

STATE OF ILLINOIS  
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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 94th General Assembly will please come to order. Will the Members please be at their desks? And will our guest in the galleries please rise? The invocation today will be given by Pastor Henning of Abundant Life Community Church in Alton, Illinois.

PASTOR HENNING:

(Prayer by Pastor Henning)

PRESIDING OFFICER: (SENATOR HALVORSON)

Please remain standing for the Pledge of Allegiance. Senator Hunter.

SENATOR HUNTER:

(Pledge of Allegiance, led by Senator Hunter)

PRESIDING OFFICER: (SENATOR HALVORSON)

Reading and Approval of the Journal. Senator Hunter.

SENATOR HUNTER:

Mr. -- Madam President, I move that the Reading and Approval of the Journal of -- of Thursday, May 19th in the year 2005 be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter moves to postpone the Reading and Approval of the Journal pending the arrival of the printed transcripts. There being no objection, so ordered. I -- I want to announce for the Members of the Body that we will be going directly to 3rd Readings. So, please come to the Senate Chambers if you're within the sound of my voice. We will immediately be going to 3rd Readings. Senator Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR W. JONES:

Thank you, Madam President, Members of the Senate -- Members of the Senate. Today I have a Page for the Day from St. Charles, Illinois, not in my district, in Senator Lauzen's district. But none-the-less, we're happy to have her here. Her name is Courtney Smith and she's with me at my desk and her mother is in the President's Gallery. Patti Smith.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Welcome, Courtney. And will our guest in the gallery please rise? Welcome to Springfield. Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 452, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 1178, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 1716, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 1919, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 2275, offered by Senator Forby.

(Secretary reads title of bill)

House Bill 2706, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 3031, offered by Senator Schoenberg.

(Secretary reads title of bill)

And House Bill 3167, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HALVORSON)

If everybody can turn to page 67 of the Calendar, Order of House Bills 3rd Reading. This is final action. With leave of the Body, we will return to House Bill 21. Senator Haine, on 27. Senator Haine. House Bill 27. Senator Sandoval, on House Bill 56. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 56.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Buenos Días, Madam President and Members of the Senate. Early morning. House Bill 56 amends the Fire Sprinkler Dormitory Act. Provides that nothing in the Act may be construed to abrogate any statute, rule, or ordinance requiring that a fire extinguisher be present in a dormitory. It also provides that

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loan funds, subject to the appropriation or other funding sources, shall be paid out of the Fire Sprinkler Dormitory -- Revolving Loan Fund. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is -- oop! Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I apologize for being late. I was trying to scroll down and the get the gist of the bill. So I do apologize.

PRESIDING OFFICER: (SENATOR HALVORSON)

That's quite all right.

SENATOR BURZYNSKI:

My fault. Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, what timeframe is there available for schools that have to comply with this? Are these existing dormitories, new dormitories? Where are we?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

The -- the Act that this Chamber passed last year, Senator Burzynski, applied to all dormitories.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Then what exactly does your bill -- I -- maybe I'm confused a little bit about what your bill does, Senator. I -- is this just dealing with fire extinguishers or does it deal with sprinklers?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

The -- the bill that I have today just clarifies that the bill last year that was passed does not exclude -- does not exclude any other sprinkler dormitory rules that exist on the

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books today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So, then just as a follow-up, doesn't do anything relative to sprinkler systems, does everything relative to making sure that prior rules and regulations, prior to the passage of the bill last year, are followed?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Absolutely, Senator Burzynski.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 56 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 56, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 121. Senator Dillard, on House Bill -- 121. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 121.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you very much, Madam President. This bill is an initiative because of a TV story on a sex offender who dressed up and handed out Halloween candy at gatherings in Decatur, Illinois. Senator Watson is my hyphenated cosponsor on the bill, now. And we took it one further, to make sure that sex offenders at mass gatherings during Halloween are not allowed to pass out candy, but we also included -- an -- a prohibition for a sex offender being a department store Santa Claus around Christmas or somebody wearing an Easter Bunny costume on or immediately preceding Easter. I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. To the bill: I just wanted to make sure that Senator Roskam heard, in Senator Dillard's introduction, this bill is the result of a TV news story. So I'd ask you to rally your troops to vote against this fine bill. I, for one, am going to vote for it and urge all of my colleagues to do the same.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 121 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, none voting Nay, none voting Present. And House Bill 121, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ALTHOFF:

Thank you very much. Ladies and Gentlemen of the Senate, I have with me today Girl Scout Troop 96 from Lake in the Hills. They are working on their Citizenship Badge. May we welcome them to Springfield, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CROTTY:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. I, too, have a visitor from Tinley Park, Illinois, one of my constituents, Mary. Who is -- who also brought - Mary -- this is her first time here in Springfield and she's very excited about meeting everyone. And she brought her grandparents, Michael and Donna Givens, along with her mother, Joanna, who are up here in the gallery, if they would rise. Please welcome all of them to Springfield.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? And, Mary, welcome to Springfield. With leave of the Body, Senator Cullerton, would you like to return to 21? Okay. Senator Schoenberg, on 128. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 128.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 128 adds members to the Social Security Number (Protection) Task Force from the Illinois courts and from the Department of Aging. This is an -- supported by the Illinois Bankers Association. There's no opposition. I'd be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 128 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 128, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to House Bill 188. Top of page 68. Senator Martinez, on 227. Senator Clayborne, on 310. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 310.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. House Bill -- 310 is a bill that's similar to what we passed a year ago, and it deals with changing -- amending the Illinois Income Tax to provide certain

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resident and nonresident individuals - typically professional athletes - relief from multiple state taxation of their personal income. House 310 addresses the manner in which a nonresident professional athlete's income is allocated to Illinois for income tax purposes. In determining the federal taxation administrator's proposal, which has been modified to conform to the Illinois Income Tax Code, they will calculate duty days which are the total number of days a professional athlete plays in a year versus the number of days he plays in that state to determine his tax liability. I would -- ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. I just would like to report to at least our side of the Senate that this passed through Revenue unanimously. I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 310 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 310, having received the required constitutional majority, is declared passed. Senator Winkel, on 325. Senator Link, on 337. Senator Cullerton, on 339. Senator Collins, on 350. Senator Righter, on 361. Senator Trotter, on 369. Senator Trotter seeks leave of the Body to return House Bill 369 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 369. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Madam President, I understand that they're still working on the amendment. I was just informed that they're -- have not come

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to an agreement on the amendment. So I'm -- I'm going to call it out of the record for right now.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record.

SENATOR TROTTER:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Raoul, on House Bill 380. Senator Cullerton, on 394. Senator Crotty, on 398. Top of page 69. With leave of the Body, we'll return to 399. Senator Cronin, on 457. Senator Harmon, on 481. Senator Wilhelmi, on 487. Senator Hunter, on 511. Senator Hendon, on 529. Mr. -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 529.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. House Bill 529 expands the aggravating factors of sentencing decisions to include the possession, delivery and manufacture of a controlled substance if it's done in the presence of a child under the age of seventeen. It's widely supported, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 529 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 529, having received the required constitutional majority, is declared passed. Senator Link, on 566. Madam -- Senator Link seeks leave of the Body to return House Bill 566 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 566. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

I'd like to table Floor Amendment 1.

PRESIDING OFFICER: (SENATOR HALVORSON)

That motion is in order, Senator Link. With leave of the Body, we will table Floor Amendment No. 1. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Are there any further amendments on House Bill 566, Madam Secretary?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain Floor Amendment No. 2.

SENATOR CULLERTON:

Yes. Thank you, Madam Speaker -- President -- Madam President, morning. This is a technical amendment. Strikes the phrase "wavier of" and only becomes law if both House Bill 566, as amended, and Senate Bill 1930 become the law. It's a Bar Association proposal - Chicago Bar Association. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton moves the adoption of Amendment No. 2 to House Bill -- Senator Righter, I apologize, question on the Amendment No. 2?

SENATOR RIGHTER:

Just a request if -- if Senator Cullerton could repeat what the amendment does. We -- we heard almost none of that over here on this side of the aisle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. First of all, if I could get everybody in the Chambers to keep it down, please. We cannot hear what is going on. Senator Cullerton, to explain Amendment No. 2.

