

SENATOR DILLARD:

Thank you. Senator Harmon, the State Medical Society and the Illinois Insurance Association and the Property Casualty Insurers are opposed. What do you -- are your intentions if this goes over to the House and discussions break down and it never comes back for concurrence? What -- what are our assurances? And I do want to alert this side of the aisle that there are opponents, including the State Medical Society.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator. That's a -- a good line of questioning and -- and I will tell you that my understanding is that the negotiations have been going well and the parties may be near to an agreement. My understanding is also that this is not such a high priority for the advocates

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

that they would push it through the House without an agreement. Last year it went over, no agreement was reached and the bill remained in the House. I can't offer you any assurance beyond that. It could pass the House. But that is my understanding and I take the stakeholders at their word.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dillard.

SENATOR DILLARD:

Thank you. I trust the sponsor impeccably; however, I think he has an amendment to shell this bill and maybe it would be better if we put the shell amendment on and shoved it over there as a shell bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

I'd be happy to do that. The amendment has not yet come out and we're facing the deadline. That's why I made the decision to call the bill. If there is -- if there is significant opposition, then I would take the bill out of the record and try to do that.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dillard.

SENATOR DILLARD:

We're -- we're snickering back here in the -- in the -- in the Leader's aisle. We're pretty confident he could probably get leave to have that baby shelled quite quickly.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Why don't I take the bill out of the record and we'll explore a deadline extension? I wouldn't want to do anything at this late hour that would cause the Chamber to erupt, Senator Dillard. So, I'll take it out of the record and I'll consult with the President about a deadline extension or a release from the Assignments Committee of my amendment.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dillard, you got your way - you want to talk now, too?

SENATOR DILLARD:

No, I -- I just want to point out that neither Senator Harmon or I are the kind of guys that makes this Chamber erupt. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please take the bill out of the record. It's the Chair's intention now to move to the beginning of the Calendar for those bills which are on the Agreed Bill List on 3rd Reading, Senate Bills 3rd Reading, that will need to be recalled in order to adopt an amendment to move the bill to 3rd so that it's positioned for final action on the Agreed Bill List. So, that having been said, we'll now move back to page 42 with leave of the Body. Senate Bill 27. Senator Crotty. Senator Crotty seeks leave of the Body to return Senate Bill 27 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 27. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senator Crotty, Floor Amendment No. 2.

SENATOR CROTTY:

Floor Amendment No. 2 adds a stipulation to the use of the electronic signs in regards to messaging in the course of the statewide alert system for missing seniors and persons with disabilities.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Skip down to Senate Bill 47. Senator Pankau. Senator Pankau seeks leave of the Body to return Senate Bill 47 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 47. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Pankau.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. Floor Amendment 2 gives the Comptroller's Office all the leeway that they need to design the -- the computer system that they need to put this information up

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

on the -- on the Web.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. Opinion of the Chair, 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 SCHOENBERG)

3rd Reading. With leave of the Body, we'll now go to the top of page 43, Senate Bills 3rd Reading. Senate Bill 99. Senator Steans. Senator Steans seeks leave of the Body to return Senate Bill 99 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 99. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate -- Senator Steans, on Floor Amendment No. 2.

SENATOR STEANS:

Yeah, this amendment becomes the bill and it establishes a food waste composting program and a process in the State of Illinois.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. The amendment is adopted. There any

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

further Floor amendments approved for consideration, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We will now move to Senate Bill 134. Senate Bill 134. Senator Harmon. Senator Harmon seeks leave of the Body to return Senate Bill 134 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 134. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, on Floor Amendment No. 1.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- or, Floor Amendment No. 1 to Senate Bill 134 becomes the bill. It deals with the subject of Americans with Disabilities Act coordinators at municipalities. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Gentleman from Cook, Senator Meeks.

SENATOR MEEKS:

I -- I just rose to say that you're doing a tremendous Rickey Hendon impersonation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

We can do this on the North Shore, too. Thank you. Is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

there any discussion? Any discussion? All those in -- seeing no discussion, all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, Ayes have it, and the amendment is -- is adopted. Are there any further Floor amendments -- approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We'll now skip to the top of page -- the top of page 44. Senate Bill 178. The lady from Lake, Senator Garrett. Do you wish to proceed to recall this to 2nd Reading for the purpose of adopting a Floor amendment? Senate Bill 178. Senator Garrett seeks leave of the Body to return Senate Bill 178 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 178. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 3, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett, Floor Amendment No. 3.

SENATOR GARRETT:

Yes, Floor Amendment No. 3 basically says that if -- any entity wants to participate in this program that they have to follow the rules of the IEPA.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any -- thank you. Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. The

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 4, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett, on Floor Amendment No. 4.

