

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

115th Legislative Day

4/28/2010

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desks? Will the guests in the galleries please rise? The invocation today will be given by Reverend Ed Ingram, Western Oaks Baptist Church, here in Springfield. Reverend.

THE REVEREND ED INGRAM:

(Prayer by the Reverend Ed Ingram)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senate Journal of Tuesday, April 27th, 2010.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Good morning, Senator Hunter. How are you this morning?

SENATOR HUNTER:

Morning, Mr. President. Fine, sir, and you? I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival -- pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to approve the Journals just read by the Secretary. There be -- oh, I'm sorry. Excuse

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me. Senator Hunter - correction - Senator Hunter moves to postpone the reading and approval of the Journals, pending the arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Resolutions, please.

SECRETARY ROCK:

Senate Resolution 793, offered by Senator Viverito and all Members.

Senate Resolution 795, offered by Senator Cronin and all Members.

Senate Resolution 796, offered by Senator Forby and all Members.

Senate Resolution 797, offered by Senator Clayborne and all Members.

Senate Resolution 798, offered by Senator Duffy and all Members.

Senate Resolution 799, offered by Senator Duffy and all Members.

Senate Resolution 800, offered by Senator Dillard and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions Consent Calendar. Thank you. Senator...

SECRETARY ROCK:

And Senate Resolution 794, offered by Senator Sandoval. It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GARRETT:

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Yes, I am, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

For what purpose -- what purpose do you rise, ma'am?

SENATOR GARRETT:

For the purpose of a -- a personal privilege. I would like to welcome the students from the Lake Forest Montessori School, who are up in the gallery. For those of us that are here, I'd like to extend a warm welcome and hope you enjoy your visit in Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise and be recognized? Welcome to the Illinois State Senate. Welcome to Springfield. Senator Murphy, for what purpose do you rise, sir?

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR MURPHY:

Thank you. I'd like to welcome my Page for a Day, Sean McCauley, and his -- his mother, Sarah McCauley, from Palatine. Sean's a senior at Palatine High School, on his way to Lake Forest College in the fall. So I'd appreciate if you'd give them all a warm Senate welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois General Assembly. Welcome to Springfield. Okay, Ladies and Gentlemen, I'd ask you to turn your printed Calendars to page 44. Okay, Ladies and Gentlemen, on page 44 of the printed Calendar is the Order of House Bills 2nd Reading. We'll go to top of the order. We went --

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completed all the 2nd Readings once yesterday. So we'll be going to the Orders of 2nd Reading. Ladies and Gentlemen, on page 44, House Bills 2nd Reading, is House Bill 1026. Senator Wilhelmi. Senator Wilhelmi, on House Bill 1026. Out of the record. House Bill 4667. Senator Lightford. Lady's not present. Out of the record. Turning your Calendar to page 45 of the printed Calendar. Top of page 45. Senator Link, on -- 4675. Gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4675.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 2nd Reading -- 3rd Reading. House Bill 4711. Senator Maloney. You wish -- out of the record. Senator Koehler, on 4778, sir? Out of the record. Senator Jacqui Collins, on 4781, ma'am? Lady indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 4781.

(Secretary reads title of bill)

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

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reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Sandoval, on 4820, sir. Do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4820.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Delgado, on 4825, sir? Out of the record. Senator Sandoval, on 4842, sir? Gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4842.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Demuzio, on 4846, ma'am? Senator Demuzio? On 4826 {sic}, ma'am, do you wish to proceed? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 4846.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DeLEO)

Have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Righter, are you seeking recognition, sir? Senator Luechtefeld, on 4973, sir? Senator Luechtefeld, on 4973? Out of the record. Senator Koehler, on 4984, sir? Out of the record. Senator Noland, on House Bill 5006, sir? Senator Noland. Out of the record. Senator Demuzio, on 5026, ma'am? She indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 5026.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Noland, on 5043, sir? Senator Noland. Gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5043.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Duffy, are you seeking

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recognition, sir?

SENATOR DUFFY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR DUFFY:

Today, I'd like to introduce my Page for the Day. My Page is Danny Guarnieri. Dan Guarnieri's here with his father, Dan. They're residents of Barrington. Dan goes to Barrington High School and is one of the fine soccer athletes there at Barrington. So please help me welcome Dan Guarnieri.

PRESIDING OFFICER: (SENATOR DeLEO)

Dan, welcome to the Illinois State Senate. Welcome to Springfield. Did you ever think about running for politics in Barrington? Just -- good -- good answer. Good answer. Good answer. Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR SCHOENBERG:

Mr. President, Ladies and Gentlemen of the Senate, I -- I want to introduce you to one of the stable full of bright Evanston young people who may some day succeed me when they're of voting age. I'd like to -- I'd like to introduce you to Adam Morton. Adam is my Page for the Day. He's in the -- he's a -- he's a sophomore at Evanston Township High School. His interests include reading and sports, particularly tennis. He's been in both Freshman and Sophomore Honor Society. He's got big

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plans. And please give him, and his father, Steve, who's with us in the gallery directly behind the President's Podium, a warm Senate greeting. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the gallery please rise and be recognized? And welcome to Springfield. Welcome to the Illinois State Senate. Senator Sandoval, good morning. How are you, sir?

SENATOR SANDOVAL:

Buenos días, Mr. President. I...

PRESIDING OFFICER: (SENATOR DeLEO)

Cómo estás?

