

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

HB0793	Third Reading	7
HB0804	Third Reading	7
HB0805	Third Reading	8
HB0808	Third Reading	9
HB0815	Third Reading	9
HB0816	Third Reading	10
HB0829	Third Reading	11
HB0834	Third Reading	11
HB0866	Third Reading	12
HB0872	Third Reading	13
HB0873	Third Reading	14
HB0875	Recalled	19
HB0884	Third Reading	20
HB0892	Third Reading	21
HB0893	Third Reading	21
HB0900	Third Reading	22
HB0918	Third Reading	23
HB0920	Third Reading	24
HB0931	Third Reading	25
HB0947	Third Reading	26
HB0960	Third Reading	43
HB0984	Third Reading	27
HB1039	Third Reading	32
HB1079	Third Reading	33
HB1095	Third Reading	37
HB1100	Recalled	37
HB1106	Third Reading	38
HB1109	Third Reading	39
HB1125	Third Reading	40
HB1149	Recalled	40
HB1173	Third Reading	41
HB1195	Recalled	45
HB1285	Third Reading	46
HB1313	Third Reading	46
HB1314	Third Reading	47
HB1321	Third Reading	48
HB1323	Third Reading	49
HB1334	Third Reading	50
HB1336	Third Reading	50
HB1350	Recalled	51
HB1384	Third Reading	52
HB1457	Recalled	52
HB1471	Third Reading	55
HB1471	Vote Intention	57
HB1511	Recalled	57
HB1541	Third Reading	58
HB1548	Third Reading	58
HB1562	Recalled	59
HB1570	Third Reading	60
HB1581	Third Reading	61
HB1587	Third Reading	62
HB1589	Third Reading	63
HB1656	Third Reading	63
HB1679	Recalled	64
HB1870	Recalled	65
HB2242	Third Reading	66
HB2344	Third Reading	67
HB2345	Recalled	67
HB2351	Recalled	68
HB2380	Recalled	69

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

HB2386	Third Reading	69
HB3478	First Reading	3
SR0209	Resolution Offered	1
SR0210	Resolution Offered	1
SR0211	Resolution Offered	1
SJR0048	Resolution Offered	1
Senate to Order-Senator del Valle		1
Prayer-Pastor Ed Ingram		1
Pledge of Allegiance		1
Journal-Approved		1
Messages from the House		1
Committee Reports		2
Committee Reports		3
Senate Stands in Recess/Reconvenes		43
Adjournment		70

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR DEL VALLE)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Ed Ingram, Western Oaks Baptist Church, Springfield, Illinois.

PASTOR ED INGRAM:

(Prayer by Pastor Ed Ingram)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Please remain for the Pledge of Allegiance. Senator Crotty.
SENATOR CROTTY:

(Pledge of Allegiance, led by Senator Crotty)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, May 17, 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SECRETARY HAWKER:

Senate Resolution 209, offered by Senator John Sullivan.

Senate Resolution 210, offered by Senators Risinger and Shadid.

And Senate Joint Resolution 48, offered by Senator Hunter. They are all substantive.

And Senate Resolution 211, offered by Senator Geo-Karis and all Members.

That last resolution is a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. Madam Secretary, Messages.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Joint -- pardon me, Senate Bill 100, together with House Amendment 1.

Passed the House, as amended, May 17, 2005.

I have like Messages with regard to Senate Bill 159, with House Amendment 1 and Senate Bill 223, with House Amendment 1.

Which passed the House, as amended, May 17, 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Committee Reports.

SECRETARY HAWKER:

Senator Lightford, Chairperson of the Committee on Education, reports Senate Joint Resolution 45 Be Adopted; Senate Amendment No. 1 to House Bill 678, Senate Amendments 2 and 3 to House Bill 3480, Senate Amendment 1 to House Bill 3678, Senate Amendment 3 to House Bill 3680 and Senate Amendments 2 and 3 to Senate Bill 1856, all Be Adopted.

Senator Garrett, Chairperson of the Committee on State Government, reports Senate Resolutions 186, 188, 189 and 190, Be Adopted; Senate Amendments 1 and 2 to House Bill 112, Senate Amendment 1 to House Bill -- 383, Senate Amendment 1 to House Bill 1457, Senate Amendments 1 and 2 to House Bill 2596, Senate Amendment 1 to House Bill 3650, Senate Amendment 1 to Senate Joint Resolution 13 and Senate Amendment 2 to Senate Resolution 147, all recommended Do Adopt.

Senator Munoz, Chairperson of the Committee on Transportation, reports Senate Amendment No. 6 to House Bill 21, Senate Amendment 2 to House Bill 1195, Senate Amendment 1 to House Bill 1316, Senate Amendment 1 to House Bill 1387, Senate Amendment 1 to House Bill 1565, Senate Amendment 1 to House Bill 2351, Senate Amendment 1 to House Bill 2444, Senate Amendment 1 to House Bill 2449, Senate Amendment 1 to House -- pardon me, to Senate Bill 1124 and Senate Amendment 1 to Senate Bill 1125, all Be Adopted.

Senator Crotty, Chairperson of the Committee on Local Government, reports Senate Amendment No. 3 to House Bill 27, Senate Amendment 1 to House Bill 114, Senate Amendment 3 to House Bill 212 and Senate Amendments 1 and 2 to House Bill 655, Senate Amendment 1 to House Bill 668, Senate Amendment 4 to House Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

720, Senate Amendment 2 to House Bill 832, Senate Amendment 2 to House Bill 1676 -- pardon me, that is 1679, Senate Amendment 2 to House Bill 2417, Senate Amendment 1 to House Bill 2500, Senate Amendment 1 to House Bill 2611, Senate Amendment 1 to House Bill 2613 and Senate Amendment 1 to House Bill 3755, all recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendments 2 and 4 to House Bill 325, Senate Amendment 1 to House Bill 457, Senate Amendment 1 to House Bill 487, Senate Amendment 3 to House Bill 870, Senate Amendments 1 and 2 to Senate Bill 588, Senate Amendment 1 to Senate Bill 1333, all recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Revenue, reports Senate Amendments 1 and 2 to House Bill 395 Be Adopted.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, reports Senate Amendment 5 to House Bill 875 and Senate Amendment 1 to Senate Bill 926, all recommended Do Adopt.

Senator Forby, Chairperson of the Committee on Labor, reports Senate Amendment 1 to House Bill 188 Be Adopted.

Senator Martinez, Chairperson of the Committee on Pensions and Investments, reports Senate Amendment No. 2 to House Bill 157 Be Adopted.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 3478, offered by Senator Viverito.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Amendment No. 1 to House Bill 1149, Senate Amendment 1 to House Bill 2853 and Senate Amendment 1 to House Bill 3532, all recommended Do Adopt.

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports Senate Amendment No. 1 to House Bill 1601 {sic} (601), Senate Amendment 3 to House Bill 669, Senate Amendment 4 to House Bill 1074, all recommended Do

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Adopt.

Senator Ronen, Chairperson of the Committee on Health and Human Services, reports Senate Amendment No. 2 to House Bill 315, Senate Amendment 3 to House Bill 398, Senate Amendment 1 to House Bill 399, Senate Amendment 2 to House Bill 480, Senate Amendment 2 to House Bill 511, Senate Amendment 1 to House Bill 523, Senate Amendment 3 to House Bill 595, Senate Amendment 2 to House Bill 612, Senate Amendment 1 to House Bill 615, Senate Amendment 1 to House Bill 760, Senate Amendment 1 to House Bill 991, Senate Amendment 1 to House Bill 1350, Senate Amendment 1 to -- to House Bill 1511, Senate Amendment 2 to House Bill 2343, Senate Amendment 1 to House Bill 2345, Senate Amendment 1 to House Bill 2347, Senate Amendment 1 to House Bill 2380, Senate Amendment 1 to House Bill 2509, Senate Amendment 4 to House Bill 2531, Senate Amendments 1 and 2 to House Bill 2578, Senate Amendment 1 to House Bill 4014, Senate Amendment 2 to Senate Bill 973 and Senate Amendment 1 to Senate Bill 998, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We ask all the Members to please come to the Floor. We will be proceeding to House Bills 3rd Reading. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President, on a point of personal privilege, if I may, before we get the activities rolling for the day.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR DILLARD:

Thank you. I want to introduce my guest Page today, Caitlin Olewinski from Downers Grove, Illinois. Caitlin is -- and her mom and dad, Wally and Cathy are up in the balcony. Caitlin, very importantly, is the niece of State Representative John D'Amico from Chicago. Hopefully, she'll take her uncle out to do something tonight and he won't be there to beat our brains out during the softball game. But if we could give a warm welcome to the Olewinski family here in the State Senate, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the galleries please rise? Welcome to Springfield. Senator David -- Sullivan, for what purpose do you rise?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR D. SULLIVAN:

Thank you. Ladies and Gentlemen of the Senate, if we could welcome back a good friend of ours. Our former colleague, who's just speaking with the Majority Leader right now. Former Senator Walter Dudycz is with us today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome, Senator. Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Thank you so much, Mr. Chairman. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR MEEKS:

Today in the President's Gallery I have the privilege of recognizing some of the greatest people in the world. Today happened to be the day that the seniors from our church, as well as our church staff, decided to pay me a surprise visit to come to see if I really work here in Springfield. And so in the President's Gallery, I'd like the Members on both aisle -- both sides of the aisle to give a warm welcome to the members of the Salem Baptist Church of Chicago.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome. Senator Meeks.

