

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

5/26/2011

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 97th General Assembly will please come to order. Will the Members be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Reverend Jim Poole, Woodside United Methodist Church, here in Springfield. Reverend Poole.

THE REVEREND JIM POOLE:

(Prayer by the Reverend Jim Poole)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. 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 SULLIVAN)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of January 12th, January 13th, and January 27th, 2011.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

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Senate Journal of Wednesday, May 25th, 2011.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Haine, Chairperson of the Committee on Insurance, reports House Bill 1577 Do Pass, as Amended.

Senator Hunter, Chairperson of the Committee on Human Services, reports Senate Joint Resolution 35 Be Adopted.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 256, offered by Senator Schoenberg and all Members.

Senate Resolution 257, offered by Senator Schoenberg and all Members.

Senate Resolution 258, offered by Senator Schoenberg and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Resolutions Consent Calendar. Madam

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Secretary, Introduction of Bills.

SECRETARY ROCK:

Senate Bill 2484, offered by Senator Noland.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, House Bills 1st Reading.

SECRETARY ROCK:

House Bill 306, offered by Senator Muñoz.

(Secretary reads title of bill)

1st Reading of this House bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Chris Brooks, WICS-TV, requests permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, if we could have your attention. All Senators in your offices and the LAs in the offices as well, we're about to go to -- to the Order of House Bills 3rd Reading, if you'll please come to the Senate Floor immediately. We're --- we are ready to go to the Order of House Bills 3rd Reading. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR SILVERSTEIN:

I have the honor of a special guest and a school joining me today. To my right is my daughter, Annie Silverstein, and up above the Republican Gallery is her school, Akiba-Schechter. So I wish you'd give 'em a warm Senate greeting.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois Senate. If our guests in the gallery will please rise. Welcome to the Illinois Senate. Annie, it's great to have you here as well. Ladies and Gentlemen, we're about ready to turn to action here and we will be starting in the middle of page 60 of the printed Calendars. We're actually going to run through House Bills 2nd Reading here shortly. So, once again, all Members, please come to the Senate Floor. We're going to be starting with House Bills 2nd Reading and then going to House Bills 3rd Reading. Ladies and Gentlemen, if you'll turn to the middle of page 60 of the printed Calendar, House Bills 2nd Reading, is House Bill 143. Senator Haine. Senator Bill Haine, on House Bill 143. Out of the record. House Bill 186. Leader Radogno. Leader Radogno, on House Bill 186. Out of the record. House Bill 230. Senator Koehler. Senator Dave Koehler. Out of the record. House Bill 267. Senator Wilhelmi. Senator Wilhelmi. A.J. Wilhelmi. Out of the record. House Bill 1095. Senator Althoff. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1095.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Have there been any further Floor -- have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Yes. Floor Amendment 2, offered by Senator Althoff.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff, to present Amendment 2.

SENATOR ALTHOFF:

Actually, -- Floor Amendment 2 becomes the bill and I'd like to explain it on 3rd Reading. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, all those in favor will vote Aye -- or, say Aye. Opposed, 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 SULLIVAN)

3rd Reading. Next on the Calendar is House Bill - Ladies and Gentlemen, we're on the bottom of page 60 of the Calendar - is House Bill 1163. Senator Jacobs. Senator Mike Jacobs, on 1163. Out of the record. You'll turn the page to the top of page 61, is House Bill 1215. Senator Maloney. No, excuse me, Senator Crotty. Senator Crotty. Senator Crotty, on -- or, excuse me, 1215. Out of the record. House Bill 1237. Senator Noland. Senator Mike Noland, on House Bill 1237. Out of the record. House Bill 1293. Senator Schoenberg. Senator Schoenberg, on 1293. Out of the record. House Bill 1444. Senator Wilhelmi. Out of the record. House Bill 1698. Senator Mulroe. Senator John Mulroe. Out of the record. House Bill 3039. Senator Lightford. Leader Lightford, on 3039. Out of the record. And House Bill 3372. Senator Koehler. Senator Koehler. Out of the record. Ladies and Gentlemen, we are going

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to go to the Order of House Bills 3rd Reading. If you will turn to the page -- to the bottom of page 57 in the printed Calendar, House Bills 3rd Reading, is House Bill 132. Senator Steans. Senator Steans. Out of the record. House Bill 212. Senator Hutchinson. Senator Hutchinson, on House Bill 212. Out of the record. You'll turn now to the top of page 58, again on the Order of House Bills 3rd Reading, is -- is -- is House Bill 219. President Cullerton. Out of the record. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR ALTHOFF:

I have a very lovely Page with me today. Her name is Grace Lechner. She's thirteen years old. She's in the seventh grade at Montini Middle School. Her parents, Gary and Laura, who are very dear friends of mine from McHenry, Illinois, are in the gallery directly behind the President. And in her spare time, Grace likes to play volleyball. She's in the choir. She also plays the flute and her favorite pastime is reading mysteries. Might we welcome her parents and Grace to Springfield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Grace, welcome to the Illinois Senate, and your parents as well. Welcome. Great to have you here today. On the top of page 58 of the Calendar, House Bills 3rd Reading, is House Bill 363. Senator Harmon. Out of the record. House Bill 1079. Senator Christine Johnson. Madam Secretary, please read the

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bill.

SECRETARY ROCK:

House Bill 1079.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Johnson.

SENATOR C. JOHNSON:

Good morning, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1079 provides the following for -- it amends the State Property Control Act by increasing the dollar value from five hundred to a thousand dollars for the listing of equipment that public universities must provide to the Department of Central Management Services. And it requires some additional reporting on the part of the universities. We have worked with CMS on this bill, as well as with the universities. I would like to thank my cosponsor, Senator Crotty, and Senator Maloney as well, for his assistance with this. I know of no opposition and it passed -- the committee unanimously. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1079 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? Madam Secretary, please take the record. On that question, there are 53 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1079, having received the required constitutional majority, is declared passed. House

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Bill 1151. Senator Haine. Senator Haine, on House Bill 1151. Out of the record. House Bill 1197. Senator Lightford. Leader Lightford, on 1197. Out of the record. House Bill 1220. Senator Sandack. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1220.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandack.

SENATOR SANDACK:

Good afternoon, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1220 allows a municipality to provide by ordinance procedures for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of properly impounded vehicles. This is an initiative of the Village of Brookfield, which is a non-home rule community. This ordinance -- I'm sorry, this bill would be permissive and, I'd argue, is a cost-shifting from the taxpayers to the users of the system. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR BOMKE:

Thank you, Mr. President. To the bill: Just to let...

PRESIDING OFFICER: (SENATOR SULLIVAN)

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To the bill.