SENATOR SANDOVAL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Illinois Senate. Today, I have the distinction of welcoming my Page for the Day, a young lady from Central Illinois, from Pittsfield, Illinois, Pike County, the daughter of my legislative assistant Tammi Zumwalt - her daughter, my Page for the Day, Katie Zumwalt. I'd like to welcome her to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome to the Illinois State Senate. Okay, Ladies and Gentlemen... Senator Althoff, good morning. Nice to see you, ma'am.

SENATOR ALTHOFF:

Good morning, Mr. President. It's always lovely to see

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you.

PRESIDING OFFICER: (SENATOR DeLEO)

And what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

...your point, ma'am.

SENATOR ALTHOFF:

Thank you very much. I just thought everyone else was taking this opportunity to make an announcement, I, too, would take that opportunity. I have phenomenal members of my Cary Park District visiting Springfield. As everyone knows, yesterday we had many visitors. I have with me Bonnie Hill, Bill Krueger, Dan Jones, and the Executive Director of the Cary Park District, Steve Cherveney. Might we welcome them to Springfield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome to the Illinois State Senate. Welcome to Springfield. Okay, with leave of the Body, we have a -- WICS Television requests permission to videotape the proceedings. Seeing no objection, leave -- leave is granted. Senator Sullivan, for what purpose do you rise, sir?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SULLIVAN:

Thank you. Ladies and Gentlemen, I also have a guest here with me today. My middle son, Luke, is home from -- he's been

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studying abroad this semester in the Netherlands. He returned on Sunday. We're glad to have him back. And he's joining me here today in Springfield. Like everybody to welcome my middle son, Luke, to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Luke, welcome to the Illinois State Senate. Welcome. Welcome home. Thank God you look like your mother. Leader Clayborne, are you seeking recognition, sir? We'll come back to you, sir. ...gentlemen, with leave of the Body, we will return to House Bills 2nd Reading. In the middle of page 45 will be House Bill 5006. Senator Noland, do you wish to proceed, sir? Are you ready now? Everything's okay? Okay. He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5006.

(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. At this time, we will go to -- continuing on House Bills 2nd Reading, we'll go to top of -- on page 46. We'll go to top of page 46, comes House Bill 5065. Senator Lightford. Out of the record. House Bill 5080. Senator Lightford. Out of the record. Senator Koehler, on 5085, sir? Senator Koehler, on 5085, sir? Out of the record. House Bill 5130. Senator Demuzio. House Bill 5130. She indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

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House Bill 5130.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. House Bills 2nd Reading. House Bill 5139. Senator Noland. Do you wish to proceed on that bill? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5139.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Cronin, on House Bill 5147, sir? Do you wish to proceed? Senator Cronin indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5147.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Hultgren, on 5149, sir? Senator Hultgren, on... Out of the record. Senator Noland, on 5169, sir? Do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

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House Bill 5169.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. 3rd Reading. Senator Koehler, on 5183, sir? Senator Koehler. Out of the record. Senator Murphy, on -- House Bill 5230, sir? Senator Murphy, on 5230, sir? Out of the record. Senator Dillard, on 5234, sir? Gentleman indicates he'd like to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5234.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Dillard, on 5290, sir? Out of the record. Senator Sullivan, on 5331, sir? Out of the record. Senator Righter, on 5350, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5350.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Human Services adopted Amendment No. 1 {sic} (2).

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator -- Leader Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir. Nice to see you, Leader.

SENATOR CLAYBORNE:

I'm glad to be here, Mr. President. Behind me, in -- the gentlemen in the right -- in the -- I'm sorry, in the red jackets are members of the fraternity that I belong to and Senator Kwame Raoul, are the men of Kappa Alpha Psi. It is Greek -- Black Greek -- Panhellenic Day -- I'm sorry, and I would request that our esteemed Body greet them.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? Welcome to the Illinois State Senate. Welcome to Springfield. Thank you for attending today. Ladies and Gentlemen, I ask you -- we will continue on House Bills 2nd Reading at -- on the top of page 47 on the printed Calendars. We'll go to the top of page 47. Senator Noland, on 5429, sir? Out of the record. Senator Noland, on 5444, sir? Gentleman indicates he wishes to proceed.

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Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5444.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. House Bill 5483. Senator Garrett. Do you wish to proceed, ma'am? Out of the record. Thank you. House Bill 5565. Senator Delgado. Do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5565.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. House Bill 5712. Senator Sandoval. Senator Sandoval, do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5712.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Haine. Please, please give the gentleman your -- your undivided attention. Senator Haine, good

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morning. A pleasure to see you, sir. And for what purpose do you rise?

SENATOR HAINE:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, I, at this time, wish to introduce the students and some of the parents and some of the faculty of St. Elizabeth School in Granite City, Illinois, one of the finest grade schools in our fair county. Ladies and Gentlemen, St. Elizabeth School.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? Welcome to the State Capitol. Welcome to Springfield. Okay, House Bills 2nd Reading. The middle of page 47 of the printed Calendars comes House Bill 5752. Senator Hunter, do you wish to proceed? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 5752.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Sandoval, on House Bill 5819, sir? You wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5819.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Cronin, on House Bill 5863, sir? Senator Cronin. He indicates he wishes to proceed. Madam Secretary, please read the gentleman's bill.