SENATOR GARRETT:

Yes, I'm sorry. I don't have my folder. It just basically retains all of the information from Floor Amendment No. 3. Basically what I just said, that it -- it -- if you participate in this program, you have to have -- follow the rules by the IEPA.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Seeing no discussion, all those in favor, say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we will now move to page 46 on the Calendar. Senate Bill 268. Middle of the page. Senator Collins, the lady from Cook, seeks leave of the Body to return Senate Bill 268 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 268. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Floor Amendment 2, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

..Collins, Floor Amendment No. 2.

SENATOR COLLINS:

Thank you, Mr. President. Floor Amendment No. 2 to Senate Bill 268 just basically cleans up some extraneous language and clarifies that the foreclosure prevention counseling program is subject to appropriation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We will now move down to Senate Bill 270. Senate Bill 270. Senator Demuzio. Senator Demuzio seeks leave of the -- the Body to return Senate Bill 270 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 270. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by -- I'm sorry. Floor Amendment No. 2, offered by -- excuse me, Mr. President. Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Demuzio, on Floor Amendment No. 1.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR DEMUZIO:

Floor -- yes, thank you, Mr. Speaker {sic}. Floor Amendment No. 1 becomes the bill to 270.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Are there any further Floor amendments, Mr. Secretary, approved for consideration? If you could just sit tight for one moment and we will clarify this. Senator Demuzio, would you mind taking this out of the record momentarily while we sort through the Floor amendments and we will come back to you? Senator Demuzio, with your indulgence, we'll now move on to Senate Bill 277. Senator Demuzio seeks leave of the Body to return Senate Bill 277 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 277. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...Demuzio, on Floor Amendment No. 1.

SENATOR DEMUZIO:

Yes, Floor -- thank you, Mr. President. Floor Amendment No. 1 prohibits the electronic submission of bids concerning construction contracts at community colleges.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

the Chair, Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we will now move to page 50 on the Calendar. Page 50 on the Calendar. Senate Bill 1297. "Put your helmet on" Senator Forby. Senator Forby seeks leave of the Body to return Senate Bill 1297 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1297. Mr. Secretary, are -- are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Forby.

SENATOR FORBY:

All this does is, they got -- instead of red lights, they're going to have red -- red and blue lights on tops of vehicles.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. We'll now skip to Senate Bill 1353 on the bottom of page 50. Senator Viverito. Senator Viverito seeks leave of the Body to return Senate Bill 53 {sic} to the Order of 2nd Reading. Leave is granted. On the Order of 2nd -- the Order of 2nd Reading is Senate Bills {sic} 1353. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Viverito.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Viverito, on Floor Amendment No. 1.

SENATOR VIVERITO:

It's a technical amendment and it -- one word in it "public".

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion about that one word? Any discussion? All those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we will now skip to the -- toward the bottom of page 51. Page 51. Bottom of the page. Senate Bill 1440. Senator Raoul. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill 1440 to 2nd -- the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1440.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

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

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul, on Floor Amendment No. 1.

SENATOR RAOUL:

Floor Amendment 1 deletes all and becomes the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? All those in -- seeing none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there -- are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we will now proceed to page 52 on the Calendar. Page 52. Bottom portion of the page. Senate Bill 1499. Senator Hunter. Senator Hunter, do you wish to proceed? Senator Hunter seeks leave of the Body to return Senate Bill 1499 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1499. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter, on Floor Amendment No. 1.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR HUNTER:

Thank you, Mr. President. Floor Amendment 1 deletes all and becomes the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing no discussion, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and Floor Amendment No. 1 is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we will now proceed to page 53 on the Calendar. 53. Top portion of the page. Senator Rutherford. Senator Rutherford. Senator Rutherford seeks leave of the Body to return Senate Bill 1553 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1553. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 1, offered by Senator Rutherford.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Rutherford, on Floor Amendment No. 1.