SENATOR MEEKS:

Also, Mr. Chairman, if I could take this just a half a bid further. In that great group today not only are seniors from our church, but also the man who's name I bear, my father is also in the group, James Meeks, Sr. Dad, would you stand? This is my father.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome, Mr. Meeks. Welcome. Senator Rutherford, for what purpose do you rise?

SENATOR RUTHERFORD:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Mr. President, I want to introduce Mr. Matt Serano, who's an eighth grader from the Mazon-Verona-Kinsman School. He actually wrote an essay to become to the Page today. The contest actually came from a Page certificate from my district, but he won it and happens to be Senator Gary Dahl's constituent. And in the gallery are his parents, his sister and his grandparents. Would you welcome the Seranos to the -- Illinois Senate, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome to Springfield. We ask the Members to please come to the Floor. We will be proceeding to House Bills 3rd Reading. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR VIVERITO:

I'm very pleased to introduce three Pages here today from the -- the City of Burbank. They're at -- from the Liberty School. And I'd like you to give a -- warm welcome to Cendy Delgado, Dulcinea Garcia and Daisy Ruiz. How about a nice hand for the three of them?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. I, too, have Pages here today with me. I -- and I would like to extend a warm welcome to Erik Copley and to Chelsea Waters as my Pages today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I believe that one of my constituents is here today, Adriana Warnecke and - - if she is, please stand up and let us welcome her here.

PRESIDING OFFICER: (SENATOR DEL VALLE)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Will our guests gallery please rise? Welcome to Springfield. At the top of page 73. Top of page 73. House Bill 788. Senator Trotter. House Bill 793. Senator Haine. House Bill 793. Senator Haine. House Bill 804. Senator Shadid. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 804.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. House Bill 804 creates standards for preservation of evidence for cannabis-related offenses. Currently, there are no statutory guidelines as to what amount of cannabis, if -- if any amount of cannabis must be preserved. The current lack of standards has created problems for police and prosecutors in two ways. In some cases there's not enough evidence being preserved and the State can make its case for a more -- and let the State make a case for a more serious felony. And these are what -- what this -- is in this bill and I would appreciate a Aye vote on it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 804 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, none voting Present. House Bill 804, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to House Bill 793. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 793.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Thank you very much for your indulgence, Mr. President and Ladies and Gentlemen of the Senate. This is a bill which clarifies sections to the Criminal Code and allows certain crimes to be added to the order of protection authority given to State's attorneys. It doesn't have any opposition and I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, question is, shall House Bill 793 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, none voting Present. House Bill 793, having received the required constitutional majority, is declared passed. House Bill 805. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 805.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill -- 805 makes changes to the Copper Purchase Registration Law. There was a time in this State and this country when copper was a far more valuable commodity and the registration requirements and the tracking requirements were much more severe. Obviously, that has changed over time. This bill is an attempt to make changes with regards to the registration law that will reflect more accurately the lack of value that copper holds now, to our society, as opposed to what it was before. It still does keep minimal registration requirements in -- and -- in -- in place, excuse me. The State Police have been involved in negotiations, have signed off on the language. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 805 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill 805, having received the required constitutional majority, is declared passed. House Bill 806. Senator Martinez. House Bill 808. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 808.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 808 amends the Mental Health and Developmental Disabilities Confidentiality Act to add prisons operated by the Department of Corrections and county mental health facilities to the list of entities who may disclose information about recipient's record or communications. The proponents are the Department of Corrections, Illinois Mental Health Association, Mental Health Summit, Chicago Department of (Public) Health, the Illinois Hospital and Health Systems Association. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 808 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 808, having received the required constitutional majority, is declared passed. House Bill 815. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 815.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senate. This is a initiative of the -- Illinois Student Assistance Commission and the Illinois Department of Veterans' Affairs. It restructures the -- veterans' programs, the grants for military veterans. It updates the statute. It also allows the IVG to cover all tuition and mandatory fees rather than just the fees that were listed in the 1970s in the statute. It also allows a grant that can be used for summer terms and a few other provisions. No opposition, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 815 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 815, having received the required constitutional majority, is declared passed. House Bill 816. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 816.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a initiative of the Illinois Retail Merchants Association. It's become evident across the State that organized thieves are using emergency exists to make a quick getaway. These exists are not monitored frequently in these stores. So, this makes it a criminal offense to use an emergency exit for this purpose of committing a theft.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 816 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, none voting Present. House Bill 816, having received the required constitutional majority, is declared passed. House Bill 823.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator Hendon. House Bill 829. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 829.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This is an initiative of the Illinois County Treasurer's Association. Every county board may impose a fee of up to sixty dollars at the current moment for property tax sales. The money raised from the fee is deposited into a special fund -- and when it reaches five hundred thousand, people -- are able to move that special fund to the general fund. Counties of less than two hundred and fifty thousand are seeking the ability to put the money into -- into the general fund after a hundred thousand, because they are simply unable to reach that five-hundred-thousand-dollar level. I'd appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 829 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, none voting Nay, none voting Present. House Bill 829, having received the required constitutional majority, is declared passed. House Bill 832. Senator Risinger. House -- House Bill 834. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 834.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill creates the Restroom -- Access Act. It -- it complies {sic} a retail establishment that

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

has a toilet facility for its employees to allow a customer to use the facility during normal business hours if the toilet facility is -- is reasonably safe and that the customers requesting the use of employee toilet facility suffers from an eligible medical condition or a utilization of the device; three or more employees of the retail establishment are working at the time the customer requests use of the toilet facility; and, the retail establishment does not normally make the restroom available to the public; and, the employee toilet facility is not located in an area that is provided access during the -- to create a obvious health risk to the customers and obvious risks to the retail establishment; and, public restroom is not immediately accessible to the customer. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 834 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill 834, having received the required constitutional majority, is declared passed. Proceeding to the top of page 74 on your Calendar. House Bill 864. Senator Munoz. House Bill 866. Senator Cronin. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 866.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that is agreed to by all the interested parties, namely the Department, the Chicago Cosmetology Association, cosmetology schools and Senator DeLeo. I ask for your favorable consideration and I know of no opposition.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Halvorson.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR HALVORSON:

Thank you, Mr. President. Senator Cronin, I had a -- a barber call me and -- with a concern that he said that he felt, according to this bill, that he might not be able to do facials. Could you please clarify that for me?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

I -- I think they call that manscaping these days and we wouldn't want to limit any barber's ability to engage in -- in manscaping. And we had some testimony from Senator DeLeo and sometimes a man gets a little hairy in areas that he doesn't want to be hairy and the barber can take care of that. There's no limitation of that in this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin, to close.

SENATOR CRONIN:

This is an agreed-to bill. I think all the parties are supportive. This is a necessary act and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 866 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 866, having received the required constitutional majority, is declared passed. House Bill 870. Senator DeLeo. Madam Secretary, read the bill. That bill is on recall. House Bill 872. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 872.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Illinois Plumbing Licensing Law by changing the insurance requirements for contractors. A contractor must carry general liability insurance of a hundred thousand per occurrence or a minimum of three hundred thousand for an aggregate bodily injury or property damage. I'll take any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 872 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, none voting Present. House Bill 872, having received the required constitutional majority, is declared passed. House Bill 873. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 873.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 873 amends the Ticket Scalping Act to permit a new secondary market option for the resale of tickets to sporting events and theatre events and cultural events. Particularly, it would permit folks like you or I to sell our unused tickets on a -- on a licensed auction website like eBay or StubHub. This has been a heavily negotiated bill. Of the fifteen points of contention, we were able to agree on twelve and partially agree on another three. This is not an agreed bill, but it is in the exact form that passed the Senate with 53 Aye votes before we sent that to the House. The only opposition to this bill, that I am aware of, comes from the ticket brokers. And if I were a ticket broker, I'd try to protect my monopoly, as well. I looked on the -- one of the ticket broker's websites today and priced out tickets to a Cubs versus White Sox game.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