SECRETARY ROCK:

House Bill 5863.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. House Bill 5888. Senator Dillard. Do you wish to proceed? He indicates he does not. Out of the record. Senator Delgado, on 5927, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5927.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. 3rd Reading. House Bill 6015. Senator Demuzio. Do you wish to proceed? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 6015.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Pankau, on House Bill 6034, ma'am? Do you wish to proceed? Out of the record. Senator Demuzio, on House Bill 6103. Do you wish to proceed? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 6103.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Delgado, on -- House Bill 6129, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 6129.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Okay, Ladies and Gentlemen, once

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again, with leave of the Body, I'd ask everybody to go back to page 46 of your printed Calendars. On the -- on page -- middle of page 46 is House Bill 5149. Senator Hultgren, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5149.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Okay, on the top of page 48, Ladies and Gentlemen, House Bills 2nd Reading. Senator Lightford, on 6151? Out of the record. Senator Sullivan, on House Bill 6349, sir? Senator Sullivan, on 6349, sir? Out of the record. Senator Viverito, on 6359, sir? Do you wish to proceed? Senator Viverito? Senator Viverito? Out of the record. Okay, Ladies and Gentlemen, for purposes of an announcement, we've just completed House Bills 2nd Reading for the second time this week. House Bills 2nd Reading. We've completed the Calendar twice. All right, Ladies and Gentlemen, may I have your attention, please? We're going to Secretary's Desk, Resolutions, on page 48 of your printed Calendar. Page 48 of your printed Calendar comes Senate Resolution 682. Senator Sandoval. Out of the record. Senate Resolution 722. Senator Holmes, do you wish to proceed with your resolution, ma'am? She indicates she does. Madam Secretary, read the lady's resolution.

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Senate Resolution 722, offered by Senator Holmes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Holmes, to the resolution, ma'am.

SENATOR HOLMES:

Thank you so much, Mr. President. It's lovely to see you. Senate Resolution 722 urges the Governor to proclaim November as Illinois Accessible Parking Awareness Month and urges all citizens to recognize the importance of accessible parking spaces for people with disabilities throughout our State. This resolution asks the people of Illinois to commit to eliminating both the physical and attitudinal barriers that stand in the way of people with disabilities.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the lady's resolution? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Resolution 722 pass. All those in favor will vote Aye. All those opposed will vote Nay. Excuse me. The question is, shall Senate Joint {sic} Resolution 722 pass. All those in favor will say Aye. All those opposed will say Nay. The opinion of the Chair, the Ayes have it, and the resolution is adopted. Senate Resolution 723. Senator Koehler, you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

Senate Resolution 723, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Koehler, to the resolution, sir.

SENATOR KOEHLER:

Thank you, Mr. President. Members of the Senate, Senate

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Resolution 723 - thank you - recognizes that despite current job safety laws, many Illinoisans are still injured every -- or killed every year at work. This resolution urges Congress and President Obama to strengthen our federal workplace safety laws and OSHA programs and declares that today, April 28th, Workers' Memorial Day in Illinois. And this is a tradition that many of us in our communities have participated in - the April 28th, Workers' Memorial Day. We certainly know that with tragedies like just occurred at the -- at the mine in West Virginia that workplace safety is still an issue. And I would urge your support of this resolution. Thank you.

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 Resolution 723 be -- pass. 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 resolution is adopted. Senate -- continuing on Resolutions. Senate Resolution {sic} (Joint Resolution) 110. Senator Trotter. Do you wish to proceed, sir, on your resolution? He indicates he does. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

Senate Joint Resolution 110, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to the resolution, sir.

SENATOR TROTTER:

Mr. President, Members of the Senate, Senate Joint Resolution 110 creates the Host Committee and planning committee to develop a plan for hosting the -- the National Conference of

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State Legislative {sic} (Legislatures) Legislative Summit to be held in Chicago, Illinois, in the year of 2012. And I can go into detail and answer questions if the Body wishes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, could -- could we hold off for one second, please? Senator Luechtefeld, for what purpose do you rise, sir? Senator Luechtefeld.

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point. And I'm sorry to do this, Senator Trotter. I apologize. Senator Luechtefeld.

SENATOR LUECHTEFELD:

I have a Page today that I'd like to introduce. I -- I'm not real sure what this says about me, but I had his mother and grandmother as students. Blake Kasten, who is one of the finest long-distance runners in Southern Illinois. Blake.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome to the Illinois State Senate. Senator Trotter, I'm so sorry to interrupt.

SENATOR TROTTER:

Mr. President, no problem whatsoever. For those who didn't hear, this resolution creates a Host planning Committee to develop a plan for hosting the National Conference of State Legislatures Legislative Summit, which will be held in Chicago in 2012. And I would just like its approval. There's various other provisions that it -- it entertains.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, it's the opinion of the

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Chair that this will require expenditure of some State funds; so, therefore, a roll call will be necessary. The question is, shall Senate Joint Resolution 110 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 50 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution 110, having received the required constitutional majority, is declared passed. Continuing on Secretary's Desk, Resolutions, is House Joint Resolution No. 80. Senator Link, do you wish to proceed, sir? The gentleman indicates he does. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 80, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link, to your resolution, sir.