SENATOR RUTHERFORD:

Thank you, President Schoenberg. Floor Amendment 1 would extend the TIF for the City of Pontiac.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Seeing none, all those in favor of Floor Amendment No. 1 will say Aye. Opposed,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Nay. In the opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we will now return to the lady of -- from Macoupin. Senator Demuzio, we've straightened out that technical difficulty. We are now on page -- page 46 on the Calendar. Senate Bill 277. Senate Bill 277. I'm sorry, Senate Bill 270. Senator Demuzio seeks leave of the Body to return Senate Bill 270 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 270. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Floor Amendment No. 2, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Demuzio, on Floor Amendment No. 2.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Floor Amendment No. 2 retains Senate Bill 270 as introduced and makes it permissive, and permits the Department of Public Health to go ahead, subject to appropriation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. In opinion of the Chair, the Ayes have it. Amendment is adopted. Mr. Secretary, are there any further Floor amendments approved

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

With leave of the Body, we will return to page 52 on our Calendar, Senate Bills 3rd Reading. Senate Bill 1482. Senator Schoenberg. Mr. Secretary, please read the bill. Oh! Senator Schoenberg seeks leave of the Body to recall Senate Bill 1482 to the Order of 2nd Reading for purposes of an amendment. Without objection, leave is granted. Now on the Order of 2nd Reading. Senator Schoenberg. Mr. Secretary, have there been any amendments reported for consideration?

ACTING SECRETARY KAISER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg, to explain your amendment.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 makes the effective date of the Act January 1st, 2010. No objections. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, Senator Schoenberg moves for the adoption of Floor Amendment No. 1 to Senate Bill 1482. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, have there been

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Ladies and Gentlemen of the Senate, we're standing at ease here for a few minutes while we confirm that our paperwork is all in order. If you'll bear with us, we should be ready to move forward soon. Mr. Secretary, Messages from the House.

ACTING SECRETARY KAISER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has 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 859.

We've received like Messages, Mr. President, on House Bills 2005, 2451 and 3691.

All passed the House, April 1st, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. If all members on the Committee on Assignments could assemble in the President's Anteroom. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, Senator DeLeo in the Chair. Ladies and Gentlemen, we'll now be on the Order of Senate Bills 2nd Reading. With leave of the Body, I'd ask that -- you to turn your printed Calendars to page 37. Page 37 of the printed Calendars. We'll go back to -- on page 37 on the Calendar is the Order of Senate Bills 2nd Reading, is Senate Bill 1703. Senator Dillard. Senator Dillard wish -- indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 1703.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dillard, to your amendment, sir.

SENATOR DILLARD:

Thank you, Mr. President. This is a technical amendment that came at the request of the Illinois State Medical Society and I'd urge its adoption, and I'll describe the bill on 3rd Reading, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Seeing none, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

and the amendment's adopted. Madam Secretary, is there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. 3rd Reading. I would ask the Members to go to page 42 of your printed Calendar. Senate Bills 3rd Reading. And once again, Ladies and Gentlemen, this is final action. We will go on the top of page -- we'll start the -- at the top of the 3rd -- 3rd Reading, Senate Bills. There's Senate Bill 28. Senator Crotty. Senator Crotty, on Senate Bill 28. Do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 28.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to the bill, ma'am.

SENATOR CROTTY:

Thank you very much. Senate Bill 28 grants the City of Country Club Hills quick-take authority for a period of one year beginning January 1st, 2009. It clarifies that the property is to be used to build streets, roadways, and other public improvements. And it shortens the period for which the quick-take is in effect from five -- in effect from five years, beginning with June 1st, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Senator. Is there any...

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR CROTTY:

It changes it from... I'm sorry. Changes it from five to one.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Inquiry of the Chair, if I might first, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your inquiry, sir.

SENATOR RIGHTER:

Senator Crotty has adopted her amendment. It sounded like she was just describing an amendment. That's adopted and it's on the bill, is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct.

SENATOR RIGHTER:

Thank you. I simply rise in support of Senate Bill 28, then, Mr. President. Senator Crotty came to us originally with a bill that was a good deal more vague, and at the request of the committee, came back with very specific information. Put it in a position where I think that both sides can agree that this is a good piece of legislation. We appreciate the Senator's efforts.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 28 pass. All those in favor will say Aye. All those -- all those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 49 Yeses, 5 Nays, 0 voting Present. Senate Bill 28, having received the required constitutional majority, is declared passed. Senator Susan Garrett, on Senate Bill 32, ma'am. Do you wish to proceed? Would you join me? Would you -- she indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

Senate Bill 32.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, to the bill, ma'am.

SENATOR GARRETT:

Yeah. Yes. I have another exciting bill. This one is the most exciting of all. Basically what we're doing -- it -- we change the definition of -- I can't read it -- of "plumbing" so that the use of recycled water for lawn sprinkler systems does not fall under the definition of "plumbing". And basically what we are doing is... Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the -- Ladies and Gentlemen, the question is, shall Senate Bill 32 pass. All those in favor will say Aye -- 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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 32, having received the required constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading is Senate Bill 37. Senator Maloney, you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 37.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, to the bill, sir.