SENATOR BOMKE:

...everyone know here, it's a -- there's a fee increase.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Is there any further discussion? Seeing none, the question is, shall House Bill 1220 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? Madam Secretary, take the record. On that question, there are 42 voting Aye, 13 voting Nay, 1 voting Present. House Bill 1220, having received the required constitutional majority, is declared passed. House Bill 1226. Senator Wilhelmi. Senator Wilhelmi. Out of the record. House Bill 1253. Senator Martinez. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1253.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. As amended, 1253 requires sex offenders who commit their crimes before January 1st, 1996 - the start date for the current registration law - to register as sex offenders when they are convicted of a felony after July 1st, 2011. Where the original crime is still classified as a sex offense, the registration period will be for ten years; if the crime is now classified to

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make the defendant a sexual predator, the -- the registration period will be for life. It only -- it is only for adult offenders; does not impact the current registration system for juvenile offenders. It has no impact on sexual predators that are currently registered -- required to register for life. It also provides staggered phase-in dates for certain listed offenses, based on the dates on which those offenses were originally added to the Sex Offender Registration Act, ranging between January 1st of '97 to August 22nd of '02. And it does not revive the registration period of any person who has previously been registered as a sex offender and who has successfully completed their ten-year period of registration, unless crime has been reclassified to require lifetime registration. This bill has been around almost for the past two years. We sent it over to the House. It was not taken up. It finally got to the Governor's Office. He vetoed a certain portion of it. We came back, we worked with the State Police, and now we have finally come -- you know, come with the most improved bill that I can possibly have this Session. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you very much. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1253 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? Madam Secretary, take the record. On that question, there are 53 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1253, having received the required constitutional majority, is declared passed. We're in

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the middle of page 58, Ladies and Gentlemen. House Bill 1258.
Senator Noland. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 1258 provides for how fines are -- collected as a result of restitution payments for emergency responses will be distributed amongst law enforcement agencies under the Methamphetamine Control and Community Protection Act. The bill also provides for additional fines for violations of specific action -- or specific -- specific Sections, excuse me, of the Illinois Controlled Substances Act and the Methamphetamine Control and Community Protection Act. I know of no opposition. This passed unanimously in -- in our committee and it's a darn good bill and I ask everybody to vote for it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Noland. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1258 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 53 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1258, having received the required constitutional majority, is declared

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passed. House Bill 1355 sponsorship has changed from the printed Calendar. House Bill 1355. Senator Hunter. Senator Hunter, on House Bill 1355. Out of the record. House Bill 1368. Senator Jacobs. House Bill 1368. Senator Mike Jacobs. Out of the record. House Bill 1490. Senator Martinez. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1490.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. We finally have our Professional Boxing Act, this bill, by changing the short title to Boxing and Full-contact Martial Arts Act to cover amateur boxing and full-contact martial arts contestants. It also requires the Department of Financial and Professional Regulation to authorize and require permits for all professional and amateur boxing or amateur full-contact martial arts contests, or combination of both, unless an exemption applies. It also requires amateurs over the age of eighteen to register with the Department beginning six months after adoption of rules and require licensure for all promoters in order to participate in the contest. This bill is an agreement between the Department of Professional Regulations {sic}, Ultimate Fighting Championship, and the -- the martial arts community based on concerns that they brought to us and based on meetings held with all involved parties. And the -- there's a list of changes on

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there. Let me just say that this bill has been negotiated and renegotiated and renegotiated and I want to thank so many people that were involved, starting with Representative Skip Saviano, over in the House, who was conveying {sic} these meetings and trying to get this to work, and then when it came over to the Senate, we continued to work on it. But I think now we have an agreed bill that I think everybody can live with. There might be a few that -- that might not, but want to make sure that this does not hurt our communities and some of the things that are going on in our communities. This is about professional and amateur boxing and some of the sports and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator McCarter.

SENATOR McCARTER:

Senator, I'm sorry, my phone's going off here. My apologies. Would you like me to continue it? I can. It -- create a little atmosphere. I'd like to ask some questions for legislative intent, if I could?

PRESIDING OFFICER: (SENATOR SULLIVAN)

And she has indicated she will yield. Senator McCarter.

SENATOR McCARTER:

Senator, does this bill regulate point contests, such as karate, judo, tae kwon do, wrestling, or other full-contact

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sports?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

No, it does not.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Will this bill act as a -- springboard to regulate other sports, such as hockey, football or basketball?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Absolutely not.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Is the intent of this bill to not charge more than five hundred dollars for a permit fee for each amateur contest?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Yes. That will be approved in JCAR.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill: I'd like to say thank you to Senator Martinez for working -- allowing me to work with you on this. We got a lot of people that we were protecting in this. The --

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primarily, the people we were protecting is the folks that you see in your neighborhood strip malls - the karate clubs, the tae kwon do facilities that reach out to kids to provide discipline and -- and really to keep a lot of these kids off the street. And we've seen -- those are the kinds of people we aim to protect in this bill. So they are not regulated in this bill. Very simply, those who are regulated under this bill now are those who fight in cages or rings. And that is a -- that's a different type of sport and we -- we've attempted to make the regulations reasonable to where they can continue their -- that business in the State, because the mixed martial arts, the cage fighting type business is a growing industry, but it needs to be safe for the fighters. So I think we've delivered that and we have not made it any more onerous than the -- neighboring states have. So we can keep that in the State, but keep the fighters safe. And, again, I just thank you, Senator Martinez, for letting me work with you on this. I think this -- this brings a lot of relief to our local karate, tae kwon do clubs, that for the next ten years, they're not going to be regulated and they can continue to invest in our youth and adults in the mixed -- in the -- in the martial arts. Thank you. I'd encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill.

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SENATOR ALTHOFF:

I would like the Body to know that Senator Martinez is absolutely correct. She's been working on this legislation for quite some time. In fact, it began last Session when I was still Minority Spokesperson for Licensed Activity {sic} and I was working with her at that particular time. I just want you all to know that I remain engaged in the process, just to possibly see Iris Martinez and Kyle McCarter in the contained ring. Unfortunately, they came up with a really wonderful bill, it's agreed to, and I never was given that opportunity. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Althoff. Is there any further discussion? Senator Martinez, to close.