SENATOR LINK:

Thank you, Mr. President. This will declare that a portion of the Amstutz Expressway in the city limits of North Chicago be renamed the Bobby E. Thompson Expressway. Bobby E. Thompson was a longtime political figure in Lake County and the first African-American mayor in the county and served the City of North Chicago as mayor for many years.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you. Okay, Ladies and Gentlemen, is there any discussion on the gentleman's resolution? Seeing none, once again, it's the opinion of the Chair that this will require expenditure of some State funds, so a roll call is in order.

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The question is, shall House Joint Resolution 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. House Joint Resolution No. 80, having received the required constitutional majority, is declared passed. Senator Crotty, for what purpose do you rise, ma'am?

SENATOR CROTTY:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR CROTTY:

Thank you. Today, I'd like to introduce to the Senate Amber Haywood, who is a fifth grader at Heather Hill in Flossmoor, and Delani Grayer, who is a fourth grader at Indian Trail in Frankfort. Both are here today with their moms, and their moms are with the Twenty Pearl {sic} (Pearls) Foundation with the Alpha Kappa Alpha Sorority. So please welcome two of my constituents to the Senate Floor.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome to the Illinois State Senate. Welcome to Springfield. Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, Madam President, for a -- for a point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Please state your point.

SENATOR DEMUZIO:

Yes, I have with me today, in the Chamber, for the very first time, Dr. Colleen Hester. She is the President of MacMurray College in Jacksonville, Illinois. And I'd like for our Members to give her a warm welcome for her first visit to the Illinois Senate.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you. Please recognize Senator Demuzio's guest. And welcome to the Illinois General Assembly. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point.

SENATOR LUECHTEFELD:

Sitting behind the Republican's here in the gallery, I have a -- two Boy Scouts from the Smithton Troop 54 and -- and two of their leaders. Like to introduce them and hopefully you would give them a warm welcome. They are -- their two leaders are Linda Macke and Paul Braun. And the two young men are Evan Aud and Spencer Vehlewald. Would they please stand?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome -- will our guests in the gallery please rise and be welcomed by the General Assembly? Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Please state your point, Senator.

SENATOR TROTTER:

Thank you, Madam President. I would like to introduce to the Body...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Excuse me. Ladies and Gentlemen of the Senate, may we have your attention for just a moment, please? Thank you. Senator Trotter.

SENATOR TROTTER:

Thank you, Madam President. I would like to introduce to the Body some distinguished Illinoisans who represent some of the most -- the hierarchy of our communities and that is the women of A Phi A and of Delta Sigma Theta - well, that's red, anyway - but some of our best and -- and couple of our brothers, Kappa Alpha Psi, who's here as well. Again, and Sigma -- again, the elite of our community who's in the gallery -- in the Democratic side. And I would just like to introduce all of them.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

...Senator. Will our guests in the galleries please rise and be welcomed by the Illinois General Assembly? Thank you for all the hard work that you do on behalf of our communities. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, may I have your attention, please? Senator Muñoz, for what purpose do you rise, sir?

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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Please state your announcement, sir.

SENATOR MUÑOZ:

Democrats are requesting a caucus immediately, in the President's Office, upon recess.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, that request is always in order, sir. Can you tell me approximately how long you'll need?

SENATOR MUÑOZ:

Approximately forty-five minutes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you very much. Senator Syverson, good morning, sir.

SENATOR SYVERSON:

Good morning, Mr. President. We would like to follow the example set by the other side of the aisle and have a caucus for forty-five minutes as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Once again, that request is always in order, sir. Ladies and Gentlemen, we've had a request by the Senate Democrats and the Senate Republicans for a -- a caucus for approximately forty-five minutes. We will recess to call of the Chair. We will be coming back to the Floor. Ladies and Gentlemen - Ladies and Gentlemen - we will be coming back to the Floor for Floor action after the caucuses. So the Senate will stand in recess to the call of the Chair. And we'll be returning back to the Floor for Floor action approximately at the hour of 11:30. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

The Senate will now come to order. Will Members please make your way to the Senate Floor for further Floor action? We will be going to House Bills 3rd Reading. If Members could please come to the Senate Chamber. On -- on your Calendars, on page 38. On page 38 of the Calendar, House Bills 3rd Reading. House Bill 5823. Senator Kotowski, on Senate Bill 5823. Out of the record. Senator Muñoz, on Senate Bill 5832. Senator Muñoz. Out of the record. Senator Bond, on Senate Bill 5833. Senator Bond. Out of the record. Senator Collins, on Senate Bill 5836. I'm sorry, we are addressing House Bills. House Bill 5836. Senator Collins. Out of the record. Senator Althoff, on House Bill 5838. Senator Althoff. Out of the record. Senator Muñoz, on House Bill 5842. Senator Muñoz. Out of the record. Senator Clayborne, on House Bill 5854. Out of the record. President Cullerton, on House Bill 5858. Out of the record. Senator Demuzio, on House Bill 5859. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5859.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President and Members of the Senate. House Bill 5859 is an initiative that is with the Illinois Dental Association. And it allows the -- it would allow the