SENATOR MALONEY:

Thank you, Mr. President. The amendment shelled the bill that is the 21st Century Scholars Program, that -- we will continue the discussion and hopefully be able to address the college affordability issue through this legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 37 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 56 Yeses, 0 voting Nay, 0 voting Present. Senate Bill 37, having received the required constitutional majority, is declared passed. Okay, Senate Bills 3rd Reading. Senate Bill 43. Senator James Clayborne. Senator James Clayborne. Leader Clayborne, do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 43.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to the bill, sir.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. Senate Bill 43 requires that prevailing wages be paid in enterprise zones and economic development projects, as well as in TIFs, except those businesses that existed prior to the creation of the zone and the areas that they are located in are not subject to the -- the prevailing wage law.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Duffy, you seeking recognition on this bill, sir?

SENATOR DUFFY:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR DUFFY:

I appreciate the sponsor's intent, but this bill would very much damage small businesses. And I encourage a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Further discussion? Senator Pankau, you seeking recognition, ma'am?

SENATOR PANKAU:

Yes, thank you, Mr. President. I -- I, too, urge a No vote on this bill. Several things were brought up in discussion in committee. Number one, particularly in many of our downstate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

communities, when they draw their TIF districts, it's almost the entire community that is identified as the TIF district or the enterprise zone, making any development in that TIF district or enterprise zone necessary to -- to pay prevailing wage. It's the expanse of the area that is the difficulty here. Number two, when we initially talked about this, it was brought up that whether or not you use TIF district money or use it for your development - if you do private money only, but you are in this TIF district - you must pay prevailing wage. There are a lot of things that the -- I thought that the sponsor had agreed to talk about and to do. But what he has done is basically say, if you were there before the TIF district was drawn, then you don't have to pay prevailing wage. But if you're there now and even if you don't use the money and even if you don't get any benefit from it, you have to pay prevailing wage. In this economy and in these times, this is going to be a dampener, a big huge dampener, to economic development in this State. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator John Jones, for what purpose you rise, sir?

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Bill, sir.

SENATOR J. JONES:

You know, I -- I rise in strong opposition of -- of Senate Bill 43. If you haven't had a call from your mayors or your economic development people, they're asleep. Because, quite

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

frankly, every mayor, every economic development person in my district - and I represent all the parts of thirteen counties in southeastern Illinois - they have called me opposing this bill. If you're going to pass this bill, as Senator Clayborne has presented it, there is no reason for any community to have an -- or, have a TIF district or an enterprise zone. You will be destroying that economic tool that we have. And, once again, the Governor of the State of -- State of Indiana will be jumping up and down with joy, saying "Illinois, keep doing it, sending the jobs to us." I strongly oppose this. Senator Clayborne, I stood with you today on an earlier bill that you had for your district. I -- I strongly supported that bill earlier today. I think that was the right thing to do. But this is absolutely the wrong thing to do and I would ask you to pull it out of the record. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator McCarter.

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR McCARTER:

There's a few communities you haven't listed on there as opponents and they're all in my district and they're all people that have come to me personally and pleaded with me to not let this pass - that's Vandalia, Mt. Zion, Sullivan, Mascoutah, Lebanon. These -- these people -- this is a disincentive for these small towns to attract new businesses to their TIFs. You -- you take away the advantage that they have to come to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

TIF. This is bad for my district and -- and I'm -- and I'm asking you to -- to -- to just -- just get rid of this now, because this is -- this is not what we need to do to attract people to Illinois. I -- I agree with Senator Jones - there's going to be some happy folks on our borders once again.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

The bill, ma'am.

SENATOR ALTHOFF:

I think everybody in this Chamber knows that I was a former mayor. I think everybody in this Chamber knows that I think prevailing wage is great. I think prevailing wage for public improvement projects is absolutely correct. Unfortunately, to require prevailing wage to every single TIF and every single DBE is really shortsighted. Again, as you've heard in this Chamber, the idea of those enterprise zones and TIFs were to create an incentive for people to take a risk and invest in an area that has been defined as blighted or needy. If we require prevailing wage to be paid, we increase the cost of the project and the risk level is even higher. I, too, would say, in this particular instance, to require prevailing wage across the board with absolutely no attempt to try and determine when it's appropriate and when it's not and for any project whether or not you're using public funds is, again, very shortsighted, and I think it is going to drive businesses out of those very areas that need the investment, that need that investment by local

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

people to make those communities thrive. And I, too, would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Righter, are you seeking recognition on this bill, 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 Clayborne, it's my understanding that this bill will apply to entities or individuals who do projects within a TIF zone even if they don't use any of the TIF funds. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Partially correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Can you elaborate on the part on which I am correct and the part which I apparently am not?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