SENATOR MARTINEZ:

It's great to know that now I have a new sensei, and to you, Senator McCarter, for working so diligently with me on this bill. I want to thank Senator Althoff also, and the staff, Patrick and Payal. I mean, they worked. They sat down with these groups that were having a hard time understanding what this bill was about. I think it was very clear, they just could not understand that we are not there to take out or -- or regulate our local neighborhood karate class or -- or our tae kwon do class. I think that it's a matter of making sure that there is regulations put in place for the safety of our young men that are out there fighting these fights, that they're protected; that we have EMTs close by to make sure that in case there's an injury, they're there to assist. And I -- I -- I want to just say thank you to everyone on the other side of the

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aisle who helped put this bill together, to Representative Skippy Saviano who started the boxing on this. And I just want to -- I -- I encourage everyone to vote Aye, 'cause it's about safety and our young people.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. And the question is, shall House Bill 1490 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, take the record. On that question, there are 49 voting Aye, 8 voting Nay, 0 voting Present. House Bill 1490, having received the required constitutional majority, is declared passed. House Bill 1530. Senator Delgado. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1530.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, sir. Mr. President and Members of the Senate, House Bill 1530, with Senate Amendment No. 3, provides that every insurer that issues a group policy of health insurance in this State that provides coverage for the treatment of mental, emotional, nervous, or substance use disorders must comply with specific coverage parity requirements for the treatment and care of these conditions. The bill requires that the financial requirements applicable to mental health disorder of -- or condition benefits must be no more restrictive than the

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predominant financial requirements applied to the --
substantially all medical and hospital benefits..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Excuse me, Senator Delgado. Just one minute. Ladies and
Gentlemen, let's -- let's please hold the volume down in the
Chamber, please. Senator Delgado, please continue.

SENATOR DELGADO:

I -- I appreciate that, Mr. President. This is a very
important piece of legislation. The bill requires that the
financial requirements apply to substantially all medical and
hospital benefits covered by the policy. The bill also
prohibits separate cost-sharing requirements that are applicable
only with respect to mental health disorders. Finally, the bill
also expands the current mandate for the treatment of serious
mental illnesses to include coverage for substance use
disorders. This legislation came about with the great help of
the Executive Chairman, Leader Don Harmon, and all of the
stakeholders, including all of the proponents and all of the
industry, who helped us put this together, and I would ask for
your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR BRADY:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator Brady.

SENATOR BRADY:

Senator, for the Members here who weren't in the committee,

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can you tell me if there was any opposition or any opposition slips filed in the committee?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Yes, thank you. At the point of after all negotiations, Senator Brady, with all of the stakeholders, the only one that slipped it with record of appearance only is our friend at the Illinois Chamber for -- for the Illinois Chamber of Commerce, but it was appearance only. This is an agreed piece of legislation between all the insurers and parties, and that includes Blue Cross Blue Shield and all of the insurers are on board.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I stand in support of the gentleman's initiative. I -- I think he's worked hard to bring about a compromise that brings this issue to the forefront. I know many of us are concerned about voting for mandates, because they increase the cost to the others and often drive people off of the insurance rolls because they can't afford it. This is one that's been worked out with the industry and I -- I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Any further discussion? Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Mr. President. To the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At -- at the risk of being redundant, I appreciate Senator Brady's questions to the sponsor on this. I do want to applaud Senator Delgado. He was very gracious and accommodating in the negotiations. We sat down with Senator Haine, the Chairman of the Insurance Committee, and all the stakeholders and really did produce a very good piece of legislation that accomplishes Senator Delgado's initial objectives, but in a way that is accommodating to the business community. I applaud you, Senator, as the sponsor, and look forward to voting Aye. I hope we see fifty-nine Ayes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Any further discussion? Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator McCarter.

SENATOR McCARTER:

Senator, I -- first of all, to the subject matter, I -- I've -- I've got personal experience in my family with substance abuse. Okay? So don't -- I -- I don't want anybody seeing this as an attack on the people that we're trying to help here. But, are we putting any increased burden on insurers with this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

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SENATOR DELGADO:

At this point, after the negotiations, we removed the pressures, because in the original language, it would have included habilitative services and even autism. And we removed those parts, which were very heavy, and so the burden is minimal, and through the cooperation and discussions with all the insurers and all the parties, they felt being able to support it. I think that would be the answer, that that's a burden that they can live with.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Okay, so parts were removed, but there is still a burden left. What -- what kind of burden remains?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Well, I'd -- I'm -- let me backtrack and say that it's not a burden; it's just a new part of a parity policy that they're now going to be implementing. What we were able to do was to make sure that they have selective abilities; to small companies, for example, not be having to even -- not having to buy a menu of -- of services, but to be able to have choices on those menus. So the burden, I think, has been removed by their overwhelming support for the legislation and understanding that if it is a burden, it is something that they could incorporate and that burden dissipates at that point.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

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SENATOR McCARTER:

And -- and -- and I apologize, 'cause I haven't -- I haven't sat in on your committee meetings. I -- I'm sure I'm asking questions that were already asked. But, are there not different requirements for different size of employers, and can you explain that to me?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Yes, to some extent. There -- there are different sizes, because as you get smaller, you have less obligation. And that was something that -- NFIB, for example, has had to make sure it was -- was conducive to their needs. The larger insurers, for example. But mostly it was making sure that we weren't throwing the baby out with the bathwater and taking into account the smaller employer and -- and the self-employed also, and making sure that they don't have to be straitjacketed, if you will. That was never my intention. My intention's always to create -- public policy that is conducive to all hundred and two counties and able to -- to be something that everyone can live with on an equal balance to whatever equal can be. And in this case, they all supported the language.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Is there a different requirement for employers with fifty or more employees?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

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SENATOR DELGADO:

I cannot answer that question at this point, other than going back and saying the one that is less than fifty employees has -- has been relieved of the burden. The larger ones are the ones that are able and to do -- to be able to handle that capacity and already -- and already offers certain other services. This addresses the mental parity side of it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

It -- it's my understanding that over fifty employees, substance abuse is required.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Right, that is -- that is correct. That's part of the -- the serious health mental {sic} mandate side.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

Well, thank you, Senator, for working so hard on this. I just -- I think this is a new mandate. When -- when we have small -- small businesses, even if you -- if -- if you will consider fifty employees or more a small business - I still do - fighting to survive in this State, having increases in -- in the

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cost of their health care, I mean, even quarterly -- I mean, even in my own company, I -- I -- I know would -- just to be able to afford it, we've had to bring down some of the benefits and negotiate that with my employees, making sure not to hurt a certain employee that may need coverage in a certain area; whereas one -- one of my families has a child with some special needs. So -- so we've had to adjust the policy to -- to keep it affordable but to not leave anyone -- leave any one of my employees and their family out. But that's a tough job to maneuver in this atmosphere, in this business atmosphere. And I think we're -- we're -- we're just putting one more burden on folks that we shouldn't. So I respect -- respectfully will be voting No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Senator Delgado, to close.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. As we all know, this is a very large agreement on this legislation. It is a large piece of legislation. NFIB is neutral on this legislation, as is small businesses, and I respect the previous speaker. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. The question is, shall House Bill 1530 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? Madam Secretary, please take the record. On that question, there are 49 voting Aye, 8 voting Nay, 0 voting Present. House Bill 1530, having received the

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required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point. Senator Luechtefeld.