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Department of Healthcare and Family Services to adopt administrative rules which will enable a dentist to volunteer his or her time at a community health center or a -- Federally Qualified -- Health Center, which is basically known as a FQHC, even when the dental provider is not enrolled as a Medicare provider. Further, the Department would be authorized to reimburse the community health center for the dental services when provided by -- by a volunteer dentist. The proposal is subject to federal approval. This initiative, as you well know, is one that -- as we look to be creative on how we provide dental services to our communities, this is one of the ideas that we have come up that -- with the help of the Illinois Dental Association, that we would be able to provide services. Their dentists are agreeable to going out into the community and -- to provide free services at the federal community center -- or with a community health provider or with the Federally Qualified Health Center. So, again, I ask for a favorable vote. This is an initiative that I think would be -- is very needed. It's with the Illinois Association of Rehabilitative {sic} (Rehabilitation) Facilities, the Illinois State Dental Association, and with the Illinois Maternal and Child and -- Health Coalitions. Again, I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 5859 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 51 voting Aye, 0 voting Nay, 0 voting Present. House Bill 5859, having received the

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required constitutional majority, is declared passed. With leave of the Body, we will return to House Bill 5832. Senator Muñoz, on House Bill 5832. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 5832 requires a mandatory sentence of one to three years in prison for aggravated unlawful use of a weapon where the defendant is at least eighteen years old and has no FOID Card and where the firearm was uncased, loaded and immediately accessible to the defendant, was on public property or in the public way. I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 5832 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 Yea, 0 voting Nay, 0 voting Present. House Bill 5832, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to House Bill 5842. Senator Muñoz. He indicates he wish to proceed. Madam Secretary, please read the bill.

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SECRETARY ROCK:

House Bill 5842.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Madam President. House Bill 5842 amends the Liquor Control Act to allow the City of Chicago to issue a liquor license to a business within a hundred feet of a school as long as certain distinct factors are met by the business, including, but not limited to, the property and building specifics, the sale of alcoholic liquor on premises is incidental to the sale of food, and the principal of the school and alderman whose district the premises is located have expressed, in writing, that they support the exemption. I do have the letter from the alderman. I have a letter from the principal. And everybody is on board for this restaurant to obtain a liquor license. I will answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 5842 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 40 voting Yea, 8 voting Nay, 0 voting Present. House Bill 5842, having received the required constitutional majority, is declared passed. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

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Thank you, Madam President. So lovely to see you so lovely in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator.

SENATOR HUTCHINSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point.

SENATOR HUTCHINSON:

Members of Senate, I would like to introduce two very special Pages that I have with me today. They're here in conjunction with our Greek Day in the Capitol. The first one is Miss Jocelyn Mariah Nelson and she's a fifth grader at St. Joseph School in Homewood. She is an A Honor Roll student and her favorite subject is math. So, that would be the "Are we smarter than a fifth grader" kind of girl right here. But, she's an altar girl and also a member of my church at St. Emeric Catholic Church in Country Club Hills. And she lives in Olympia Fields, very close to me. I'm happy to have her. If we could all welcome her to the Senate.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome the fine young lady to the Illinois General Assembly.

SENATOR HUTCHINSON:

Thank you, Madam President, for your indulgence. I have one more. I also have with me Mr. -- I'm sorry, Mr. Spencer Sims, of Chicago, and he goes to De La Salle High School. He's fifteen years old and on the wrestling team. And we'd also like to give him a very warm welcome to the Senate as well.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome Senator Hutchinson's Page for the Day. Welcome to the Illinois General Assembly. With leave of the Body, we will return to House Bill 5854. Senator Clayborne. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5854.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President, Members of the Senate. House Bill 5854 amends the Illinois Finance Authority. The bill would allow the Illinois Finance Authority to issue bonds to finance projects that are located in other states if the project is owned, operated, and leased or managed by any entity located within Illinois. It does not increase the bonding capacity. It just makes it more competitive with other bankers and banking institutions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

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SENATOR RIGHTER:

Senator Clayborne, can you give me an example, if this were to become law, what kind of projects out-of-state the Finance Authority would be allowed to assist and what constitutes a significant presence under the bill?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Basically, the -- for an example, you may have a -- a hospital that's located in Illinois - they're headquartered in Illinois - but they may want to do a urgent care or maybe another hospital facility in another state. So they may -- may proceed in that manner. Or there could be a situation where a hospital or a business in the State decides to expand and, in the same manner that they're expanding -- of their expansion, they may want to rehab a new facility that they've purchased in another state.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

You know, Senator, I -- I don't know about your district, in my district one of the big concerns is the fact that economic development and the creation of jobs is happening not in Illinois, it's happening over in Indiana. So my constituents would ask the question, what is the virtue in taking Illinois Finance Authority bonding authority and helping someone create jobs in another state? Can you help me answer that for 'em?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

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SENATOR CLAYBORNE:

Yes, by -- you know, one of the issues too, Senator, especially if it's a border state, if that hospital is competing with other hospitals and they're able to locate a facility or buy a facility that's close, then basically I would argue that you're strengthening the -- the main hospital or the -- the owner by eliminating its competition just across the border.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

To the bill, if I might, Madam President. Thank...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR RIGHTER:

Thank you, Madam President. Ladies and Gentlemen, I think I understand what the Majority Leader's trying to do here, but this is the question that you'll be asked back home: Are you interested in bringing to bear the resources of the State of Illinois to create jobs in the State of Illinois - or in the State of Missouri or Indiana or Iowa or Wisconsin or, for that matter, New York or Pennsylvania and California? I mean, the sponsor talked about something that's nearby, but there's nothing in the bill that requires the project be anywhere near Illinois' borders. I would rather defeat the competition for jobs in Illinois by creating jobs in Illinois and not trying to create jobs elsewhere, as such. I would urge a No vote. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Burzynski, for what purpose do