SENATOR CULLERTON:

Yes. This is a technical amendment. It actually amends another bill that we passed earlier in this Session, which is a Senate Bill - 1930, which is the rewrite of the Mechanics Lien Act that passed unanimously out of the Senate. There was a error

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in one word - "waiver". It was inadvertently inserted into that bill. And so this is a -- like a trailer bill, so that we don't have to amend the Senate Bill over in the House and send it back to the House. So that was the request of the House. So it's a technical amendment for another bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 566. Senator Link, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 566.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This amends the Tool and Die Lien Act. It just gives toolmakers a lien on all specialty tools. I know of no opposition, as amended.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Madam President. I believe Senator Link may have answered my question, but I want to know if he would yield, because I just want to be clear on something.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield. Senator Link -- oh, Senator Dillard.

SENATOR DILLARD:

Senator -- Senator Link, Jay Shattuck, on behalf of one of his clients, was in committee, I think on Amendment No. 1 which you tabled. So, is the opposition of Mr. Shattuck and his client

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now gone do you believe on this?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Yes, Senator Dillard. That's why I tabled Amendment No. 1 and that took away all opposition to this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Then I'd urge an Aye vote. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 566 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 566, having received the required constitutional majority, is declared passed. Senator Harmon, on 709. Senator Cullerton, on 763. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 763.

(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. Senate Bill -- House Bill 763 defines the "controlled substance analog" as a substance with a chemical structure substantially similar to controlled substance. And it makes it in the same manner that those are against the law this would add analogs. And we passed Amendment No. 1, which added "controlled substance analog" to the description of the offense of controlled substance. So, it's -- no opposition to the bill, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 763 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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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 763, having received the required constitutional majority, is declared passed. Senator Trotter, on 788. Senator Martinez, on 806. Senator Hendon, on 823. Oh! Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Thank you, Madam President. I failed to get my button pushed on that, and I'd like to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record shall so reflect, Senator. Thank you. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

You know, the same message. Thank you very much, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect, Senator Lauzen. Senator Hendon, do you wish to proceed on 823? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. This is a simple little bill that has the Department of Human Rights and it -- we changed from "may" to "shall" that they shall issue a notice of default directed to a respondent who fails to file a verified response to a charge within sixty days. There's sometimes when a person just fails to respond for various reasons. This gives them flexibility. I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 823 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 823, having received the

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required constitutional majority, is declared passed. Senator del Valle, on 881. Top of page 70. Senator Haine, on 930. Senator Haine. Senator Link, on 973. Senator Hunter, on 991. Senator Althoff, on 1041. Senator Althoff. Senator Althoff. 1041. Senator Sieben. 1074. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1074.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. Ladies and Gentlemen of the Senate, this legislation is the initiative of the Department of Natural Resources to deal with the issue of nonresident, out-of-state...

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me, Senator Sieben. This is going to be a long day, if we can't keep it down a little. Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This is the initiative of the Department of Natural Resources to address the issue of nonresident, out-of-state deer hunting permits and also the fee for those permits. What the legislation does now, following the amendments that were put on in the Ag Committee, it does raise the -- the cap on the permit number from fifteen thousand to twenty thousand and it also increases the fee for the nonresident permits by a hundred dollars in 2005, another fifty dollars in 2006, and -- another fifty dollars in 2007. So, for those Members who are concerned about voting for fee increases, this bill does have a fee increase on out-of-staters, nonresidents who purchase archery deer hunting permits in the State. I'd be pleased to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam President. To the bill and to our Members: This did pass through the Senate and -- Agriculture/Conservation Committee on a unanimous roll. As Senator Sieben mentioned, it's

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somewhat of a compromise. We worked with a lot of different groups, tried to address as many needs as we could. I think that we'll be back here next year. We'll have some more accurate information, because of some of the way that DNR is going to do their permits this year. And -- but at this point in time, I think this is a good bill and I certainly urge all Members to support it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 1074 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, 1 voting Nay, 2 voting Present. And House Bill 1074, having received the required constitutional majority, is declared passed. Senator Harmon, on 1102. Senator Sandoval, on 1197. Senator Munoz, on 1289. Senator Collins, on 1319. Senator Link, on 1427. Senator Cullerton, on 1469. Top of page 71. Senator Crotty, on 1504. Senator Cullerton, on 1588. Senator Jacobs, on 2137. Senator Garrett, on 2244. Madam Secretary, read the bill. Oh, no. It's a hold. Senator Garrett, on 2343. Senator Schoenberg, on 2347. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2347.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you -- could we take this out of the record?