If they move into a TIF zone because sewers have been built in that area or a road has been built, then they are receiving a benefit, and that's the reason why they're moving into that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

empowerment zone or TIF area.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

So, let me ask you, Senator Clayborne, if I have a business existing and the municipality creates a TIF district that encompasses that business and then six months later I decide to put a new roof on my building, would I, if this became law, be required to pay prevailing wage on that project if I am -- even if I'm not using any of the TIF funds to put the new roof on my building?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

After the effective date that this goes into -- into effect, yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator, explain to me the public -- public policy rationale here. My business was already there before the TIF district was created. So, they've simply drawn some lines around me and now I'm going to put a new roof on my building. Why would this apply in that instance?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I'm sorry, Senator Righter. You're correct. So you should vote for it. They will not -- it will not affect them, because

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

they were in the -- that -- that business already existed. So, as long as they don't take any benefit, then you're right. So there's a reason for you to vote for it.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

You got a little farther than that to go, Senator, but that's a good try. Change my hypothetical so that it -- that your bill would apply. Tell me how I change it to make it applicable.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

The -- the amendment -- as long as you were in the empowerment zone or TIF area before it was created, then -- as long as you don't take any subsequent benefits, the prevailing wage does not apply to you. So to answer your question, so if you move into the TIF -- if you move in afterwards and you take a benefit or you received a benefit as a result of sewers that were paid for or -- by either empowerment zone incentives or TIF incentives, then you have received a benefit of taxpayers' money and therefore we expect you to pay prevailing wages.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, Senator Clayborne, what if a TIF district is already created and I decide to build a building in the TIF district? Now there's been nothing happen in the district - there's been no additional sewer or water or

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

infrastructure developed or anything like that. I go in there and build it. I build the building without any public moneys. Does your bill apply in that instance?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

According to the previous speakers, they won't move in. So we don't have to worry about that, right? But -- but anyway, they -- anyway, they will -- they will decide if they move in there that they're going to pay prevailing wages. Otherwise, if they don't receive any benefit, there's no advantage to them moving in there unless they're -- they're receiving benefits from sewers or roads or some other incentive that was created to attract businesses into that community -- that area.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

You know, to the bill, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To -- to the bill, sir.

SENATOR RIGHTER:

A couple points for the Chamber to think about. And I think that -- I do think that everybody in this Chamber is concerned about Illinois' lethargic economic growth. I do think that everyone's concerned about that. I am concerned about how much everyone is concerned about that, however. First, if you've been taking calls from your economic developers, particularly in the more rural areas of Illinois, you know not only that they're worried about if this bill becomes law what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

they're going to do, they're stopping things now. Projects are being stopped right now. And that is costing money. Second, you know, TIF districts are valuable, valuable economic tools, particularly for smaller rural areas where the entire municipality is encompassed within a TIF district. This will make projects more costly. This will make fewer people build and develop and ultimately create jobs. We have done such a poor job in the last several years of getting people to work in this State. This will make that harder. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Koehler, are you seeking recognition on this bill?

SENATOR KOEHLER:

Yes, thank you, Mr. President, Members of the Senate. This -- this is a tough bill for me. And I have supported prevailing wage forever, and I think it's very important. But I guess I want to put just kind of a personal touch on this. I live right across the street from an enterprise zone. I live in a very poor neighborhood in Peoria. Medium income is right around fifteen to twenty thousand dollars a person -- or a family. What happens in an enterprise zone is that you have a lot of different kinds of businesses. We have Komatsu, which is a huge earthmoving business that rivals Caterpillar. We have Peoria Charter Coach. We have Bemis bag company. We have O'Brien Steel company. These are big companies that -- that use the benefits of an enterprise zone because they buy a lot of materials and they get the sales tax rebates and all of that. But because it's a poor neighborhood, we also have a lot of empty storefronts, a lot of restaurants, a lot of car repair