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you rise?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I -- I'm not sure what the issue is that we're trying to solve. Have entities that are located in Illinois that might have a branch or something in another state, have they had a problem finding financing? I mean, is there a problem finding financing? Or are we just trying to give it to 'em at a lower interest rate?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

It's my understanding that we have lost several projects because we don't have the capacity to fund projects that are out-of-state. So what we're trying to do is to be more competitive with the other financial institutions that we compete with.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I -- I'm not sure that I totally understand that answer. I -- I mean, you know, Illinois entities can go to another state to get their financing for Illinois projects just as well, through a bank or through normal commercial lenders. But, I -- I guess I really have a problem with us doing this

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right now. I think the timing is -- is not the best. I also believe that if a project is worthy, they probably can find their financing somewhere else for another state. And in spite of the fact -- I think the Senator stated that this does not increase the bond authorization, but it does set aside a billion dollars' worth of bonding that could be used for projects right here in Illinois. So, for those reasons, I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR CLAYBORNE:

Thank you, Madam President and Members of the Senate. To address a couple of the issues my colleagues brought up: for one, the -- the -- my first -- the first colleague that -- that addressed me, there is no State money being used to finance these projects. The Illinois Finance Authority gets a fee as a result of the bond issuance. So that's how they're paid. And what we're doing, we're allowing a State-created entity to provide financial services for companies that are based in Illinois. And we're just -- and -- and one of the colleagues is correct - this allows them to get a lower interest rate and to strengthen their core business. The other issue is, it's not increasing the bond obligation. But what it does is there has to be a minimum of one hundred billion dollars present in order for the out-of-state project to be funded. So we are still giving a preference to State-only projects, but we're giving a - a agency that we created the ability to remain competitive in such a competitive market. I would ask for your favorable vote.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall House Bill 5854 pass. All those in favor will vote Aye. Opposed, 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 32 voting Yea, 15 voting Nay, 2 voting Present. House Bill 5854, having received the required constitutional majority, is declared passed. Now on the Order of 3rd Readings, House Bills, is House Bill 5861. Senator Millner. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5861.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Millner.

SENATOR MILLNER:

Thank you, Madam President. This provides that when a person who is receiving or has received mental health or developmental disability services or -- on an unauthorized absence or otherwise has left the facility without being discharged or being free to do so, the facility director of the mental health facility or developmental facility operated by the DHS shall immediately provide information about the recipient to the Department of State Police. And the reason we're doing this, there was a situation where, in the police vernacular, a subject escaped the Elgin Mental Health Facility after he was placed there due to a homicide. In their vernacular, it's called eloped. I say escaped; they say eloped. So, whatever.

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And the guy was wandering the street. The police noticed this man, he picked him up, talked to him, and they took him to the train station, and off the police left. Well, the police never knew this guy committed a homicide and was placed in the facility because they wasn't notified. So what this bill simply does is notify -- you must notify the State Police immediately when this elopement takes place. And that the State Police will then notify the local jurisdictions. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 5861 pass. All those in favor will vote Aye. Opposed, 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 Yea, 0 voting Nay, 0 voting Present. House Bill 5861, having received the required constitutional majority, is declared passed. Senator Kotowski, on House Bill 5871. He indicates he wish to proceed. Madam Secretary, please read his bill.

SECRETARY ROCK:

House Bill 5871.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Madam President. How are you today?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, sir. Doing well.

SENATOR KOTOWSKI:

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Good. Sorry, there was some random Polish man speaking. House Bill 5871 requires the Department of Healthcare and Family Services to include certain factors, such as effects a prescription drug may have on different individuals, when analyzing prescription drugs for the prior approval list under the Medical Assistance Program. Specifically, House Bill 5871 identifies the different effects a prescription drug may have on women versus men.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 5871 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 Yea, 0 voting Nay, 0 voting Present. House Bill 5871, having received the required constitutional majority, is declared passed. Senator Link, on House Bill 5873. Out of the record. Senator Kotowski, on House Bill 5890. Out of the record. Senator Hunter, on Senate {sic} Bill 5891. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5891.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President. House Bill 5891 basically codifies the current practice of allowing all uninsured patients

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who have been screened by the Department of Public Health and have been diagnosed with breast and cervical cancer to receive medical assistance benefits.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 5891 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 Yea, 0 voting Nay, 0 voting Present. House Bill 5891, having received the required constitutional majority, is declared passed. Senator Silverstein, on House Bill 5894. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5894.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. This exempts the Department of Human Services from paying guardian ad litem fees or attorney's fees when a guardianship proceeding's instituted. I'll talk any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall House Bill 5894 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

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record. On that question, there are 54 voting Yea, 0 voting Nay, 0 voting Present. House Bill 5894, having received the required constitutional majority, is declared passed. Senator Kotowski, on House Bill 5905. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5905.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Madam President. House Bill -- 5905 is a terrific piece of legislation. It creates the DCFS Residential Services Construction Grant Program and requires the Department of Children and Family Services, in conjunction with the Capital Development Board, establish the DCFS Residential Services Grant Program to make grants to eligible licensed residential service providers for capital needs.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Discussion? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Madam President?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Kotowski, have you visited with the folks from the Department to find out what kind of resources that they will have to put into creating a program that - at