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Harmon, on 2379. Senator Cullerton, on 2404. 2404. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2404.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is an initiative of the Illinois Bankers Association. Changes the short title of the Financial Institutions Digital Signature Act to the Financial Institutions Electronic Documents and Digital Signature Act. Defines "substitute check" and provides that substitute checks, along with other documents generated by an electronic or computer-generated process, shall have the same force and effect under the laws of Illinois as items recorded or created on paper or any other tangible form. It's just a clarification of -- of the current law with regard to the title of the Act and just ensures that the Act is applied -- is applied to substitute checks. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. I appreciate Senator Cullerton bringing this legislation that brings some clarity. And having gone through Senate Financial Institutions Committee, I would encourage a Yes vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2404 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 2404, having received the required constitutional majority, is declared passed. Senator Schoenberg, on 2451. Senator Schoenberg. 2451? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2451.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

I'm sorry. Take it out...

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PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. 2487. Senator Crotty. Senator Silverstein. 2492. Senator Winkel. 2500. Top of page 72. Senator Trotter, on 2509. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Madam President, I've been informed that a -- another amendment has been placed on this bill, so I'll wait to see what that amendment does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Maloney, on 2531. Senator Trotter, on 2533. 2533. Senator Trotter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2533.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. Seemingly, this bill is okay as is as -- as it was voted out of committee. What it does is, it adds language providing that change orders for any public works contract that authorizes or necessitates any increase in the price of the subcontract that is fifty percent or more of the original subcontracted price, then the portion of that contract, or - subcontract, is subject to the change order must be resubmitted for bidding in the same manner in which the original contract was bid. This -- this bill adds language providing that the change order for any public works contract will be done at fifty percent of the original contract. It'd be -- so it just raises the cost. It is an initiative of - of the County of Cook and I ask for its passage. And if there's any questions, I will answer them.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2533 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 2533, having received the required constitutional majority, is declared passed. Senator Lightford, on 2578. Senator Cullerton, on 2582. Senator Harmon, on 2595. Senator John Sullivan, on 2596. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2596.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam Chairman. Discussed this bill yesterday. House Bill 2596 does a couple of different things. First of all, it authorizes the Comptroller to withhold wages for employees who are working on a contractual basis with the State. Second part of the bill adds a provision that permits IDOT to lease all or any part of a transportation facility at which the Department has jurisdiction. Senator Rauschenberger raised some questions in regard to competitive bidding. And in regard to that, IDOT has stayed away for the -- from the RFPs, because the State of Minnesota tried the RFPs and it was found to be in violation of Federal Telecommunications Act due to the fact that it was a sole source contract. And also, just to let Members know that the -- the telecommunications provider who has been granted the initial lease must permit other providers to co-locate on that facility. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill -- Senator Rauschenberger, you've been quiet. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, I appreciate your -- and I,

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certainly, appreciate Senator Sullivan going to the trouble to bring me IDOT's response. The concern I would just share with Members is the -- the -- the reason that Minnesota was found in violation of the Federal Communications Act was not the fact that they did a competitive RFP or did a public process, they were found because they -- they offered sole source or the only right to use the right-of-way. I would still urge that we not authorize bilateral contract negotiations between the Department of Transportation and interested parties to use the right-of-way. We can still do this by a public process. I appreciate Senator Sullivan's thoughts and the fact that he brought me the information. I still think in this current environment, it's not fair to the Secretary of Transportation or good State employees to be put in a position where first come, first serve offers are accepted and people can call into question whether that was done appropriately. So, I -- I understand the intention. I -- I understand where IDOT's concern is about the Minnesota finding, but the Minnesota finding was related to exclusive use of the right-of-way, not to the public process that an RFP would bring to it. So, I -- I would urge Members to be cautious in voting for this. We just have seen a lot of negative publicity and sometimes misunderstandings when the newspapers or whatever look at nonpublic processes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any -- further discussion? Senator John Sullivan, to close.