They -- they are reselling tickets that have a face amount of thirty dollars for three hundred and seventy-five dollars. So, if I had a -- an ability to mark up my -- my product by a thousand percent, I would try to protect that monopoly, as well. If you have heard from folks that the City of Chicago is opposed to this, you are misled. The City is neutral. If you have heard from people that labor is opposed to this, you have been misled. The labor folks that I have talked to, and I've talked to some of the highest ranking labor folks in the State, are neutral. They have no position. This bill is not even on their radar screen. Notwithstanding that disinformation campaign, this -- again, this is a bill that enjoyed broad bipartisan support when it came through as a Senate bill. I'd be happy to answer any questions and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. And like a bill yesterday, where I stood up and just had a few concerns with the local no-smoking bill of Senator Cullerton's. I reluctantly get up just to raise a few points about Senator Harmon's bill. And Don has worked hard on this legislation and a similar Senate version and I'm reluctant to get up. But I do want to point out that, like that other bill, I have an amendment filed to this bill which is held in the Rules Committee. And what my amendment would do - and I'm all for eBay. I had the privilege, long before she ran eBay, of working with the CEO of eBay. I'm a frequent eBay user and eBay's a great thing. And I think Senator Harmon and the proponents of this bill are doing something good for the public. Giving us competition in the ticket-scalping or ticket-resale business and, you know, Don is on to a good topic with his legislation. However, this is not a level-playing-field bill. And what's really missing and what my amendment would do is, level the playing field. Here we have companies that tend to be out-of-state competing with known Illinois businesses. And eBay would not have to collect the tax on ticket scalping. If you represent the City of Chicago, I don't know how you let eBay not collect the tax on these tickets. It is over two million dollars a year missing from the City of Chicago's budget that could be

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

there for police protection, for fire protection or for other services that people who live in the City of Chicago could use from collecting the tax on these particular tickets. Also, and we regulated heavily, the ticket-scalping industry or brokers if their employees violate this Act, they're gone, they're convicted of violating the Act. And you could have some improprieties by somebody selling under this new method and really have no recourse against somebody who violates the Act. So, I guess my point here is, that while this maybe a good idea we should not hurt Illinois licensed ticket brokers who collect taxes for us. Put 'em at a disadvantage and I'm worried about the consumer protections. The ticket brokers at least have some type of consumer protection in their legislation and I'm not quite sure that this particular bill puts all the teeth for consumer protections in the law we ought to do. But I think it's crazy to not level the playing field. This bill gives an advantage to somebody or an entity that's out-of-state over tax collecting, tax paying Illinois citizens. And we just ought to level the playing field. And I'd urge everybody to either vote Present or No on this bill until we at least make a company like eBay which is making millions and millions and millions of dollars in profit collect several millions of dollars a year so we can have better police and fire protection in our local municipalities. So, again, I apologize for rising to raise a few concerns about Senator Harmon's bill and I would wish that we would at least level the playing field so that we collect the taxes from these companies like eBay that are literally making billions of dollars of money. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To respond to those two points, which are good points, but -- absolutely rebuttable. If you represent the City of Chicago, it is my view, this bill result in a net increase in the taxes - the amusement taxes - collected by the City of Chicago. There are millions of dollars of transactions happening on the Internet right now, unregulated, without consumer protections and without any tax collection. Under this bill, the sellers of the tickets - eBay is not the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

seller, you or I are the sellers - are prompted as to how to remit the tax payment to the City. And, while it is not a hundred-percent solution, it will result in more taxing revenues sent to the City of Chicago. Second, with respect to the level playing field, Senator Dillard, if you believe a level playing field would -- would permit a monopoly company sanctioned by the General Assembly to resell thirty-dollar tickets for three hundred and seventy-five dollars and gouge the taxpayers of Illinois, that's not the kind of level playing field I'd like to be on.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Well, neither do I. I wouldn't want to be either, but that's exactly what eBay does. Why doesn't -- why don't we go onto eBay and see exactly what they're charging for tickets on eBay. That's exactly what they're doing, Senator. And that's my -- just my first comment. First of all, and I'm sorry I wasn't on the Floor, Senator, when you gave your opening remarks and I wasn't on the Floor when Senator Dillard -- discussed this bill. And I want to ask a question of the sponsor, if I might, that may have already been asked, but...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR WATSON:

Thank -- thank you very much. There's an amendment out there that I think would have leveled the playing field, would have been a -- an amendment that the brokers would have lived with. And it -- is it on this bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

The amendment is a hostile amendment designed to kill the bill. And, no, it is not on the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Well, I don't necessarily consider it hostile. It would be an amendment I would support and it would level the playing

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

field. And it would require everybody to live under the same rules. Right now, we're going to be a two-tiered system here where the brokers of this State, the people that live in Illinois, who sell these tickets, who create some work and some jobs and actually make a living off of this are going to be negatively impacted when we're going to open this up now to eBay, and those people who sell tickets on eBay who could be, obviously, somewhere besides Illinois. I just think that the -- this isn't a level playing field. And I -- I would have hoped that the amendment would have been offered, would have been heard and we would have had a bill that we could have all agreed to. So I'm -- I'm urging everybody to vote No on this and -- and vote for what I consider to be the little guy still trying to make a living selling tickets through his own office in -- right here in Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President. I, also, very reluctantly, my colleague, and friend, and neighbor, Senator Harmon. But as Senator Dillard -- Dillard explained, when we created the Ticket Brokers Act, the original Ticket Scalping Act in the '80s, allowing these licensed brokers to sell tickets, this is just really redefining it. And another issue my colleague and friend, Senator Harmon said the City of Chicago is neutral. The ticket brokers when we enacted the original Act in the '80s collect a service tax -- collect the tax right when they -- amusement tax when they sell the -- the tickets for the different venues. They collect it over the county and send it into the City just like any other retail business. This does not allow this to happen and we can, virtually, lose thousands of dollars of revenue. So I would -- I would say, unless we get the amendment adopted on -- on House Bill 873, I'm strongly opposed to it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon, to close.

SENATOR HARMON:

Thank you, Mr. President. To follow up on those points. Let me be clear here, it is still a requirement of law that the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

ticket seller remit the amusement tax to the City. This ill-thought-out amendment suggests that eBay, who is not the seller, needs to collect on behalf of the seller. That's like saying the landlord of a small business needs to make sure that that small business is paying their sales tax. This is a consumer-friendly bill. It will protect consumers in the State of Illinois. It will lower the price of tickets that you and I pay. It passed out of here with 53 Aye votes, 5 opposed and 1 Present. This is a good bill. I urge you all to repeat your performance from the last time.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 873 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 29 Ayes, 20 Nays, 3 voting Present. House Bill 873, having not received the required constitutional majority, is declared failed. Senator Harmon.

SENATOR HARMON:

Mr. President, I'd like to put that on the order of postponed consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon requests that House Bill 873 be postponed. The bill will be -- will be placed on the Order of Postponed Consideration. House Bill 875. Senator Haine. Senator Haine seeks leave of this Body to return House Bill 875 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 875. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 5, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine, to explain your amendment.

SENATOR HAINE:

Yes. This is the amendment that we had in the Senate, which has been over in the House, it is now back. It's a combination of various amendments. Amendment No. 5 -- it takes care of a number of technical errors. It updates the Department regulation

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

of the practice of -- dentistry. It has new definitions. It extends the sunset to December 31, 2005, in -- in order to give the Department time to implement the rules. And there's a few other good things. No opposition. The -- dentists are for it, the dental hygienists are for it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Haine moves the adoption of Amendment No. 5 to House Bill 875. All those in favor will -- will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. House Bill 876. Senator Ronen. House Bill 881. House Bill 884. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 884.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 884 expands the definition of the Department of Corrections to permit eavesdropping in -- in county jails as well as Department of Corrections facilities. This is designed to attempt to capture information regarding attempts to influence witnesses or the outcome of a trial. And I'm not aware of any opposition. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 884 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 884, having received the required constitutional majority, is declared passed. House Bill 892.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator Roskam. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 892.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 892 passed unanimously out of the Judiciary Committee and it deletes a provision allowing legally possessed firearms to be returned to a person that completes a sentence for a conviction of a misdemeanor domestic battery charge. It's clean up. I'm not aware of any opponents and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 892 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 892, having received the required constitutional majority, is declared passed. House Bill 893. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 893.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. House Bill 893 would amend the rights of crime victims and witnesses. And it would give the State's attorney from a particular county the ability to go to one community group or association or one person to prepare a community income -- or impact statement - a community impact statement - in conjunction with the imposition of a sentence on a defendant or a dispositional hearing. Where this would be very, very helpful is in combating street gangs where you may have a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

number of individual gang-banger-type people, and the impact, collectively, on a community would be much greater. But if every case was just taken on an individual basis, it would be different. So, this would set up something new to protect communities and crime victims. And, it would allow the State's attorney to ask someone from their county to be able to put together a community impact statement, when it comes to sentencing. I think it's a good idea. It gives the judge a better look, but most importantly, it protects whatever our communities are - little communities - whether it be in the City of Chicago or Peoria, downstate or the suburbs. And it's a great idea. And it's backed by most of the State's attorneys, at least the major metropolitan ones, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 900 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 900, having received -- sorry, House Bill -- House Bill 893, having received the required constitutional majority, is declared passed. Now to the top of page 75. House Bill 900. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Illinois General Assembly and Senator Crotty. House Bill 900, actually, just allows the Department of -- Professional Regulation to add the definition to retiree to a person who has a architectural license. It -- it -- they can no longer practice, but they can just have the licenses that says retiree after the -- their title. That's all the bill does. I ask for a favorable roll call on House Bill 900, Mr. President. And I'd ask the assistance of Senator Crotty on this bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 900 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 900, having received the required constitutional majority, is declared passed. Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Mr. President, for an announcement.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR HALVORSON:

I just want to remind the Members of the Body that Mr. Kink is in Room 319 until 3 p.m. to answer any questions that Members may have regarding their retirement account. So you might want to check that out, but I just wanted to remind the Body that he is here till 3 in Room 319, behind the Senate Chambers.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR GEO-KARIS:

In the gallery above the Democrats, at the end there are a number of my constituents from Grayslake, Lindenhurst, Lake Villa, and all other areas and I'd like you to welcome them.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome to Springfield. House Bill 918. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 918.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 918 amends the Environmental Protection Act to clarify one of the nine local siting approval requirements for pollution control facilities. It clarifies that the application for the proposed facility must conform to the solid waste management plan that was -- that has been in effect when the application was filed. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation passed out of the Energy and Environment Committee unanimously. I urge its support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 918 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, none voting Nay, none voting Present. House Bill 918, having received the required constitutional majority, is declared passed. House Bill 920. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 920.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 920 is intended to shift the burden of medical costs for the folks who are held in county jails -- the health costs to Medicaid rather than having the county jails pay them. The Department of Public Aid was initially against it. They have removed their opposition. With that, I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I rise in support of this legislation. It passed out of the Health and Human Services Committee unanimously. In addition, for all of us, particularly downstate folks, we have our county jails -- are counties are small, they're struggling with these medical expenses. These individuals qualify for support from the State and federal government and -- and they should go ahead and follow through with that support. That'll ease the burden for our counties. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 920 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 920, having received the required constitutional majority, is declared passed. House Bill 930. Senator Haine. House Bill 930. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 930.

(Secretary reads title of bill)

3rd Reading of the...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Out of the record. House Bill 931. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 931.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 931 makes several changes to the Alternative Fuels Act, with the primary objective of promoting increased usage of twenty percent or higher blends of biodiesel fuel in Illinois. Currently, only eighty percent or higher biodiesel fuel blends are eligible for grants and rebates under the Illinois' EPA Alternative Fuels Rebate Program. The problem is, that most

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

diesel vehicles cannot use eighty-percent blends without major modifications. This bill would help to promote the use of biodiesel fuel by enabling cars that use twenty-percent or higher blends of biodiesel to qualify for these rebates and grants. I know of no opposition. Ask for a favorable roll.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill passed out unanimously out of the Energy and Environment Committee. I urge its support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 931 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 931, having received the - - required constitutional majority, is declared passed. House Bill 947. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 947.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill amends the Illinois Vehicle Code to delete certain duplicative requirements -- that are imposed on credit unions if a borrower has filed a petition in bankruptcy. The bankruptcy court gives all the notices and all this would do is to allow these forms to be filed with the Secretary of State and given to the debtor to be avoided, because that debtor already has notice under the Bankruptcy Code. And it's an initiative of the credit unions. There is no opposition.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. This came out of Transportation

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

unanimously and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 947 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, none voting Nay, none voting Present. House Bill 947, having received the required constitutional majority, is declared passed. House Bill 956. Senator Munoz. With leave of the Body, we'll get back to House Bill 960. House Bill 973. Senator Link. House Bill 984. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 984.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. The purpose of this legislation is to support the principle that any individual who is born alive for -- after an abortion or anything else, is entitled to protection under the laws of the State of Illinois. The intent is, just literally, that, to protect newborn infants. There was a couple of incidents somewhere in Illinois in the late '90s that brought this issue to the fore. This bill does not, in any way, cannot be construed to affect existing federal and State laws regarding abortion or to be used as a argument against Roe v. Wade or anything else. The -- nothing in this Section can be construed to alter generally accepted medical standards in the practice of medicine. The Medical Society is not an opponent to the bill. Planned Parenthood is neutral. The bill also -- a statement was asked -- a question was asked of me in committee; this bill cannot be used in any way as a -- a precedent or an argument on the question of embryonic stem cell -- research. That's a legislative intent. This bill would not be used in that question in anyway whatsoever. And that's the nub of the bill and I would appreciate an Aye vote. It was a common-ground bill in the House. Those who favor the Right to Choice came together with

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

the Right to Life people, under the leadership of Representative Fritchey, who crafted a great compromise, in my view, to provide common ground on this most contentious issue. So, I would a -- an appreciate Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. This bill did pass out of the Health and Human Services Committee. I want to reiterate what Senator Haine said, for the Members on this side of the aisle. For those concerned about whether or not this kind of legislation could affect what the Supreme Court has deemed a woman's right to choose or issues regarding stem cell research, the language in this bill is very clear. This bill has nothing to do with either one of those issues and you should feel secure in -- in voting Aye on this legislation. And I'd urge that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and -- would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR MARTINEZ:

Senator Haine, I'm just a -- a little concerned, because right now in the State of Illinois are we denying a -- a child that's born alive medical attention if there's a botched abortion? I just don't understand where we're trying to move -- where we're trying to go with this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Senator, I appreciate the question. It's limited to its terms. Apparently, there was these incidents in the late nineties in a hospital. I don't know of any others. It creates -- this just states a principle by -- definition. Doesn't expand anything or limit anything. It cannot be construed by the very terms of the law, plus my legislative intent here today to in any

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

way be argued as precedental value for any argument against Roe v. Wade.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Martinez.

SENATOR MARTINEZ:

To the bill: I -- I'm just a little concerned. I know that the intent of the bill is good. I'm just -- want to ask the Members just to be very cautious, because of the fact is that if we are not denying medical attention to born alive, you know, a fetus or a child and the fact that we have not had this happen in Illinois, I still don't see why we are voting on something for the matter of a principle. I'm just a little concerned of where we're going with this legislation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill is a humane bill and I feel that the explanation that the sponsor gave is most adequate. And I certainly rise in support of it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Raoul.

SENATOR RAOUL:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR RAOUL:

Senator, I -- I -- I -- I was out of the Chamber, so I -- you may of addressed this already. I want to be clear that this -- this bill will in no way be used to interpret any criminal laws or -- or any -- any -- criminal prosecutions or anything?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you very much, Senator Raoul, for that question. Absolutely not. Absolutely not. That's the legislative intent of this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Raoul.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR RAOUL:

In -- in -- in -- addition, Senator, will this bill be used to interpret anything in -- with regards to any civil action?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Absolutely not. Absolutely not.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, a question of the speaker -- or -- or the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR JACOBS:

Senator, do you -- do you know any organized opposition to this bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

No, Senator, I don't. Planned Parenthood's -- neutral. The Medical Society, I think in the House - I don't know this personally - had some concerns, but then they were addressed. So, no, I -- I don't.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

As a strong supporter of NOW and Illinois Planned Parenthood, I notice they're neutral. Could you explain to a freshman Senator what neutral actually means?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

They're not against the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito.

SENATOR VIVERITO:

I'd like -- Mr. President, I'd like to rise and commend the sponsor of this very, very important bill for pro-life. It's a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

sensitive issue. It's been agreed-upon bill and I think that Senator Haine deserves a great deal of support for what he's brought to the attention of all of us. And I hope that everybody will vote an Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR SCHOENBERG:

Senator Haine, I asked you this question in committee and I would like you to clarify and -- reiterate for the record whether there -- whether there is any component of this legislation which would impact the -- the research -- the medical research which is already taking place in stem cell research as a result of -- would this have any unintended consequence and have any impact on this -- on the research that's occurring now?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Schoenberg. In fact, I -- I mentioned that before you came to the Floor and I'll reiterate it again. In absolutely -- it's the legislative intent of this bill not to have anything to do, whatsoever, with the issue or the debate or anything in -- the authority or nonauthority of embryonic stem cell research. They are simply -- in -- the legislative intent here, these are two -- totally different -- issues. One cannot -- this bill, if it becomes law, cannot be used in any way in that argument. None.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

I appreciate your forthrightness in this matter and I would certainly hope that that could -- that that will indeed be the case. And that it -- and I take you at your word that it will not impact any scientific or medical research that's occurring with -- with -- cells which are derived either from -- unused in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

vitro fertilization treatments or embryonic tissue. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine, to close.