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

shops - folks that move in and out because they can afford that kind of space. My car -- you know, the guy that repairs my car has a -- has a -- an old building there that -- that he uses as his shop. Quite frankly, what happens when -- when they need some repair, the roof done, they hire a guy in a pickup truck. These are not -- these are not the kind of businesses that are going to go out and have a bona fide, you know, union contractor. They're not. Komatsu is. You know, O'Brien Steel company is. All the places that use the benefits of an enterprise zone should pay prevailing wage. My fear is that what happens is that all the struggling small and minority businesses that are in that area end up having no place to go because they can't afford the rent in, you know, the more affluent parts of town. And so the neighborhood really loses a job source and loses the businesses that really are kind of the -- the life, you know, of our neighborhood. And so it, you know, pains me, but I'm going to have to vote No against this. If it -- if it were restricted to those companies that are actually using the benefits of the enterprise zone, then I think that's perfectly legitimate. But if it -- if it applies to everybody else, I think it really hurts the -- the poor parts of our communities and it hurts my neighborhood. So, with all due respect, and I respect the sponsor immensely, I have to vote No on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, that's our last person seeking recognition. Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President and Members of the Senate.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Just to address a few of the issues. One, if an entire community is blighted -- I mean, an entire community has to be blighted for purposes of -- of TIFing the whole community. So, that raises some questions of whether the TIF law is being used properly, 'cause it -- it causes all kind of tax consequences of not getting money to the General Fund. Second, it does exempt single-family homes or any units less than -- six units or less. It -- it exempts them as well. You know, during the -- the committee hearing, it was talked about that it raises the labor costs. Well, if you take a million-dollar project and your labor costs or your -- are about twenty-five percent, that's two hundred and fifty thousand dollars. If you say, as -- in committee they said that it would add ten percent. Ten percent on -- of two hundred fifty thousand is twenty-five thousand dollars extra on a project - of a million-dollar project. So, if you think that's going to kill the project, I seriously doubt it if it's a million-dollar project. Also, you take the smaller communities -- I mean, the smaller businesses. Say it's a five-thousand-dollar renovation and half of the cost is labor. So that's five -- that's twenty-five hundred dollars. So, ten percent of twenty-five hundred dollars is two hundred and fifty dollars. So the project will die for two hundred and fifty dollars? I seriously doubt it. But what -- what amazes me, since I've been here almost fourteen years, my colleagues on the other side of the aisle have praised Ronald Reagan and Ronald Reagan came up with this theory of "trickle-down economics", and this is clearly trickle-down economics, that if you pay -- higher wages, they will make purchases, sales tax, buy a home, pay property tax - the community and the people below will

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

benefit. But I guess that is not convenient at this point in time. Because the real issue is, when you pay taxpayers' dollars, should we have people working, going to the emergency room, or -- or going on ALL KIDS because they don't have health insurance? I don't think that's the intent. I think that we have a -- have to hold this to a higher standard and make sure that when we use taxpayer dollars that they're -- those individuals are receiving a good wage and they're receiving benefits. So this is a philosophical difference and it depends on whether you're listening to -- I didn't hear anybody say anything about the citizens, the voters. They talked about administrators. I tell you to call your voter and ask them, are they opposed to you voting for good wages and benefits? And I tell you, they'll tell you that's not the case, that they want good wages and good benefits. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill 43 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 34 Yeses, 21 Nays, 0 voting Present. Senate Bill 43, having received the required constitutional majority, is declared passed. President Cullerton, for what purpose are you seeking recognition?

SENATOR CULLERTON:

Yes, thank you, Mr. President. I just wanted to ask leave of the Body to remove a bill that was on the Agreed Bill List, inadvertently placed there, and that's Senate Bill 2109. Just

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

ask leave to remove that from the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, with leave of the Body, hearing no objection, leave is granted. That bill will be so removed. Okay, we will now be going to the Order of 2nd -- Senate Bills 2nd Reading. I'd ask the Members to please turn your Calendars, your printed Calendars, to page 3. To page 3. On the top of page 3 is Senate Bills 2nd Reading, is Senate Bill 21. Senator Cullerton. Out of the record. Senate Bill 22. Senator Cullerton. Out of the record. Senate Bill 23. President Cullerton. Out of the record. Senate Bill 24. Out of the record. Senate Bill 25. Out of the record. Senate Bill 30. Senator Steans. Out of the record. Senate Bill 44. Senator Schoenberg, do you wish to proceed? He indicates he does. Madam Secretary... Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 44.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Schoenberg, to the Floor amendment, please.

SENATOR SCHOENBERG:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 represents a compromise phase-in of the proposed increase on cigarette taxes, so that it would be a fifty-cent increase in year one and it would move up to a one-dollar increase on the current rate year two. The basis for this compromised reduction is two-fold. The first is that it acknowledges the sticker shock of the federal tax increase, which took effect today in -- in fact. That federal tax increase of sixty-two cents a pack is paying for the children's health insurance. And in addition to that, it -- this -- the revenues for this tax -- cigarette tax increase, which will go exclusively towards paying outstanding Medicaid bills, would enable the State to receive considerably more in leveraged new federal Medicaid money. For every dollar that we attain through the cigarette tax increase, we would essentially be able to derive two dollars and fifty cents' worth of Medicaid spending as a result of the bonus payments available through the federal stimulus. I'd be happy to answer any questions to this. And I would urge your adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your inquiry.