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least, for the foreseeable future - likely won't have an appropriation behind it?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator Righter. We've had conversations with the Department and we've talked to the agencies involved. I think what's important is to understand the history of the challenges that agencies face. Currently, there isn't any kind of a capital budget or capital line item when it comes to funding human service agencies that are involved in child welfare. They're lumped together. They're lumped together in their rates. And what this -- this does is allow them to get -- for separate operational grants. Granted, the language is subject to appropriation, but for future funds that's available, they would be able to apply for that. As we all understand - just a little context also - it is exceedingly expensive to run human service agencies that work in residential treatment and that provide services for children in residential treatment and young people. And by not separating out the capital and the operations, it puts an excess burden and it doesn't truly -- truly identify what the costs are connected to providing that service, from an operational standpoint. Separating it out, they can apply for the money. That's why they're working towards that.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Kotowski, that was a

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well-stated answer to someone's question, but not mine. The question I had for you was whether or not you had talked to the Department to determine what resources they would have to put together in structuring a grant -- getting it all ready to go with hopes that - like manna falling from heaven - the General Assembly will at some point come up with an appropriation. That's what I want to know.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

SENATOR KOTOWSKI:

That was kind of biting, Senator. But I'll look beyond that, 'cause you and I have a strong relationship that we've worked on over time. The -- it's a excellent point, but what I was trying to do was give you context. We have had conversations with the Department about this, but I wanted you to know that this is involved with discussions that also have included the -- the providers. The reality is the money isn't available right now, but when there's capital dollars available in the future, they'll have the opportunity to apply for it. It's actually better for the future, because if we have the capital dollars that are able to be secured, then the agencies can provide it and we're not lumping it together in operations, which gives a misrepresentation from the operational side because you've included capital costs-connected operations.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I'll soften my tone. Senator Kotowski, I'm assuming that the Department of Children and

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Family Services, if this becomes law, will have to engage in some kind of bureaucratic activity in order to set the grant program. Now, maybe that's not the case; maybe this is one of those where we're just saying you can do it if you want. But assuming that they're required to set up the grant program, regardless of whether there's money there, have -- has the Department indicated to you, Senator Kotowski, this is how many people will have to devote this many hours and this is how many new forms we'll have to create and this is how many meetings we'll have to have? I guess that's what I'm asking you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

SENATOR KOTOWSKI:

I -- I think all fair points, Senator Righter. You know, part of my struggle with this bill is that they -- not a lot of people know me. So, when they said, "Senator Kotowski" - when you said, "Did they call you, Senator Kotowski?" - they were -- they didn't really know who I was. I had to explain to them that I was Senator Kotowski. But, I -- I worked through that. Did I not do well on that one? So, the fact is, we have sat down and we talked to the Department. Department is a proponent of this bill. And it's going to be up to them bureaucratically to figure out where the revenue is going to be and how they can secure revenue from a capital standpoint. But, the fact is, it speaks to a very real need - I want to get back to this again - because when you include capital in operations, it doesn't truly -- it doesn't truly allow them to kind of segregate and separate what their challenges are as an agency. I mean, I -- I -- I'm - - I'm -- I'm not sensing a great deal of satisfaction to my

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answer there, so I look forward to a -- a follow-up question from you, Senator.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, no biting during your follow-up question, and if you could -- could come to a close, I would really appreciate it. Senator Righter.

SENATOR RIGHTER:

As much as I feel like I was invited to follow up with yet another question, Madam President, at your request, I will resist that invitation and simply say, you know, I, like Senator Kotowski and like, I'm assuming, most Members of this Chamber, have had conversations with our providers. And mostly, it's been my experience that the providers are fatigued with broken promises, with promises from Springfield about we'll do this and we'll do that and we'll do that. If -- if Springfield would simply pay its bills, I think they would gladly forgo a promise of building them a new building. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Kotowski, to close.

SENATOR KOTOWSKI:

Just -- just a -- just a -- just a point of clarification here. I think the previous Senator's comments were well-stated and -- and very thoughtful, but the fundamental issue is still the fundamental issue here. We have nonprofit providers who work in residential services and we have required them over time to look at both capital and operations in the same vein. And as someone who worked in a nonprofit agency with children human services, the fact is, year after year, they would always -- we'd always come in significantly less, when it comes to the

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budget, for the amount of money that we were receiving. If we projected a hundred thousand, we'd be down three hundred and fifty thousand. A lot of that was connected to capital costs. And a lot of that was connected to the fact that it costs money to house young people for a year. I mean, it costs a hundred and fifteen thousand a year just on the services and the treatment. And we need to segregate this out and we need to make sure it's separate so we have a true accounting. This is exactly the type of measure that I think Members on this side of the aisle and that side of the aisle - and I know I'm on this side of the aisle right now, so I won't get confused - are looking for. This is accountability in expenditures. This is what you want. This is what you want. Vote Yes on this bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you for creating your own side of the aisle, Senator Kotowski. The question is, shall House Bill 5905 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 45 voting Yea, 11 vote Nay, 0 voting Present. House Bill 5905, having received the required constitutional majority, is declared passed. Senator Maloney, for what purpose do you rise?