SENATOR LUECHTEFELD:

In the gallery, over here in the Presidential Gallery, I have a young man by the name of Brandon Perjak, who is -- just graduated from Nashville High School, going on to college, and his mother and father, Tom and -- and Debra Perjak. And I'm -- I'm hoping that you would give them a warm welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests in the gallery please rise. Welcome to the Illinois State Senate. Glad to have you here today. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR MURPHY:

Like the Senate to welcome my Page today, Tripp Turchik and his stepfather, John Scaletta. John is a village trustee in Arlington Heights. Tripp's a seventh grader at South Middle School. He's a basketball and baseball player. I'd appreciate a good welcome -- a good Senate welcome for Tripp and his stepdad, John Scaletta.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Tripp, welcome to the State Senate. Great to have you

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here. Welcome. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Schoenberg.

SENATOR SCHOENBERG:

Mr. President and Ladies and Gentlemen of the Senate, I'm honored to be joined today by my two Pages for the Day, the twins of Nicholas and Christine Slater. They're not from Evanston, my apologies; they're from Skokie, which is the neighboring suburb. They're sixth graders at the Oliver McCracken Middle School in Skokie. Nicholas is a presidential history buff, so he's especially interested in learning as much as he can about what President Obama did when he was here. And I'm sure that Senator Brady will fill him in on some of those card games that they played together, where he took his money very liberally. Nicholas is also -- he loves science, wrestling and baseball and aspires to be a lawyer. Christine also has a great interest in baseball and basketball, and she loves math and science as well. She'd like to be a scientist when she grows up. They are joined by their mother, Diane Slater, who's in the gallery directly behind the Republican side of the aisle. And please give them a warm Senate greeting. Thank you very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate. Great to have you here today. Enjoy your day. Ladies and Gentlemen, continuing

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on the Calendar, we are -- we are on page 58 of your printed Calendar, and House Bill 1600. Senator Trotter. Senator Trotter seeks -- leave of the Body to return House Bill 1600 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 1600. Madam Secretary, are there any committee or Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to present your amendment.

SENATOR TROTTER:

Excuse me. Yeah, thank you very much, Mr. President, Members of the Senate. The amendment becomes the bill and I would like to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1600. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1600.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, fellow colleagues in the Senate. As amendment -- amended, House Bill 16 {sic} {1600} creates the Trans Fat Restriction Act and declares that beginning January 1st, 2013, no food containing artificial trans fats may be served by a food facility or used in preparation of food within a facility. Under this Act, a food facility does not include any small business as defined under the Illinois Administrative Procedure Act. Additionally, the trans fat ban does not apply to food containing only naturally occurring trans fats; food served in a manufacturer's original sealed package; free food samples made available or served to customers in food facilities, but are only available for sale in the manufacturer's original sealed package. The fat -- the Act further prohibits food containing artificial trans fats from being available in a vending machine operated by or within a private or public school district, again, beginning January 1st, 2013.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

My apologies. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator McCarter.

SENATOR McCARTER:

Senator, what -- I understand there's a definition of a

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small business, but I think there is a threshold in this bill by a certain number of sales, and I -- I thought that was four million dollars in sales, that would make that applicable to that business. Am I correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

You are correct. As defined in the Illinois Administrative Procedure Act, that is the legal definition for small business, four million dollars and under, with fifty employees or less.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

So -- so when I heard that, I started thinking of the -- some of the -- the small retail businesses, or what we consider small, like a IGA store in some of the small -- like Lebanon, these small communities in the rural area. And I -- I believe that they would qualify for something like that and I think most of these have a bakery within the facility. Was that taken into consideration when this bill was put forward?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Yes, it was taken into consideration, but -- and let me tell you the consideration given. Consideration given was that, in fact, we could exempt them and we can exempt all stores that have a bakery, and then we don't have a bill. So the thing is, to give this some kind of substance and -- and trying to address really small businesses, those ma and pa stores that sit on the

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corner and that is their sole business, this is the criteria in the law and the language that is used to describe them. So, again, we cannot be all-encompassing. But I think most people would agree, if you're making over four million dollars a year, you're not a small business.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill: I -- I think the -- the example that I just gave is my real concern here. And I -- I'm -- and I'm not going to put that burden on every little grocery store within my district, because that four million dollars is attainable and it's normal for them to -- to sell that -- sell that -- have that much sales. And I just think this is a -- this is a -- a way overreach of government getting involved in our lives and I -- I would just, respectfully, thank you for your work on this, but encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Pankau, for what purpose do you rise?

SENATOR PANKAU:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Pankau.

SENATOR PANKAU:

During committee, you and I had a discussion about bake sales. If the high school cheerleaders want new uniforms and they're going to hold some bake sales, does your bill apply to

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them? Will they no longer have this avenue available to them?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

That is incorrect. The -- the -- well, it's answered two ways. Yes, they will still have this avenue to them. This bill addresses businesses that that's their primary function. We're not talking about bake sales. We're not talking about the cheerleaders or the track team or Girl Scout cookies, people who have these fundraisers. That is not their primary business. The school itself is in the -- in the primary business of educating, not selling bakery goods. So they are excluded in this language.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

But because it might be held on school property, would then -- you could maybe hold the bake sale, but you -- would have to list all the ingredients for every cookie?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

No, you would not have to do that. No. This -- again, you're overreaching and sometimes, unfortunately, we overthink the issues. This is not dealing with what you're cooking in your house and you're selling at your school on behalf of your kids. We're saying the institution can't do it. We're not going to have trans fats in vending machines by 2013. This is not saying what you bring from your home, which is normally what

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happens in bake sales.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill.

SENATOR PANKAU:

I urge a No vote. I think the sponsor has come a long way. He certainly listened to the bakeries when they came and testified about all the different products they have in multiple -- in -- the multiple assortment of products that they offer. He certainly listened to them. I just think this bill isn't ready yet. There's more things. Honestly, when the Senator answered in committee, he told me that we couldn't have bake sales and now he tells me that we can. So, I really think that this needs to be hashed out some more. I think the concept may have some good points, but this bill just doesn't cover it. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there further discussion? Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, I didn't think it was possible to bring a -- a bad as bill {sic} as the helmet bill, but it looks like you may have

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done it. Now the question I have for you is, do you really believe it's the State's responsibility to do the job of parents? Or in other words, should the "nanny" State get involved in this or do you think maybe we have bigger issues that -- that we ought to deal with?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

I -- I certainly don't believe in the -- the Big Brother concept that we should need to control every aspect of people's lives. However, science has proven that trans fats, in fact, have contributed to many deaths. Thirty thousand cardiac-related deaths just last year alone could be attributed to trans fats. I think we as a State have a responsibility to use good judgment to, at least in our public sector, present them with good healthy ideas, which will, one, counter the costs that we'd have to spend if they have to go to the hospital.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs, do you have another question? Senator Jacobs.