SENATOR MURPHY:

We would ask -- I would ask for a roll call vote on the amendment.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

PRESIDING OFFICER: (SENATOR DeLEO)

That request is always in order. Denied. Okay, Ladies and Gentlemen, you heard the gentleman's request. All in favor of Floor Amendment -- Mr. President, did you want to speak on the amendment, sir? I'm sorry.

SENATOR CULLERTON:

I would just urge us to all adopt this amendment, which lowers the tax in the original bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. President. Okay, Ladies and Gentlemen, there's been a request for a roll call. So, all those in favor of Floor Amendment No. 2 to Senate Bill 44 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 30 Ayes, 25 Nays, 0 voting Present. Floor Amendment No. 2 to Senate -- Senate Bill 44 is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Okay, Ladies and Gentlemen, continuing on Senate Bills 2nd Reading, we will go to Senate Bill -- 2nd Reading. I ask you to turn your printed Calendars to page 37, please. On the bottom of page 37 is Senate Bill 1923. Senator Garrett, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

Senate Bill 1923.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Garrett, would you like to explain Floor Amendment No. 1 to the Body, please?

SENATOR GARRETT:

Yes, thank you, Mr. President. Floor Amendment No. 1 designates that -- any business establishing new wind power facilities in Illinois as a wind energy business for purposes of the Enterprise Zone Act. It also makes changes to ensure that contractors are paid the prevailing wage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for that fine explanation. Is there any discussion? Is there any discussion? Seeing none, all those in -- Senator Dahl, are you getting up...

SENATOR DAHL:

Thank you. Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Are you seeking recognition to the amendment, sir?

SENATOR DAHL:

Yes, please.

PRESIDING OFFICER: (SENATOR DeLEO)

...the amendment.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR DAHL:

Just a -- just a quick question of the sponsor, if you would, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DAHL:

Thank you. This -- this is enterprise zone for wind farms. Is that right? So -- so we're talking about vast amounts of area.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Yes, that is correct. I'm not sure what the definition of vast is, but not in a small metropolitan neighborhood.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl.

SENATOR DAHL:

Thank you. I would guess that, you know, most of the wind farms that I see out there in the rural areas that I drive by are probably two or three miles long and -- and -- and quite wide. So, I guess my question is, with -- with the bill that we just passed previous to this, the prevailing wage bill, would -- would this now take effect on grandpa's farm if he decides to build a new machine shed, he decides to build a new barn, new hog house, anything like that? Is -- is he now subject to prevailing wage because he is in the enterprise zone?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

This is specific to wind farms. And basically what we're saying, that it includes the construction of a -- a wind power facility by a business designated as a high impact business within the Illinois Enterprise Zone Act. So, really what you're doing is creating -- you're creating a new industry for wind farms and you're -- you're going through the Enterprise Zone Act to do that, and in order to do that, you have to include the prevailing wage. Unless this is designated as a wind farm industry, I guess you could say, then you really couldn't take advantage of the tax exemptions. There are tax exemptions that go along with this bill, which is what I'm going to talk about next.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion, Senator Dahl?

SENATOR DAHL:

...you, Mr. President. Yes, I -- I understand that, but I -- but I still don't understand how you're going to take an enterprise zone that is this vast, 'cause you're not going to have an enterprise zone around three acres of each one of these wind farms. You're going to have a vast enterprise zone through this whole thing. And -- and -- and the previous bill said anything new built within the enterprise zone or TIF district is -- is prevailing wage.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Senator Dahl, the way I understand it is that you would be creating a new version, maybe, of the Enterprise Zone Act that includes these wind farms. They can't go to enterprise zones

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

anymore because there is no space within the current enterprise zones that we have in Illinois, so we're allowing them to create a new enterprise zone specifically for wind farms. In doing that, they get tax benefits. But this amendment says if that's the case, then the prevailing wage must ensure.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor's overjoyed.

SENATOR BURZYNSKI:

Thank you. I -- Senator, I -- I originally, in all honesty, was going to vote for this bill and support it. But in light of what was just passed relative to prevailing wage and enterprise zones, the issue that Senator Dahl is -- is raising is the fact that when you look at a hundred-and-fifty-unit wind farm, it incorporates over two thousand acres to establish that wind farm. So the question is, is anything else that's going to be built in that -- that area going to be subject to prevailing wage?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

No. No. Just the wind farm facility. How's this? The wind farm facility. Working on the wind farm. Constructing the wind -- wind farm.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

SENATOR GARRETT:

Operating...