SENATOR HAINE:

I would remind the Body as -- as was said and -- and most eloquently by Senator Geo-Karis, the Dean of the Senate, this is a humane bill. It's a common-ground bill, as I first said. In the House, it brought together many people of strongly divergent views to craft a bill. And it wasn't my doing, Representative Fritchey gets the credit for that act of statesmanship. But it's a bill, I believe is -- is a good bill for the State. It's a good policy for the State. And it, again, brings -- together those in this Chamber and elsewhere with these divergent views well made in -- divergent views on this very contentious issue. And I think it's a good bill and I would appreciate any Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 984 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 52 Ayes, no Nays, 4 voting Present. House Bill 984, having received the required constitutional majority, is declared passed. House Bill 991. Senator Hunter. House Bill 1039. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1039.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 1039 creates the offense of being an armed habitual criminal, a Class X felony with six to thirty years imprisonment and up to twenty-five thousand dollars in fines. Compared to Senate Bill 313 {sic} (319), 1039 is identical to Senate Bill 319, which passed Judiciary Committee 10 to zero, passed the Senate 55, zero. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Is there any discussion? Is there any discussion? There being none, the question is, shall House Bill 1039 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, none voting Present. House Bill 1039, having received the required constitutional majority, is declared passed. House Bill 1079. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1079.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is supported by the AFSCME, Operating Engineers, firefighters, a number of other unions. Creates a privilege between a -- union agent and an employee during and after the termination of his representative relationship. The bill was sponsored by Representative Lang over in the -- the House. And it points out that union members many times share with union leadership personal information, things such as child custody or marital matters. And their members have a special relationship of trust. So, this would be a privilege so that that person cannot be forced to testify against that union member in court. Unless, of course, to stop a crime that's in progress. That -- that is allowed for in the bill. So, it's a privilege -- it's akin to the privilege that we already have in the law for attorney/client, accountant/client, clergy/penitent, doctor/patient, husband/wife, psychologist/patient. It's -- it's supported by the -- as I said, by the unions of the State. I believe it's a reasonable bill, because it does have exemptions that I've talked about. And be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Thank you, Mr. President. I want to point out to the Members on our side of the aisle that this was a partisan roll call in committee. And there are times, I'm sure when you need a special relationship between you and your union. But it is a big stretch to say that this is similar to a doctor/patient relationship or a member of the clergy and a parishioner. It is a huge, huge stretch to allow this type of privilege and it is a special privilege under these circumstances. And I think Senator Roskam or some of my other colleagues may have much more to say on this. But I want to point out to our side of the aisle that this was a partisan roll call in committee. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We have one additional speaker. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR RISINGER:

Senator Cullerton, I was not in committee, obviously, when this bill was heard. And, is it a fair characterization of the bill to say that you are placing, in generally the same category in terms of privileges, a member of a union with their union representative, as would be the case for a client with their attorney, or, perhaps, a parishioner with their priest?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Well, first of all, let me say that I -- I would support your efforts to be added to the Judiciary Committee, if you wanted me to talk to your Leader about that. I'm not sure exactly who you'd replace. But we do have a lot of bills though and we'd like to move it along a little bit faster than, perhaps, you might want to. Or maybe we can each add a Member from each party. There are existing relationships. Accountant/client privilege might be the best analogy. As you know, we do have

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

attorney/client, clergy/penitent, doctor/patient, husband/wife and psychologist/patient. I'd say accountant/client is probably the closest analogy.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Well, I -- I guess I gather from your answer, Senator, other than your - I appreciate your invitation to the Judiciary Committee - that you think that this, the relationship that you - or, the privilege you're creating here is not akin to the attorney/client privilege. But is something more along the accountant/client privilege. What are the circumstances under which -- I guess, can you tell me, what are the circumstances under which there are exceptions to the privilege that you're creating here?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. To the extent that it appears necessary to prevent the commission from a crime against the agent or his or her professional, personal or official representative. In civil or criminal actions against a union agent when required by a court order or after full disclosure has been provided and the express and written consent to the bargaining unit has been obtained. So, in other words, a waiver.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I can -- I can understand -- I -- I guess I was under the impression that what you're trying to protect here, in this legislation, is communications during a grievance procedure. But rather than coming out and saying we're going to protect all communications related to the grievance procedure, you've thrown out a general blanket privilege and then carved out a few exceptions which are -- were -- are close, you have to admit, to some of the -- what we would -- consider to be the more highly held privileges, such as attorney/client privilege. Why not just come out and say that you are going to protect communications with regards to grievance

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

procedures, rather than placing this in -- in such the structure that you have. Because, otherwise, it does look to a number of people, including a Member -- a number of Members on this side of the aisle, and obviously, the Republican Members on the Judiciary Committee, that we're -- you're -- you're equating a union membership with a parishionership in a church or -- or -- or being a client in front of a lawyer.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Well, perhaps, your objection then is to the form in which the bill was drafted. But something tells me you might be against it even it was limited to -- grievances. And -- and that's really your right. That's what the -- what the purpose of the -- of the bill is. It's to establish this privilege between a union member and his or her bargaining agent regarding conversations that occur during the administration of a collective bargaining agreement. And that's why we need it. I -- if it's -- if you think it's too broadly drafted, I really don't think there would be any abuses based on the -- on the -- our legislative intent and what the purpose is.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: Senator Cullerton, I -- if you're willing to restrict the language of this to what you say your intent is, rather than throw this out, open-ended like this and let a court inevitably reach a result that you're not intending to result, I'll sign on as a cosponsor and I'll guarantee you that you won't have a partisan roll call in the Judiciary Committee like what you had. Ladies and Gentlemen, this is a bill that reaches too far. I appreciate the sponsor's desire to protect communications during a grievance procedure. This bill goes a good deal farther than that. Because of that, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, to close.

SENATOR CULLERTON:

Simply ask for a favorable roll call.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 1079 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 31 Ayes, 23 Nays, none voting Present. House Bill 1079, having received the required constitutional majority, is declared passed. House Bill 1095. Senator Watson. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This bill comes to us from the Macon County State's Attorney's Office. And passed out of the Judiciary Committee 10 {sic} (8) to nothing. Currently, a licensed attorney is subject to disbarment if they fail to adhere to State rules of conduct and ethics. An individual representing themselves in a legal proceeding is not faced with this -- obviously, this kind of disbarment. All we're asking is, that if someone is representing themselves, they must seek and obtain leave of the court prior to making any attempt to contact any member of a jury panel, regardless of the reason for the inquiry. Know of no opposition and appreciate the support of the Members.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 1095 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there 55 Ayes, no Nays, none voting Present. House Bill 1095, having received the required constitutional majority, is declared passed. House Bill 1100. Senator Lightford seeks leave of this Body to return House Bill 1100 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1100. Madam Secretary, are there any

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

amendments approved for consideration?

SECRETARY HAWKER:

Yes, Mr. President. Floor Amendment No. 3, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins, to explain Amendment No. 3.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Floor amendment was, basically, a technical amendment requested by the DFI and the Attorney General. What the amendment does is, it exempts the Payday (Loan) Reform Act from the Illinois Interest Act. We need to do this because the Illinois Interest Act prohibits interest rates above nine-percent. Currently, payday lenders are subject to the Consumer Installment Loan Act, which is exempt from the Illinois Interest Act. This amendment makes the law consistent.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. -- Mr. President. I stand in support of this amendment. The underlying bill may have some people that have some questions about it, but from the amendment itself, it is technical and there was no one that filed opposition slips in the committee.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins moves the adoption of Amendment No. 3 to House Bill 1100. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. House Bill 1102. Senator Harmon. House Bill 1106. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1106.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 1106 requires that defendants to know the victim to be sixty years or older for a battery to be charged as aggravated battery, Class 3 felony. It's a bill that I've been working with DuPage State's Attorney Birkett and the State's Attorneys Appellate Prosecutor. Currently, the aggravated battery is a Class 3 felony. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 1106 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill 1106, having received the required constitutional majority, is declared passed. House Bill 1109. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Senate. House Bill 1109 amends the drug-induced homicide Section of the Criminal Code to extend criminal liability for any death's caused as a result of unlawful delivery of a controlled substance by injection, inhalation or indigestion -- ingestion, not indigestion. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 1109 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 1109, having received the required constitutional majority, is declared passed. House Bill 1125.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator Halvorson. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. 1125 would empower election officials to allow minors to go into the voting booth with their parents to watch the process. I think we don't -- I don't think we realize that sometimes they're allowed, sometimes they're not. This would just uniformly say if they're not going to cause trouble or be disruptive the election -- official, judge or whatever would be able to let them in the voting booth.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This bill came through the Local Government Committee. Passed unanimously. We think it's a good idea to bring the kids to vote and show 'em how it's done, unless, of course, they're in college. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 1125 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 1125, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to House Bill 1133. House Bill 1149. Senator Garrett. Senator Garrett seeks leave of this Body to return House Bill 1149 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1149. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Garrett.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett, to explain your amendment.