SENATOR JACOBS:

Yes, please. Who's -- who's exempted from the bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Small businesses, at this junction, and bake sales. And I don't remember mentioning that they were included in this bill in committee. I may have, but they're certainly excluded from this.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

Is Sara Lee, Walmart, Jewel and Costco exempt?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

No, they aren't. But, most of the large businesses have already stopped using trans fats in their bakery goods.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

I would just tell you, Senator, I understand your point. I love Oreo cookies and I love the trans fat in the old Oreo cookies. Now I'll still eat the Oreo cookies, but I liked 'em better when they had the trans fat. And, frankly, I think I ought to make that decision, rather than my colleague.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Syverson.

SENATOR SYVERSON:

First, Senator, I appreciate you taking the time to work with this legislation, and unlike the previous speaker, let me say, I -- I think the schools do have an obligation. The obesity issue is getting out of control. Many children are

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eating two or three meals a day at school, so what -- what is provided at the school is having an impact, and so I think we should be having some -- weighing in on that issue. But having said that, this legislation, I think, only deals with vending machines in schools. It doesn't deal with any of the food that is served in the school outside of the vending machines. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

That's correct, sir. And there's a -- a reason for that. As you recall, and many of the other Members who were here in '08, we passed a bill in the Senate that addressed schools and -- and schools were wholly against it, one, for -- because they said they had these long-term contracts with these other vendors and couldn't adhere to it, and they would look at the issue over two years. In two years, that hasn't happened, but the argument still stands. I would like to come back and address that in another bill, because talking to the schools at this time, we're still running against that brick wall that we saw in '08. So I want to work that out as we go forward.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Well, I'd be very interested in joining with you. I think schools play an important role in the -- in the diet of these -- of these children and it affects not only their health, but their behavior, and I think we need to be looking -- looking at that. Having said that, the concerns, of course, with this

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legislation is what happens outside of the school. You tried to clear it up by saying small businesses at fifty, but -- and at four million. The problem is that when you have suppliers or you have businesses, you may be running over fifty or under fifty in some of these businesses. You may have sales one year that are going to be exceeding four million or under four million, and as suppliers, it becomes difficult to do. And so I think this is going to be a difficult bill to really impact what we want to do. And I think it was suggested to you before, that we take this back and look at just targeting the school issue and wait until technology or chemistry comes along that there are some easy and legitimate alternatives that can address this issue. So, having said that, again, I have -- I'll have to raise -- rise in opposition against the impact it'll have on business. But, again, appreciate what you're trying to do in the school and look forward to working with you on addressing the school issue.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Trotter, is the VFW or the American Legion back in my district, let's say in Lawrenceville, going to be subject to this ban?

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Read for me the language in the bill that gives me the confidence in the statement that you just made.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

If I can, and -- and I don't know if this speaks to the issue. It defines a "food facility", meaning an entity that prepares, packages, serves, vends, or otherwise provide food for human consumption at the retail level. The VFWs are not into the retail business. So, again, that may not answer the question directly, but that language is there.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Well, I'm not so sure, Senator Trotter, because you used the term "retail level", which is in the bill, but then you used the term "retail business", which is not in the bill. And granted, a VFW or American Legion is not a business, but they do sell food at the retail level. So here you have a -- something -- an entity that is not a business; it's not a unit of local or State government, which you do carve out in this bill; it's not a school district, which you delay until 2016 and make it a goal - but they are selling food at the retail level. So, given that

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it's not a business, explain to me how they're exempt?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

As in most laws that we pass, and to explain from my point of view, there's such a thing as what is written and common sense. Think the law, as you know, can be interpreted two different ways, which is why we have our fine judicial system; that there is arguments either way. This, I think -- even though it's not clearly spelled out, think the intent is pretty clearly understood by most and I don't think they would be held in any kind of liability status because the way the language is written.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the bill, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, I think that probably what we just heard Senator Trotter say, at the very end there, are the words that should be burned into our heads before we vote on this bill - that the language may not be, you know, exact; that there's some leeway there; that all of these folks aren't going to be affected. How many times have we heard that over the last several years? We'll leave it to the regulators. We'll leave it to the bureaucrats in some department, somewhere in Springfield or Chicago, because surely

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they'll take care of our VFWs and our Legions back in towns like Lawrenceville and wherever else. Think about those people and think about the fact that they are not expressly exempt from this legislation when you cast this vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. Is there a fiscal -- you may have answered this already and I apologize if you have. But is there a fiscal impact to the State of Illinois for this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

Thank -- thank you. Our analysis said that DPH would have to add staff. Is -- is that on the original bill or is that inaccurate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

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There is no intent to add staff here. I'm sure, within the responsibilities of those individuals who have the job of regulating or inspecting businesses, this will fall up under that purview. So I -- they shouldn't have to add staff, because they should be in these businesses anyway with general inspections. So it's not adding anything new.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Our last speaker seeking recognition, Senator Koehler. For what purpose do you rise?

SENATOR KOEHLER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill.

SENATOR KOEHLER:

I'm -- I'm conflicted on this -- on this particular bill. I am going to support it, though, because I think that the sponsor is definitely trying to go in the right direction here. I think most of you know I own a bakery. I'm in the business. And one of the marketing advantages we have is that we advertise that we have no trans fats, no preservatives, organic ingredients in it, and so that's a marketing advantage to us. One of the problems I have is some of the inequities of this bill, because Oreo cookies are left alone 'cause they're in the manufacturer's original package. So, for Senator Jacobs, you can still have your Oreo cookies. And that's part of the problem, is that trans fats and hydrogenated oils are in everything, and they're an awful health risk. I watch very carefully when I buy something at the store, because that word "hydrogenated" appears just about in every product you have.

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And if you look at heart disease in this nation, you can draw a direct line from what we eat and -- to the disease that we have and -- and heart disease. So, I think there's a lot of work that needs to be done in this whole area of food regulation. This is not a perfect bill by any means, but I'm going to support the sponsor because I think he's trying to do the right thing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Thank you for all of you who had the kind words and those who weren't that kind. Senator Jacobs got his answer. He can still get his fat and live a good life. But as we know, Senator Jacobs hasn't missed too many meals in -- in any case. He hasn't seen a doughnut he didn't like. Senator Syverson, in the law, it does say, even though we say that there's employees of fifty, but in the definition from the Illinois Administrative Procedure Act, it does give some flexibility. It says, for purposes of a specific rule, an agency may define small businesses to include employment of fifty or more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of a small business or organization. So that language is in there. There is -- are those exceptions. With that, sir, I ask for...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- yeah, Senator Trotter, go ahead and close.

SENATOR TROTTER:

Sorry, that -- that was my closing. Just ask for a Aye

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vote, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Jacobs' name was used in the debate.
Senator Jacobs.