SENATOR BURZYNSKI:

Thank you. I -- I appreciate your answer and I think I know what you mean. I'm not sure the bill says that and that raises some concern for us.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

I hate to agree with my friends across the aisle, Senator, but wind farms - and I have several of 'em in my district - are expansive. And the -- the turbines themselves sit on an area probably from that desk to this desk. So, I have a whole acre of production, which is usually what they're on, and then you have this large area that is the wind farm. So, are you saying that only the turbines -- if people are working on the turbines? And does the bill -- does the bill make that clear? And if it - - if it does, I -- I wouldn't have a problem with it. But if it doesn't, it could be problematic for the farmers who, you know - - and what happens if the -- if the person working on the wind turbine is standing next to the wind turbine? I mean, how -- that needs to be defined.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

I -- I think we're -- maybe I'm not explaining this correctly. You've got the -- the enterprise zone. Within the enterprise zone is a turbine, a wind farm. That is the only

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

piece -- the only part of the enterprise zone that will be subject to the prevailing wage - if you are operating it, constructing it. End of story. If you have other things going on within that wide expanse of the enterprise zone, that will not be subjected to -- those things will not be subjected to the prevailing wage. It's just the -- call it the turbine, the facility.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator -- Syverson. I'm sorry. Silverstein. You guys look alike.

SENATOR SYVERSON:

Yes, I know. Thank you very much, Mr. President. Senator, I think the confusion is, is your bill says that. Senator Clayborne's bill, though, says that any -- if a farmer is going to put up a shed, if he's going to have somebody cut his grass, if he's going to have a friend come over and help him, all that has to be prevailing wage now. It's not just your wind turbine. Everything in that whole area now for the farmer is now prevailing wage. And so I think that's the point that they're raising. Because of what was just passed, every farm falls under prevailing wage now, which creates this whole problem. I hope that -- hope it clears that up.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Garrett, to close, please.

SENATOR GARRETT:

Yes, I want to make it very clear, this is a way in which we are going to bring the wind farm industry to Illinois. It is a very well thought-out bill and has support across the entire

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

State. Other states are doing exactly what we're doing. We're one of the last states to do this. So, forget about -- this is a separate addition to the Enterprise Zone Act and it applies only to the turbine, the wind farm part, the -- the -- the construction of a wind farm, not what is maybe three acres away from the wind farm. I think you're overreacting to this.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, the question is, shall Senate Bill -- no, I'm sorry. Excuse me. We have to adopt the amendment. All those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair that the Ayes have it. Floor Amendment No. 1 is adopted. Madam Secretary, is there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. I'd ask you to turn to page 38 of your Calendar. Continuing on Senate Bills 2nd Reading is Senate Bill 2126. Senator Viverito, do you wish to proceed, sir? He indicates he does. Madam Secretary, please read the gentleman's bill.

SECRETARY ROCK:

Senate Bill 2126.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Okay, Ladies and Gentlemen, we'd ask the members of Committee on Assignment,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

please report to the President's Anteroom immediately. All members on Committee of Assignments please report to the President's Anteroom immediately. The Senate Members will stand at ease for just a moment. Thank you.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Floor Amendment 3 to House Bill 210, Floor Amendment 2 to House Bill 289, Floor Amendment 3 to House Bill 289 and Floor Amendment 2 to -- to Senate Bill 349. Be...

Senator James Clayborne, Chairman. April 1st, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, can I have your attention, please, for purposes of an announcement? The State and Local (Government) Subcommittee on -- of the Senate Executive Committee will meet tomorrow morning at 8:30 a.m. in Room 212. Senator Garrett, join me, please. The Senate Executive Committee will meet tomorrow morning at the hour of 9:15 in Room 212. Once again, State and Local (Government) Subcommittee of the Senate Executive Committee will meet tomorrow morning at the hour of 8:30 a.m. in 212 and the full committee of the Senate Executive Committee will meet tomorrow at 9:15 in Room 212. Ladies and Gentlemen, the President wants the Body to be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/1/2009

informed, we did a lot of work today. We finished -- got through the entire Calendar of 3rd Readings today. We -- we passed a lot of bills. There's been an agreement between Leader Radogno and President Cullerton and we will have an agreed bill vote tomorrow. If we stay at the same pace - please listen, this is very important - if we continue at the same pace that we have done today, there's a very strong possibility that we would adjourn tomorrow evening. Now, if we -- that's if -- in a perfect world and everything went perfectly tomorrow. So I would advise you not to check out and not to pack up, but there's a strong possibility if we keep at the same pace we were today that we could finish our business tomorrow evening. Having said that, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 10:30 a.m., Thursday, April 2nd, the year 2009. The Senate stands adjourned.