SENATOR MALONEY:

For a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR MALONEY:

Thank you. I would like to introduce to the Senate two young ladies from my district, Jasmine and Danielle. Jasmine

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attends Morgan Park High School and Danielle attends the -- Vanderpoel Academy. They're down here to observe the Senate in action. Please give them a warm Senate welcome.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome Senator Maloney's guests to the Illinois General Assembly. Welcome. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments, will you please come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations I Committee - Committee Amendment 1 to House Bill 391; refer to the Commerce Committee - Floor Amendment 1 to House Bill 4984, Floor Amendment 2 to House Bill 5230; refer to the Criminal Law Committee - Floor Amendment 1 to House Bill 3869, Floor Amendment 2 to House Bill 5060, Floor Amendment 1 to House Bill -- 5494, Floor Amendment 1 to House Bill 6151, Floor Amendment 2, Floor Amendment 3, Floor Amendment 4 and Floor Amendment 5 to House Bill 5640, Floor Amendment 1 to Senate Bill 2827; refer to the Elections Committee - Floor Amendment 1 to Senate Bill 2650;

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refer to the Energy Committee - Floor Amendment 3 to House Bill 6419; refer to the Executive Committee - Committee Amendment 1 to House Bill 19, Committee Amendment 3 to House Bill 80, Committee Amendment 1 to House Bill 150, Committee Amendment 1 to House Bill 537, Committee Amendment 1 to House Bill 707, Committee Amendment 1 to House Bill 895, Committee Amendment 2 to House Bill 923, Committee Amendment 1 to House Bill 1075, Committee Amendment 1 to House Bill 1313, Committee Amendment 1 to House Bill 2254, Committee Amendment 1 to House Bill 2263, Committee Amendment 1 to House Bill 2332, Committee Amendment 2 to House Bill 2369, Committee Amendment 1 to House Bill 2386, Committee Amendment 1 to House Bill 2428, Committee Amendment 1 to House Bill 2598, Committee Amendment 1 to House Bill 3677, Committee Amendment 1 to House Bill 3806, Committee Amendment 1 to House Bill 3833, Committee Amendment 1 to House Bill 3845, Committee Amendment 1 to House Bill 3900, Committee Amendment 1 to House Bill 3962, Committee Amendment 1 to House Bill 4681, Committee Amendment 1 to House Bill 4788, Committee Amendment 1 to House Bill 5224, Committee Amendment 1 to House Bill 5416, Committee Amendment 1 to House Bill 6195, Committee Amendment 1 to House Bill 6208, Floor Amendment 2 to Senate Bill 3775 and Floor Amendment 3 to House Bill 4623; refer to the Executive Subcommittee on State and Local Government - Committee Amendment 2 to House Bill 6271; refer to the Human Services Committee - Floor Amendment 1 to House Bill 5306 and Floor Amendment 3 to House Bill 5350; refer to the Insurance Committee - Floor Amendment 2 to House Bill 5217; refer to the Judiciary Committee - Floor Amendment 1 to House Bill 5055, Floor Amendment 2 to House Bill 5290, Floor Amendment 3 to House Bill 5429, Floor --

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Floor Amendment 1 to House Bill 5630, Floor Amendment 2 to House Bill 5888, Floor Amendment 1 to House Bill 6124, Floor Amendment 3 to Senate Bill 2850; refer to the Labor Committee - Floor Amendment 2 to House Bill 4658; refer to the Licensed Activities Committee - Floor Amendment 3 to House Bill 5080; refer to the Local Government Committee - Floor Amendment 1 to House Bill 4708 and Committee Amendment 1 to House Bill 4815; refer to the Public Health Committee - Floor Amendment 2 to House Bill 5183, Floor Amendment 2 to House Bill 6034 and Committee Amendment 2 to House Bill 5766; refer to the State Government and Veterans Affairs Committee - Committee Amendment 1 to Senate Resolution 758, Committee Amendment 1 to Senate Joint Resolution 80, Floor Amendment 2 to House Bill 5065 and Floor Amendment 2 to House Bill 5571; refer to the Telecommunications and Information Technology Committee - Floor Amendment 1 to House Bill 4990; refer to the Transportation Committee - Floor Amendment 1 to House Bill 4691 and Floor Amendment 1 to House Bill 6094.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, please may I have your attention? The Executive Committee will meet at 2 p.m. in Room 212 to hear Floor amendments released on today's Committee on Assignments Report. Also, the State Government and Veterans Affairs Committee will meet tomorrow morning at 8 a.m. in Room 409 to hear Floor amendments released on today's Assignments Report. The Senate will stand in recess. We will return after committees to read in Committee Reports and to process paperwork. The Senate stands at recess.

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(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen, just for clarification, we will be at recess to the call of the Chair. Recess to the call of the Chair. Thank you.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Silverstein, Chairperson of the Committee Executive, reports House Bills 543 and 6450 Do Pass; and House Bills 19, 80, 150, 537, 707, 895, 923, 1075, 1313, 2254, 2263, 2332, 2369, 2386, 2428, 2598, 3677, 3806, 3833, 3845, 3900, 3962, 4681, 5416, 6195, 6208 and 6271 Do Pass, as Amended; and Senate Amendment 2 to Senate Bill -- 3775 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 3433.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of

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the Senate, to wit:

House Amendment 1.

We have received like Messages on Senate Bill 3540, with House Amendments 1 and 2; Senate Bill 3568, with House Amendment 1.

They all passed the House, as amended, April 28th, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

There being no further business to come before the Senate. The Senate stands adjourned until the hour of 9 a.m. on the 29th day of April, 2010. The Senate stands adjourned.