SENATOR JACOBS:

I want to point out, Senator, that the Nabisco Company themselves got rid of the trans fats because they thought it was healthier for their customers. So I think it sort of speaks to why this bill is going to fail so terribly. And I'm -- and I'm praying that you finally win back the crown from Senator Link to have the least votes ever cast on a bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Okay. The question is, shall House Bill 1600 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? Madam Secretary, take the record. On that question, there are 13 voting Aye, 40 voting Nay, 1 voting Present. House Bill 1600, having not received the required constitutional majority, is declared failed. Senator Mulroe, for what purpose do you rise?

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR MULROE:

I'm -- I'm here with State Representative McAuliffe and State Representative Durkin. We have a group from Oriole Park that was -- is within the 10th District and Mike McAuliffe's

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district as well. I want to specifically point out the parents and some teachers that are here with us: Ken Fitzner, Frank Bucari, Barb O'Sullivan, and Ann Poland. I also want to point out one of the students that is special to both the Representatives and myself. Sherry Eshoo -- Biedar Eshoo was in the State's Attorney's Office with Representative Durkin and I. Her son here -- is here with us as well, Eric. I'd ask that we give 'em a warm Senate welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate. We're pleased to have you here today. Senator -- Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

Mr. Speaker -- I'm sorry, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. President. Yes, go ahead, Senator. You're not in the House anymore.

SENATOR SCHOENBERG:

I know.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schoenberg.

SENATOR SCHOENBERG:

Mr. President -- Mr. President, I was seeking to -- having voted on the losing side, I wanted to seek a verification of all the people who had voted on the prevailing side, but I guess that motion is not in order. I do want to ask, however, that even though I voted alongside my dear friend, Senator Trotter, to support his bill, I would like to be included in the doughnut caucus. Thank you.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Schoenberg. Ladies and Gentlemen, we're back to the Calendar and House Bill 1663. We're at the bottom of page 58 of the printed Calendar. Senator Dillard, on House Bill 1663. Out of the record. If you'll turn the page to the top of page 59 of your Calendar and House Bill 1717. Senator Harmon. Senator Don Harmon. Out of the record. House Bill 1719. Senator Raoul. Senator Kwame Raoul. Out of the record. With leave of the Body, we will skip over 1723 and return later. House Bill 1883. Senator Hutchinson. Senator Toi Hutchinson. Out of the record. House Bill 1957. Leader Trotter, on 1957. Out of the record. House Bill 2089. Senator McCann. Senator McCann. Out of the record. House Bill 2095. Senator Noland. Senator Noland seeks leave of the Body to return House Bill 2095 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 2095. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Noland.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland, to present Amendment 1.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 2095, makes it so that an employer's knowing violation of the Service Member's Employment Tenure Act is a Class A misdemeanor with a mandatory minimum fine of five thousand dollars, a maximum fine of ten thousand dollars. I want to thank my colleagues, Tom Johnson -- Senators Johnson, Righter and McCarter for their steadfast assistance in making this a better bill. We originally had

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intended for this to be a cause of action before the Human Rights Commission, but I think they have made some important suggestions that this would be better handled through our State's attorneys. We never want to shortchange our returning service members and this only makes it better and us more effective in combating this type of malfeasance. So I -- I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on the amendment? Any discussion on the amendment? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. Madam Secretary, are there any further Floor amendments approved for consideration? 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 SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2095. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. As you know, I just described the bill. So I, again, just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To the bill: I just want to thank the -- the sponsor of the bill for listening in committee to some of our concerns. And I think, you know, our aim was to make this as easy as possible for our -- for our returning servicemen to -- to have a place where they can argue their case. Because I -- I've had family members who have been in the same situation and I would've -- if they had lived in my county, I would have walked with them to the District Attorney and -- and known that they -- their rights would have been defended. And -- and so I just want to say thank you for listening and making this a -- a better bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

To the bill, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, I also stand in support of the bill. I want to thank the sponsor for listening carefully to what the committee members in the State Government Committee had to say. This is not the House version, but it's a better version, because it provides a real remedy for people who may have been with -- a victim to this crime. State's attorney's offices will

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take seriously claims made by veterans. And business owners, who may have crossed the line on this issue, will listen far more carefully to a State's attorney call, saying, "Hey, you may have committed a crime", than some bureaucrat from a Human Rights Commission saying we might want to initiate some investigation. I appreciate Senator Noland's advocacy on this and urge an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Seeing no further discussion, Senator Noland, do you wish to close? Senator Noland.

SENATOR NOLAND:

I think my colleagues have done an admirable job. Just ask for -- for the Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. The question is, shall House Bill 2095 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? Madam Secretary, please take the record. On that question, there are 57 voting Aye, 0 voting Nay, and 0 voting Present. House Bill 2095, having received the required constitutional majority, is declared passed. House Bill 2934. Senator Schoenberg. Senator Schoenberg, on House Bill 2934. Out of the record. House Bill 2976. Senator Wilhelmi. Senator Wilhelmi, on 2976. Out of the record. House Bill 3036. Senator Harmon. Leader Harmon, on House Bill 3036. Out of the record. House Bill 3038. Senator Harmon. Senator Harmon. Out of the record. House Bill 3188. Senator Frerichs. 3188. Senator Frerichs. Out of the record. House Bill 3276. Senator Lauzen. Senator Lauzen. Out of the record. House Bill

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3285. Senator Jacqueline Collins. Out of the record. Ladies and Gentlemen, turn the page to the top of page 60 of your printed Calendar, still on the Order of House Bills 3rd Reading, is House Bill 3308. Senator Lauzen. Out of the record. House Bill 3329. Senator Muñoz. Senator Muñoz, on 3329. Out of the record. House Bill 3371. Leader Harmon. Leader Harmon seeks leave of the Body to return House Bill 3371 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 3371. Madam Secretary, are there -- are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, on Amendment 2.

SENATOR HARMON:

Thank you, Mr. President, Members of the Senate. The amendment becomes the bill. I'm appreciative of Senator Wilhelmi to -- of relinquishing the bill to me so we can do this. I move for its adoption. Look forward to debating it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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3rd Reading. Now on the Order of 3rd Reading is House Bill -- 3371. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 3371.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A couple years ago, we created a new classification of waste disposal facility, a -- a middle tier between quarries where virgin soil can be disposed of and landfills where very dirty waste can be disposed of. It's a clean construction and demolition debris facility. It's designed to take in construction and demolition debris mixed with soil from primarily residential and municipal projects. In the rulemaking process, the Environmental Protection Agency identified a problem with their interpretation of the bill for purposes of rulemaking. We had intended to ensure that the -- the cleanliness of the soil and materials being disposed of was consistent with the existing background levels at those facilities. We had specified a very specific requirement for one particular contaminant. They read that to me and that -- the -- the more relaxed background standards could not be used. This bill cleans that up. I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3371 pass. All those in

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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? Madam Secretary, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3371, having received the required constitutional majority, is declared passed. William DeShazer, with the Chicago Tribune, seeks -- requests permission to shoot still photos. Seeing no objection, leave is granted. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you. Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state -- state your point, Senator Lauzen.