SENATOR J. SULLIVAN:

Thank you, Madam President. Thank you, Senator Rauschenberger. Just a -- just as a point of clarification in the bill, it says an interest granted under this Section is subject to the following conditions and -- and two of those are the telecommunications facility shall be designed to accommodate such additional telecommunications equipment as may be feasible to be co-located thereon as determined by the Department and the -- telecommunications service providers granted the lease, easement, license, or permit agree to permit other telecommunications service providers to -- co-locate on the telecommunications facility. That's language in the bill. I'd appreciate an Aye vote.

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PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 2596 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 50 Yeas, 7 Nays, none voting Present. And House Bill 2596, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR TROTTER:

Thank you very much, Ms. President, Members of the Senate. I have with me two young men, two handsome young men, who've taken the day off to come and see how the practical side of -- of politics is worked. I have with me Mr. Nick Boyster, right here, this young man and I have Dorian -- Antonacci. Please join with me in welcoming them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR SCHOENBERG:

I, too, rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR SCHOENBERG:

I'm joined today by another Page from my community, Will Thibeau, who's a student at Attea Middle School in Glenview, Illinois. Please give him a warm Senate welcome today. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR LAUZEN:

Thank you, Madam President. I'd like to introduce Robert Goetz, who is a -- a friend from back home. He's our Page for a Day. He is on the adjunct faculty member of Waubonsee Community College. He's President of the Lifelong Learning Institute at

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Waubonsee. His wife, Carla, is in the President's Gallery just above where you're -- seated and we have just been talking about five years in the submarine service and going through hurricanes two hundred and fifty feet under water. Kind of sounds familiar. So I'd like the Senate to welcome Bob Goetz to the Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. Will our guests in the gallery please rise? Senator Schoenberg, on 2892. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2892.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 2892, as Senator Rauschenberger - who deserves a great deal of credit - will attest, would go a great - - go a great deal towards providing greater cost efficiencies and greater administrative capabilities to the functions in expanding the linearly-scalable data warehouse that includes other data -- other healthcare data sources at both the Department of -- of Human Services and the Department of Public Health. There are -- this -- we have an award-winning data warehouse with -- at the -- at the Department of Public Aid which tracks across many -- across many client issues what -- and makes it possible for us to more effectively deliver services. We would like our systems to be more fully integrated and speak to each other better so that we can better provide health and human services throughout the State. There is a Section that at the appropriate time I'd like to read in the record for legislative intent, and I urge your Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just want to rise and compliment the sponsor. I think this is a great bill and I appreciate him making it clear to concerned people in the administration that my original version

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of the bill was not simply a partisan thing. I -- I really think this data warehouse has been extraordinary and I really appreciate Jeff Schoenberg's work on this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2892 pass -- Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Thank you, Madam President and thank you, Senator Rauschenberger. I -- I want to return the compliment, as well. For the purpose of legislative intent, I'd like to read the following into the record: The Department of Human services has decided that House Bill 2892 can be cost neutral and will not result in an increase of the Department of Human Services management information services operational budget with the following provisions: One, the if the Department of Public Aid takes the necessary data extracts from the DHS healthcare services data that they currently already receive on a daily basis; two, if the Department of Public Aid gives the Department of Human Services computer access to all direct clinical data in the Department of Public Aid warehouse, relative to its clients for operational outcome evaluations and outcome studies to evaluate longitudinal quality of care, this evaluation shall be used to improve the application of evidence based -- of evidence-based clinical practice across healthcare continuum. Both the Department of Human Services and the Department of Public Aid have -- agreed to these provisions. In pursuant to their agreement, both agencies have agreed to enter an inter-agency agreement that will say as much. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 2892 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 2892, having received the required constitutional majority, is declared passed. Senator Trotter, on 2415. Senator Trotter. 2415 -- I mean, 3415. Senator DeLeo, on 3417. Senator -- we'll return to 3472. Senator Crotty, on 3498. We'll -- leave of the Body, we'll return to 3564. Senator Cullerton, on 3628. Madam

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Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3628.