SENATOR GARRETT:

Thank you, Mr. President. The amendment says that an agency, on or before May 31st, 2006, in preparing its report, the commission shall seek input from and consult with business organizations, trade organizations, trade associations, solid waste agencies and environmental organizations with expertise in computer equipment disposal and recycling.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Garrett moves the adoption of Amendment No. 1 to House Bill 1149. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President. Personal privilege, please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR LIGHTFORD:

Mr. President and Ladies and Gentlemen of the Senate, I have sitting next to me Belinda Toomer (Burgess). She's kind enough to offer some time to my district office as she's working on her Ph.D. I'd like for you all to welcome Belinda to the General Assembly.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to the General Assembly. Senator Halvorson. House Bill 1173. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. House Bill 1173 amends the Criminal Code with regards to child pornography. What happened is, child pornography is considered a -- taking pictures of a child that is nude. There was a -- an -- a example of a child that was dressed up in silk stockings and we want to make sure that we add that, something like that, that they have clothes that are transparent and covered up, but still taking pictures, that it's -- it's considered child pornography. We also added an amendment that -- so that people can catch those doing such lewd acts that we changed and added that personnel of law enforcement could be -- hold this -- incriminating things without being prosecuted.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 1173 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, none voting Present. House Bill 1173, having received the required constitutional majority, is declared passed. Senator John Sullivan, for what purpose do you rise?

SENATOR J. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR J. SULLIVAN:

I'd like the Senate to welcome two young ladies that I have with me here today. They are Pages, Honorary Pages. To my right is Logan Giesing, she's a seventh-grader at St. Mary's in Quincy. And, to my left, is Lauren Anderson, she's a seventh-grader at St. Peter's in Quincy, as well. They're very anxious to run errands for any of the Members. They have been all over the Capitol. They enjoy that. So, if you have errands that you'd like for them to run, they'd be willing to do that. And, please welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to Springfield. Senator Burzynski, for what purpose do you rise?

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR BURZYNSKI:

Thank you, Mr. President. I rise to request a Republican Caucus immediately in Senator Watson's Office. Approximately forty-five minutes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

That request is always in order. A Republican Caucus immediately. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Mr. President. Point -- announcement, please. As you know after the Republican Caucus, shortly thereafter, the House-Senate softball game will take place today at 5 o'clock on the nose in Lincoln Park. It's time for us to show the lower Chamber that we are the upper Chamber and the House of Lords. So, 5 o'clock today. Let's beat 'em and stuff 'em in the ground. Lincoln Park, not the firehouse.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link, for what purpose do you rise?

SENATOR LINK:

For an announcement, Mr. President. There will be a Senate Democratic Caucus in the President's Office immediately until quarter of 4 when we will return to do action on the Floor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The Senate will stand in recess until the call of the Chair, which will be at 3:45. The Senate stands in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

The Senate will come to order. We will be continuing where we left off, on page 76. With leave of the Body, we'll be returning to page 75, on House Bill 960 for Senator del Valle. Senator del Valle, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 960.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. House Bill 960 is identical to a bill that passed the Senate and was sent over to the House. This bill holds that a person may not operate a motor vehicle if a television receiver, a video monitor, a television or video screen or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications is operating and is located in the motor vehicle at any point forward of the back of the driver's seat or is operating and visible to the driver while driving the motor vehicle. The bottom line is that we would prohibit drivers from being able to watch television or watch videos or DVDs in the front seat while they're operating a motor vehicle. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. -- Madam President. I'm really kind of stalling, because our Members are not on the Floor. This passed out of the Transportation Committee unanimously. And I would urge an Aye vote as soon as our Members get on the Floor. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator David Sullivan.

SENATOR D. SULLIVAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR D. SULLIVAN:

Thank you. Senator, this doesn't effect those vehicles that have like a -- a TV in the back of the car, correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Senator, no it doesn't in anyway effect those vehicles. Those that are factory equipped or installed by retailers would be allowed for rear passengers.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Is there a further discussion? Oh! Senator Sullivan, are you done? Senator Sullivan.

SENATOR D. SULLIVAN:

I think a lot more Members have made it to the Floor, by now, Madam President. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 960 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And House Bill 960, having received the required constitutional majority, is declared passed. Back to page 76, on 1177. Senator Munoz. Top of page 77. With leave of the Body, we'll return to 1181. Senator Link, on 1195. Senator Link seeks leave of the Body to return House Bill 1195 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is, House Bill 1195. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. This is an amendment -- it represents an agreement between the Alliance of the Automotive Service Providers of Illinois and the American Insurance Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Link moves the adoption of Amendment No. 2 to House Bill 1195. All those in favor will say Aye. Opposed, Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On 1197. House Bill 1285. Senator Link. Mr.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This bill is that an alderman or a member of the city council or commissioner {sic} (commission), a member of the village board of trustees or a member of the county board may have a direct interest in the manufacturing, sale, or distribution of alcoholic liquor as long as he or she is not a law-enforcing public official, a mayor, or a village board president, or president of the county board. To prevent any conflict of interest the elected official with the direct interest may not participate in any meeting, hearings or decision on the matters in -- in practicing -- of the manufacturing sale or distribution of alcoholic liquor. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1285 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the -- take the record. On that question, there are 49 Yeas, 4 voting Nay, 1 voting Present. And House Bill 1285, having received the required constitutional majority, is declared passed. Senator Munoz, on 1289. Senator Link, on 1313. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This is similar to a -- a bill that we passed out of here last year. And what it is, it just

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

amends the Illinois Public Labor Relations Act. Changes the number of employees of unit of local government to five that the Public Labor Relations Act would apply. Removes the Act's application to fire protection district that employs fewer than five people and are required to appoint a board of fire commissioners. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

Thank you. To the bill: Members of the Labor Committee were concerned when this bill came up, because of the fact that it helps -- it lowers the threshold so far in fire departments. And I know the sponsor said that this -- that this mirrors other things, however, five people is a pretty low number. And if this is a concern for you, I would suggest that you vote No on this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Link, do you wish to close?

SENATOR LINK:

Just to answer that question. Fire protection districts have always been a lower number and I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 1313 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Yeas, 15 voting Nay, none voting Present. And House Bill 1313, having received the required constitutional majority, is declared passed. Senator Forby, on 1314. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you, Madam President. House Bill 1314 is a Illinois

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Trapper(s) Association and an Illinois (State) Rifle Association bill. This is a fur-buying permit bill where people buys a permit in the State of Illinois so they can go to an auction and buy fur. This here is somebody out-of-state that did not get a permit, they can go to DNR and pay fifty-dollars and get a permit so they can go to the auction and buy it one time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill -- Senator Dahl.

SENATOR DAHL:

Madam President, the bill passed out of Ag Committee. I encourage a Yes vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 1314 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, 1 voting Present. And House Bill 1314, having received the required constitutional majority, is declared passed. Senator Munoz, on 1316. Senator -- we'll return to 1318. Senator Collins, on 1319. Senator Clayborne, on 1321. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1321.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. 1321 is an initiative of the Attorney General. It deletes an Act -- deletes a provision authorizing the Office of Public Counsel to represent the interest of Illinois citizens in all proceedings pertinent to utility regulation. Provides that the Attorney General shall protect the rights and interests of the public in the provisions of all elements of natural gas, water service. Makes changes -- corresponding changes. Provides that, upon request, the Attorney General shall have access to all files, records, data, documents

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

in possession or control of the Illinois Commerce Commission. And provides that the Office of Attorney General may use this information, including information that is designated as and that qualifies for confidential treatment, for law enforcement purposes only.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation passed out of the Energy and Environment Committee unanimously. I urge its support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 1321 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And House Bill 1321, having received the required constitutional majority, is declared passed. Top of page 78. Senator Winkel, on 1323. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1323.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

Thank you, Madam President. House Bill 1323 amends the Conservation District Act. Provides that contracts for supplies, material or work in excess of twenty thousand dollars - currently, it's ten thousand dollars - shall be let to the lowest responsible bidder. It'd have an immediate effective date. There are only five conservation districts in the State. They are found in Boone, Vermilion, McHenry, Putnam and Macon County. This would make the conservation districts -- give them the same treatment that we give to forest preserve districts. Be glad to take any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

shall House Bill 1323 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, 2 voting Nay, none voting Present. And House Bill 1323, having received the required constitutional majority, is declared passed. Senator Link, on 1334. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1334.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This -- this bill amends the Illinois Vehicle Code and provides that specified vehicles use exclusively for the transportation and mixing of concrete manufactured before or in the years - 2014 model year and first registered in Illinois before January 1st, of 2015, are allowed specified weights that are specified numbers and configuration of axels. Provides that a four-axel truck mixer registered as a special hauling vehicle is allowed twenty thousand pounds on a single axel, thirty-six thousand pounds on a series of two axels greater than seventy-two inches and allowed not more than ninety-six inches. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1334 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, 2 voting Nay, none voting Present. And House Bill 1334, having received the required constitutional majority, is declared passed. Senator Schoenberg, on 1336. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1336.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 1336 incorporates the elements of character education from the Character Counts Coalition Six Pillars of Character, which have been implemented in a number of states. Here in Glenview and in other communities throughout the -- the State they are embarking on an initiative to teach character education. I'd be happy to answer any questions, but there is no known opposition to this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1336 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And House Bill 1336, having received the required constitutional majority, is declared passed. Senator Crotty, on 1338. Senator Harmon, on 1350. Senator Harmon seeks leave of the Body to return House Bill 1350 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1350. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your amendment.