SENATOR LAUZEN:

On House Bill 1258, I'd like to have the record reflect my intention to vote Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so reflect your intention. Thank you, Senator. Ladies and Gentlemen, we are to the Order of House Bill 3390. Senator Mulroe. Senator John Mulroe, on 3390. Out of the record. House Bill 3414. With leave of the Body, we will skip 3414 and return to it later. House Bill 3450. Senator Muñoz. Senator Muñoz. Out of the record. House Bill 3635. Leader Clayborne, on 3635. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 3635.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 33 -- 3635 requires the Department of Health and -- Healthcare and Family Services to create an alternative administrative appeals process by rule for non-emergency ground ambulance providers and delays the nursing home provider tax collection until federal approval of the tax is gained.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3635 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? Madam Secretary, please take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3635, having received the required constitutional majority, is declared passed. House Bill 3636. Senator Mulroe. Senator Mulroe, on 3636. Out of the record. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR McCANN:

I have here joining me today, a young lady by the name of Katie Bowen. Katie is seventeen years old and she just finished her junior year at Staunton High School. Katie is very active in Girl Scouts, so active, in fact, that she is the first girl

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in -- in Girl Scouts in Macoupin County to have attained the Bronze, Silver and Gold Awards. The Gold Award is the Girl Scout's equivalent of the Eagle Scout Award. She is involved in many school activities, such as play, band, choir, and soccer. And she plans to pursue a culinary arts degree in Chicago after high school graduation, at which time I believe she is going to cook with absolutely as many trans fats as humanly possible. And I hope that you will join me in welcoming Katie here to the Illinois State Senate. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Katie, welcome to the Illinois State Senate. We're pleased to have you here today. Welcome. Ladies and Gentlemen, we're going -- we will be -- please turn to page 62 in the printed Calendar, on the Order of Secretary's Desk, Concurrence on Senate Bills. Page 62, Secretary's Desk, Concurrence, Senate Bills. Senate Bill 152. Senator Haine. Senator Bill Haine, on 152. Out of the record. With leave of the Body, we will skip over Senate Bill 170 and return to it later. Senate Bill 1240. Senator Bivins. Indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1240.

Filed by Senator Bivins.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. This bill was passed unanimously out of the Senate. What the amendment does is changes the date

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from February 1st, 2011, back to March 16th of 2006 to comply with the Attorney General's opinion in regard to this bill. Be happy to answer any other questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1240. 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? Madam Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1240, having received the required constitutional majority, is declared -- the Senate does concur in House Amendment 1 to Senate Bill 1240, and the bill is declared passed. Senate Bill 1352. Senator Schoenberg. Senator Schoenberg, on Senate Bill 1352. Out of the record. Senate Bill 1357. Senator Wilhelmi. Senator Wilhelmi. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1357.

Filed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This House amendment lowers the stipulated penalty for Compliance Commitment Agreements violations from three thousand dollars to two thousand. It also removes a duplicate reference

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regarding amendments of Compliance Commitment Agreements. This bill was supported in the Senate. I support these -- this amendment and these changes and I ask for your support this afternoon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1357. 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, take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. Having -- have all -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1357, and the bill is declared passed. Senate Bill 1553. Senator Haine. Senator Haine. Out of the record. Senate Bill 1602. Senator Frerichs, on 1602. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1602.

Filed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. The House bill put a - - House put an amendment on that amends the Illinois Dental Practice Act to allow regional testing service examination administration by the Council of Interstate Testing Agencies to

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be used for licensure as a dentist. Currently, there are four other allowed regional testing service examinations. I won't bother to read them unless someone has a question. Would request a favorable vote in concurrence.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on the motion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1602. 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? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having -- having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1602, and the bill is declared passed. Senate Bill 1637. Senator Althoff. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 1637.

Filed by Senator Althoff.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. The House amendment just removed the immunity for animal control facilities, as animal control facilities have their own bill and they're just including this language in that separate piece of legislation.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Kotowski, for

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what purpose do you rise?

SENATOR KOTOWSKI:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Kotowski.

SENATOR KOTOWSKI:

Good afternoon, Senator Althoff. Does this bill have anything to do with puppy mills?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Senator Kotowski, you know that if this bill had anything to do with puppy mills, your name would be on it as a chief cosponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Just like to thank you for your continued leadership in whatever you do down here. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1637. 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, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1637, and the bill is declared

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passed. Senate Bill 1708. Senator Silverstein. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1708.

Filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. The underlining {sic} bill made it a -- any individual who was convicted for -- sentenced to probation or conditional discharge for conviction of a hate crime had to go through some educational enrollment {sic} programs. This would make the program also online.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1708. 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? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. The -- having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1708, and the bill is declared passed. Senate Bill 1761. Senator Righter. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1761.

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Filed by Senator Righter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1761, as amended by the House of Representatives, represents an agreement between the advocates of newborn screening and the Department of Public Health with regards to three diseases which will be added to the newborn screening laws in Illinois. I'll refer to them as their acronyms as MPS I, MPS II, and SCIDs. When this bill left the Senate Chamber on a unanimous vote, I represented to the Body that what we needed to finish negotiating in the House of Representatives were the timelines by which this would occur. That's what happened in the House. The amendment is a result of those successful negotiations and I'm back here asking this Body to concur on those negotiations. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1761. 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, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1761, and the bill is declared passed. Senate Bill 1804. Senator Althoff, on Senate Bill 1804. Madam Secretary, please read the motion.

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SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1804.

Filed by Senator Althoff.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House Amendment 1 makes a technical clarification that the rights that were referenced in the underlying bill that cannot be waived, prohibited, or restricted are statutory rights.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1804. 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? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 1804, and the bill is declared passed. With leave of the Body, we will return to 1821. Senate Bill 1972. Senator Althoff. 1902 {sic}. Out of the record. Senate Bill -- excuse me. Senate Bill 2042. Senator Bomke. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2042.

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Filed by Senator Bomke.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2442 {sic}, the House amendment becomes the bill. It simply allows the Lincoln Land Community College Board to redistrict itself and it has an immediate effective date.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2042. 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? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 2042, and the bill is declared passed. Ladies and Gentlemen, Supplemental Calendar No. 1 is being distributed. We're going to go to the Order of Secretary's Desk, Resolutions, as soon as that Calendar has been distributed. Ladies and Gentlemen, Supplemental Calendar No. 1 has been distributed. We're going to go to that Order. On Secretary's Desk, Resolutions is Senate Joint Resolution 35. Senator Steans. Indicates she'd like to proceed. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution -- Senate Joint Resolution 35, offered by

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Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Joint Resolution 35, I have been working on with Senator Righter. This sets up a Medicaid Advisory Committee to provide oversight and input on changes to the Medicaid system. It will be staffed by the Department of Healthcare and Family Services. It's comprised of three members from each of the four caucuses - so, three members from the Senate Dems, three members from the Senate Republicans, three members from the House Republicans, three members from the House Democrats. And the goal would be to meet at least quarterly and review and give input on Medicaid issues; as one of the largest parts of our budget, to really provide some ongoing monitoring of this program. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

To the resolution, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the resolution, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I simply rise in support of the lady's resolution. We all have a little bit different opinion in this Body about what the State's Medicaid program ought to look like and maybe we all

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have a little different opinion about the efficacy of the reforms that were passed in January, but I hope that all fifty-nine of us can get on board with the notion that we need to do more. There's more that we can do to make this program more efficient for the taxpayers and better for the people who depend upon the program for health insurance. I support the resolution and ask everyone to vote for it. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. As the -- is there any further discussion? Seeing none, as the resolution requires the expenditure of State funds, a roll call vote will be required. 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 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, is declared passed. Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, 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. Senator Sullivan in the Chair. (at ease)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 Executive Committee - Floor

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Amendment 1 to House Bill 1717, Floor Amendment 2 to House Bill 3039, Motion to Concur with House Amendment 2 to Senate Bill 1794, Motion to Concur with House Amendment 1 to Senate Bill 2236, Motion to Concur with House Amendment 2 to Senate Bill 2268; refer to the Pensions and Investments Committee - Floor Amendment 1 to House Bill 1719; refer to the Revenue Committee - Floor Amendment 2 to House Bill 212, Floor Amendment 1 to House Bill 1355; refer to the State Government and Veterans Affairs Committee - Motion to Concur with House Amendment 2 to Senate Bill 1798, Motion to Concur with House Amendment 3 to Senate Bill 1996, Motion to Concur with House Amendment 2 to Senate Bill 2007, Motion to Concur with House Amendments 1 and 3 to Senate Bill 2082.

Filed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Madam Secretary. Ladies and Gentlemen, if I could have your attention for committee announcements. Could I have your attention for committee announcements? Pensions and Investments will meet -- the Pension and Investments Committee will meet in Room 400 at 4 p.m. Pension and Investments, Room 400 at 4 p.m. State Government and Veterans Affairs will meet in Room 409 at 4:30 p.m. State Government and Veteran Affairs, 409, that's at 4:30 p.m. And Executive will meet in Room 212 at 5:30 p.m. Exec in Room 212, 5:30. And, finally, Revenue will meet in Room 400, also at 5:30 p.m. Revenue in Room 400 and 5:30 p.m. Senator Trotter, for what purpose -- for what purpose do you rise?

SENATOR TROTTER:

Thank you very much, Mr. President. Purpose of

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announcement.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement.

SENATOR TROTTER:

Thank you very much. Immediately upon recess, the Senate Democrats will meet in the President's Office for a hour and a half caucus.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Trotter. Ladies and Gentlemen, the Senate Democrats have moved to recess the Senate for the purposes of a one-and-a-half-hour caucus. Seeing no objection, the motion to recess is granted. The Senate now stands in recess for a Democratic Caucus and for committee meetings. The Senate will then reconvene to receive committee reports and further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CROTTY)

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

SECRETARY ROCK:

Senator Holmes, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Amendment 1 to Senate Bill 178 recommended Do Adopt; Motion to Concur with House Amendment 1 to Senate Bill 90, Motion to Concur with House Amendment 1 to Senate Bill 153, Motion to Concur with House Amendment 1 to Senate Bill 840, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1270, Motion to Concur with

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House Amendment 1 to Senate Bill 1321, Motion to Concur with
House Amendment 1 to Senate Bill 1584, Motion to Concur with
House Amendment 1 to Senate Bill 1623, Motion to Concur with
House Amendment 2 to Senate Bill 1798, Motion to Concur with
House Amendment 3 to Senate Bill 1996, Motion to Concur with
House Amendment 2 to Senate Bill 2007, Motion to Concur with
House Amendment 1 to Senate Bill 2064, Motion to Concur with
House Amendments 1 and 3 to Senate Bill 2082 and Motion to
Concur with House Amendments 1 and 3 to Senate Bill 2106, all
recommended Do Adopt.

Senator Hutchinson, Chairperson of the Committee on
Revenue, reports Senate Amendment 2 to House Bill 212 and Senate
Amendment 1 to House Bill 1355 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive,
reports Senate Amendment 1 to House Bill 1717, Senate Amendment
2 to House Bill 3039 recommended Do Adopt; and Motion to Concur
with House Amendment 1 to Senate Bill 541, Motion to Concur with
House Amendment 2 to Senate Bill 1035, Motion to Concur with
House Amendment 1 to Senate Bill 1234, Motion to Concur with
House Amendment 2 to Senate Bill 1364, Motion to Concur with
House Amendment 1 to Senate Bill 1386, Motion to Concur with
House Amendments 1 and 2 to Senate Bill 1578, Motion to Concur
with House Amendment 2 to Senate Bill 1607, Motion to Concur
with House Amendment 1 to Senate Bill 1740, Motion to Concur
with House Amendment 2 to Senate Bill 1794, Motion to Concur
with House Amendment 1 to Senate Bill 2236 and Motion to Concur
with House Amendment 2 to Senate Bill 2268, all recommended Do
Adopt.

PRESIDING OFFICER: (SENATOR CROTTY)

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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 87.

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

House Amendment 1.

We have received like Messages on Senate Bill 1686, with House Amendment 1; Senate Bill 1688, with House Amendments 1 and 2; Senate Bill 1837 with House Amendment 3; Senate Bill 1907 with House Amendments 1 and 2; Senate Bill 2121 {sic} (2151) with House Amendment 2. They all passed the House, as amended, May 26, 2011. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR CROTTY)

Thank you. Now with leave from the Body, we'll go to page... I'm sorry, there's a clarification, Madam Secretary.

SECRETARY ROCK:

On the Message from the House, I just want to clarify that was Senate Bill 2151, with House Amendment 2. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Now with leave of the Body, we will turn to page 61, on the Order of House Bills 2nd Reading. House Bill 1444. Senator Wilhelmi. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1444.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. Now we'll continue to House Bill 1698. I want to mention that sponsorship for that bill has been changed to Senator Raoul. Senator Raoul. ...Secretary, read the bill.

SECRETARY ROCK:

House Bill 1698.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. There being no further business to come before the Senate, the Senate stands adjourned.. With leave of the Body, we will return to House Bills 2nd Reading on page 60. That's House Bill 267, Senator Wilhelmi's bill. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 267.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CROTTY)

3rd Reading. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m. on the 27th day of May, 2011. The Senate stands adjourned.