SENATOR HARMON:

Thank you, Madam President. The amendment merely removes the token opposition to the bill. I'm not aware of any problems with that. I'd be happy to debate the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon, moves the adoption of Amendment No. 1 to House Bill 1350. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on 1358. Senator Clayborne, on 1384. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1384.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. House Bill 1384 requires the State University Retirement System conduct a divided Medicare coverage referendum for employees continuously employed by the same university or community college since March 31st, 1986. The employees who participate in the referendum will make an -- irrevocable decision with respect to Medicaid {sic} (Medicare) coverage. Those who elect to begin coverage in Medicare will become enrolled on a prospective basis. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill -- you've got to put your light on, Senator. Senator Brady.

SENATOR BRADY:

It -- it was -- I'm sorry, Madam President. Thank you for the opportunity to speak. I stand in support of the gentleman's bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 1384 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 1384, having received the required constitutional majority, is declared passed. Senator Jacobs, on 1387. Senator Martinez, on 1403. Senator Link, on 1427. Senator Schoenberg, on 1457. Senator Schoenberg seeks leave of the Body to return House Bill 1457 to the Order of 2nd

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1457. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg, to explain your amendment.

SENATOR SCHOENBERG:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to House Bill 1457 places restrictions on -- places additional restrictions on those who serve as informal advisors to the Executive Branch. And it lifts the sixty-percent threshold of the Governor's compensation level, which is a prohibition which determines whether or not waivers may be obtained for State contracts. It also ensures that all real property, regardless of the number of employees who work there, would be subject to the more rigorous scrutiny and review as dictated by the State Facilities Closure Act. We've considered a number of these provisions previously with virtually no opposition. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Thank you. Senator Schoenberg, I know that you, like everyone else in this Chamber, is serious about the issue of ethics and I have no quarrel with the substance of the amendment. Having said that, it's my understanding that the underlying bill that you are attaching the amendment to is an Act concerning finance. This is an ethics piece of legislation. I don't think that anyone could really, seriously, consider this to be same subject with the caption of the bill. We've already had one incidence where the House has refused to take up a bill that had an amendment on it, because they don't -- they believed it's violated the Single Subject Act. I would suggest to you that,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

perhaps, you're placing this bill in the same jeopardy. On page 99 of the Calendar, of today's Calendar, it indicates there are six hundred and sixty-two shell bills ready to go and I would assume that there are at least several dozen of those that have to do with ethics. I wonder if we -- why we can't do this the right way.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Excuse me, with all due respect to the gentleman, you're in error on the underlying bill. The underlying bill relates to reverse auctions. It's a function of procurement. And every element of this bill -- of the underlying bill, as well as, the various Acts which are amended are all related to the procurement of goods and services. Either the qualifications -- and -- and specifications and requirements of those who are representatives in transactions of public business or in dealing with real property, as is the case with the State's Facilities Act. So, with all due respect, you're in error and I have looked at this closely. And -- all of these elements, do indeed, deal with the purchase of -- the acquisition or disposal of goods and services.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Thank you, Senator. I appreciate the admonition. Having said that, I think that the courts look at the caption {sic} (title) of the bill. The caption {sic} (title) of the bill is an Act concerning finance and I think that's the issue that we are supposed to be addressing when we are looking at these issues. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there further -- is there any further discussion?
Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR JACOBS:

Why would we exempt everyone in the building if the Governor

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

gives approval? Why would we exempt everyone under this statute if the Governor gives approval under Section 5?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

We're -- what we're doing is, we are making certain that everyone, regardless of what their economic interest would be, whatever dollar threshold that would be, that if it requires a waiver, that that waiver not be determined by whether or not the financial interest is sixty-percent of the Governor's salary. When -- we discussed this briefly, earlier. When Senator Rauschenberger and I authored the comprehensive rewrite of the State's purchasing laws, the sixty-percent threshold was added in at the request of the Edgar administration. We have subsequently found, as in an unintended consequence that I've been attempting to change for years, that there were many people who, perhaps, should be providing the greater level of transparency and accountability. But, because that number was almost picked out arbitrarily by the Edgar Administration that they fell under the requirement for -- for -- for the administration to file a waiver with the appropriate parties. So, this puts everybody on equal footing. If you have an economic interest and you wish to do business, proceed with business, you should -- regardless of the amount in question, you should require that waiver.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion on the amendment? Senator Jacobs. Senator Schoenberg moves the adoption of Amendment No. 1 to House Bill 1457. All those in favor will say Aye. Opposed, Nay. And the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton, on 1469. Senator Cronin, on 1471. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1471.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill simply provides that a person who drives while under the influence of alcohol, drugs, or intoxicating compounds is guilty of aggravated DUI if he or she had no valid driver's license or was not covered by liability insurance at the time. I know of no opposition. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1471 pass. Those in favor will vote Aye, Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And House Bill 1471, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ALTHOFF:

Yes. Thank you. Ladies and Gentlemen of the Senate, I have in the gallery behind me, members from Parkland Middle School in McHenry, Illinois and attending them today is also an Alderman from the City of McHenry, Geri Condon. May we welcome them, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Madam President. Personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LIGHTFORD:

Thank you, Madam President. Ladies and Gentlemen of the Senate, I'm joined here today with our former State Representative and our current Cook County of Recorder of Deeds,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Eugene Moore. Can you please welcome our Recorder of Deeds to the General Assembly?

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield, Recorder. Good to see you. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

A point of order, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR COLLINS:

On House Bill 1471, I was away from my desk and I would like to be recorded as an affirmative Yes vote on that legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Senator Crotty, on 1504. Senator Sullivan, on 1511. Mr. Secretary, read the bill. Senator Sullivan seeks leave of the Body to return House Bill 1511 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1511. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator John Sullivan.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to explain your amendment.

SENATOR J. SULLIVAN:

Thank you, Madam President. The -- the amendment is a technical amendment. Changes "shall" from "may" and a couple other minor changes. I'll discuss it further on -- when we debate the full bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sullivan moves the adoption of Amendment No. 1 to House Bill 1511. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Schoenberg, on 1522. Senator Garrett,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

on 1541. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1541.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you -- thank you, Madam President. House Bill 1541 simply puts together a school health recognition program. This program would publicly identify schools that have adopted policies or implemented programs with respect to nutrition or physical fitness to improve the health of their students. I think it's similar to what President Kennedy did in the '60s, the Physical Fitness Council. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1541 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And House Bill 1541, having received the required constitutional majority, is declared passed. Senator Cullerton, on 1548. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill is a recommendation of the Chicago Bar Association Adoption Law Committee. It allows DCFS, subject to federal financial participation, to continue to offer financial assistance and educational assistance grants for a child who is deemed eligible for a -- financial assistance in the interim period commencing when the child's adoptive parents died and then terminating with

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

the finalization of the new adoption of the child by another adoptive parent. So it makes sense. Happy to answer any questions and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1548 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 1548, having received the required constitutional majority, is declared passed. Senator Dillard, on 1559. Senator Link, on 1562. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Madam President, I think there's an amendment to be added on there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link seeks leave of the Body to return House Bill 1562 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1562. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. It's a technical amendment and it's -- instead of "therefore, {sic} (there of) in a violation" it's "therefore {sic} (there of) and conviction of violating."

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Link moves the adoption of Amendment No. 1 to House Bill 1562. All those in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

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

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on 1570. Top of page 80. Senator DeLeo, on 1581. I'm sorry, Senator Harmon. Do you wish to proceed on 1570? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill...

PRESIDING OFFICER: (SENATOR HALVORSON)

1570.

ACTING SECRETARY KAISER:

House Bill 1570.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1570 is an initiative of the Attorney General's Office. It amends the Illinois Estate Tax Act with respect to the method of computing the tax when an individual dies with property in more than one state. This is a derivative of the -- the decoupling that some states did from the federal rules and other states did not. The net effect is a tax decrease for Illinois residents. I'm not aware of any opposition. I'd be happy to try to answer questions and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. I would just like to commend the sponsor on his work on this bill. It's nice to see as -- as bad as it is that the estate tax is decoupled in Illinois from the federal legislation that's getting rid of it. It is an improvement and so it's certainly progress in right direction. I'd recommend a Yes vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Is there any further discussion? Seeing none, the question is, shall House Bill 1570 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And House Bill 1570, having received the required constitutional majority, is declared passed. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Madam President. Once again, personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LIGHTFORD:

Thank you so much. Ladies and Gentlemen of the Assembly, I have joined in the gallery, Democrat side, right behind me members of School District 89. That's my hometown, my home school district and I would love for you all to welcome them here as they witness the General Assembly in action.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Top of page 80. 1581. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. House Bill 1581 creates the Diabetic {sic} (Diabetes) Research Checkoff. As you know, diabetes is a group of diseases characterized by high levels of blood -- resulting from defects from insulin. It's a very terrible disease that's happening in America. There's 18.2 million people in the U.S. or six -- over six-percent of the population. This will create -- create the checkoff on our tax -- our tax -- refund list. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Are there any -- is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. I just rise in support of this excellent legislation. It passed out of Revenue with unanimous support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is -- is there any further discussion? Seeing none, the question is, shall House Bill 1581 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 1581, having received the required constitutional majority, is declared passed. Senator Cullerton, on 1587. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1587.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. It's a very simple bill and it deals with Criminal Code when there's fitness hearings. Right now the statute is vague as to when the hearing is supposed to be set after the court receives a report on the -- the defendant's status as to whether or not they're eligible for a trial. This simply says that, the -- sets a timeframe for the fitness hearings and says it must be held within twenty-one days after the court has received the statutory report. Happy to answer any questions. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1587 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 1587, having received the required constitutional majority, is declared passed. Senator Cullerton, on 1588. Senator Wilhelmi, on 1589. Mr. Secretary,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

read the bill.

ACTING SECRETARY KAISER:

House Bill 1589.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1589 creates the Human Voice Contact Act. It also requires any State agency that uses an automated telephone answering service to give the option in the first set of automated choices for the caller to speak with a live operator. That's also known as zeroing out. We have amended the bill so that it -- there is no -- or minimal fiscal impact by taking out certain calls that would not be subject to this bill. That includes those calls where you can go through an automated series of direction and get your job done, namely, with the Illinois Department of Employment Security. I believe there's no opposition to this bill, but I'd be happy to answer any questions and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 1589 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 1589, having received the required constitutional majority, is declared passed. Senator Munoz, on 1597. Senator Haine, on 1656. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1656.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Yes. Madam President and Ladies and Gentlemen of the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Senate, this is an initiative of the Administrative Office of the Illinois Courts. It -- it would exempt the Judicial Branch from having to procure all telecommunication services and equipment through Department of Central Management. They believe that they can obtain better deals in -- quicker service without going through that particular agency. And they can use it under this bill, but it'll allow them a wider choice. And I'd appreciate an Aye vote. I don't know anybody opposed to it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. This bill did come through the State Government Committee unanimously and we urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 1656 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And House Bill 1656, having received the required constitutional majority, is declared passed. Senator Haine, on 1679. Senator Haine seeks leave of the Body to return House Bill 1679 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1679. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your amendment.

SENATOR HAINE:

The amendment to this bill which originally related to the Kaskaskia Port Authority and the Granite City Port Authority. The Kaskaskia Port Authority is in Senator Luechtefeld's district and Granite City is in my district. The amendment was added by a -- the local units of government financing authorities or treasurers or somebody that deals with allowing local units of government to purchase securities on the open -- market. There - - this amendment is designed to update the Investment Act, the Local Government Debt Reform Act and the Public Funds Investment

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

Act. Chapman and Cutler law firm has been retained to put this over. It -- it doesn't grant any new -- bonding authority. It just brings it up to date with current bonding practices. If anyone has a question of me as to bonding practices, I'm going to ask Senator Harmon to explain those clearly since he's graciously considered to be a cosponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Haine moves the adoption of Amendment No. 2 to House Bill 1679. All those in favor will say Aye. Opposed, Nay. The -- oh, the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Raoul, on 1870. Senator Raoul seeks leave of the Body to return House Bill 1870 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1870. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Raoul, to explain your amendment.

SENATOR RAOUL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 amends the underlying bill. The underlying bill seeks to have the petition for termination of parent -- parental rights identify the nine-month period for lack of reasonable progress that the State is relying on in their petition. Floor Amendment No. 2 comes as a -- a -- a result of a negotiation between the public defender's office and the State's attorney's office. It would have that nine-month period identified in the subsequent pleading from the initial petition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Raoul moves the adoption of Amendment No. 2 to House Bill 1870. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

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

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz, on 2004. Senator -- we'll return to 2077. Senator Jacobs, on 2137. Senator Demuzio, on 2190. Top of page 81. Senator Haine, on 2242. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2242.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

I apologize, Madam President. This is a -- an amendment. It amends the State Police Act and it requires anyone who files a complaint against State Police officers to do so by sworn affidavit. Seems to be a reasonable thing to do.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2242 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 2242, having received the required constitutional majority, is declared passed. Senator Garrett, on 2242 {sic}. Senator Clayborne, on 2250. Senator Garrett. 2344. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. In about a few minutes now President Jones will let us leave here and head to Lincoln Park. We put a flyer on your desk. Some of you still are asking me where this is at. You take Sixth Street straight down, cross the railroad, down the hill, north on Sixth Street. Once you cross the -- the railroad track, you go down the hill, you'll come to the park, go right up in the park. Let's show some testicular variety or virility or whatever he said and beat the House today

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

or I'm going to be pissed off.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Hendon. Senator Garrett, on 2344. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2344.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett. Excuse me, Senator Garrett. Nobody will play baseball if we can't be quiet. There's not enough corners in this place to put all of you in. Senator Garrett, on 2344.

SENATOR GARRETT:

And let me add that she doesn't need testicular virility to make these kinds of comments. Okay. House Bill 2344 requires that DPH must develop reasonable rates for designated persons and entities requesting electronic access to various types of data collected under the Illinois Health Finance Reform Act. The funds received by DPH from the billing authorized under this Act must be deposited into the Public Health Special State Projects Fund. The Department must adhere to State and federal laws to protect patient confidentiality in providing electronic access to patient claims and encounter data. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2344 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 2344, having received the required constitutional majority, is declared passed. Senator Haine. Senator Haine seeks leave of the Body to return House Bill 2345 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is -- House Bill 2345. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Haine.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your amendment.

SENATOR HAINE:

Very simply, it requires a report to be submitted by 12/31/06. It -- it -- the underlying bill is it establishes electronic health record task force. This is an initiative of the Illinois Family Physicians and Representative Hamos put this together. It's a very good bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Haine moves the adoption of Amendment No. 1 to House Bill 2345. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Schoenberg, on 2347. Senator Risinger, on 2351. Mr. Secretary, read -- Senator Risinger seeks leave of the Body to return House Bill 2351 for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2351. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Risinger.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger, to explain your amendment.

SENATOR RISINGER:

Thank you, Madam President. Floor Amendment No. 1 just adds albinism to the -- to the bill. Also gives the Secretary of State the -- the option of either creating a new license plate or creating a special sticker to go on the license plate. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Shadid.

SENATOR SHADID:

I need to make an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

SENATOR SHADID:

The ballgame starts at 5. Don't get any speeding tickets.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger seeks -- Senator Risinger moves the adoption of Amendment No. 1 to House Bill 2351. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Harmon, on 2379. Senator Schoenberg, on 2380. Senator Schoenberg. Senator Schoenberg seeks leave of the Body to return House Bill 2380 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2380. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg, to quickly explain your amendment.

SENATOR SCHOENBERG:

Floor Amendment No. 1 makes the bill subject to appropriation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Schoenberg moves the adoption of Amendment No. 1 to House Bill 2380. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Harmon, on 2386. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2386.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

43rd Legislative Day

5/18/2005

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 2386 is an initiative of the Attorney General's Office. It permits courts to enact lifetime supervision for the highest risk sex offenders. I am not aware of any opposition. In the interest of getting to the softball diamond, I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2386 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 2386, having received the required constitutional majority, is declared passed. Senator Rutherford, on 2389. Senator Rutherford, on 2389. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2389.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. There being no further business to come before the Senate, the Senate stands adjourned -- wait a minute. The Senate stands adjourned until the hour of 10 a.m. on Thursday, May 19th, 2005. The Senate stands adjourned.