(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 was drafted by the Illinois Coalition for Adoption Reform, comprised of advocates of adoptive parents and birth parents, adoption law experts, adoption service providers. They all drafted this bill. It's also supported by the Illinois State Bar Association and the Chicago Bar Association Adoption Laws Committee. Provides adoptive families and birth families with protections and rights in the adoption process. It enhances the ability of the government to enforce those protections and rights and requires accountability for those engaged in adoption services. There was some initial concerns about how this would affect private adoption attorneys. The fact is that attorneys can continue to be free to engage in intermediary services without compensation. The only prohibition is that consistent with existing law these types of services cannot be the subject of a fee. Nothing in the bill prohibits lawyers from charging proper legal fees as opposed to fees for adoptive services. The other effect of the bill is to require that adoption service providers become 501(c)(3) charitable organizations. It's based on a philosophy that profit and adoption do not mix. Adoption creates a family and allowing individuals to transfer children from one person to another for unlimited amounts of money, certainly sends the wrong message that children are commodities. But we do recognize that there are some very fine adoption agencies now that are for-profit. And so as a result, we have put a -- a -- a three-year -- up to a three-year period of time for them to convert to 501(3)(c) {sic} (501(c)(3)) status. Actually, it's a two-year with a third year option. But there is a streamline process to ensure that those for-profits which convert to 501(c)(3) will not have to reapply to DCFS for their license. And there's even support for a commitment from several

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attorneys to provide existing not-for-profit agencies the legal services required to convert to 501(c)(3). So, it -- we've attempted to support and -- address the concerns raised by the opponents. I have actually met with a -- a woman from southern -- I'm sorry, from the southern part of the State. Actually, I think she's from Jacksonville from the Hobby Horse House and have indicated that if there are any problems with the 501(c)(3)s, since we've given it a three-year period of time to implement it, that we would certainly address their concerns next year if necessary. So, it's a real coalition of folks from all sides of the adoption side who have come together in this bill, and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Thank you. Senator Cullerton, I know that you and -- and -- and -- and Representative Feigenholtz over in the House have worked long and hard on this and I appreciate your willingness to engage with me in a discussion about the bill -- it can -- a concern raised by one of my constituents. The first question I have is, is it -- of course, this bill is -- is going to have an effect statewide and that I know that there are -- it's my understanding, I should say, that there are a plethora of adoption agencies and not-for-profits in the -- in the Cook County and collar county area. Downstate that's not -- obviously, they are not nearly as abundant. The issue that I want to ask you about first is whether or not requiring an agency or an entity that handles an adoption to be a not-for-profit will cut back on the number of agencies or entities that are available to facilitate adoptions in downstate areas? I mean, did you receive feedback on that during the negotiations on the bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I definitely spoke with downstate foster care and

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adoption specialists and talked about their concerns. They are for-profit. They now realize they have to become not-for-profit - at least that part of their services that deal with adoption. And I indicated that -- that we do want to have that safeguard. For-profits are not necessarily bad, but in -- in the adoption field, we want to make sure that we take the profit out of it. So, I talked to them about the fact there's a two-year period in order to transfer over. We facilitated with DCFS. They don't have to reapply for a license. There's a third year option if they need to. The guarantees of an independent board of directors, volunteers, whose stake in the organization is purely charitable, preventing the pain of -- of salaries that are excessive. These are the -- and -- and to fulfill the charitable mission of serving children and families are the reasons why the -- the drafters of the bill wanted to make sure that they're not-for-profits. But we recognize that there needs to be a transition period and that's why we've put it in.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

The last question I have, Senator Cullerton, regards - and you -- you -- you touched on it in your opening comments - it has to do with attorneys providing legal services that are associated with an adoption. Is it my understanding that your belief in the bill, as it's written now, and your intent is not to diminish an attorney's ability to charge legal fees for legal services associated with the adoption process?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

That is absolutely correct. The bill's -- nothing in the bill prohibits lawyers from charging proper legal fees, as opposed to fees for adoption services. There's a Supreme Court case from 1976, called People versus Schwartz, which specifically says: So long as the attorney refrains from serving as an intermediary, go between or placing agent; so long as he or she leaves or refers the placement of children and their -- and the arrangements for their placement to agencies fully licensed, then their -- the lawyer is within his advice to give legal advice.

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So, the -- the case law is very clear right now that the types of services that -- described cannot be subject of a fee, but legal services can.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR W. JONES:

Senator Cullerton, would this bill ban for-profit agencies from being involved in adoption in Illinois?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

The -- the -- the -- the bill requires that adoption service providers be 501(c)(3) charitable organizations, organized as tax exempt not-for-profits. They are given up to three years, if they are a for-profit now, to transfer and we help facilitate that in the bill so -- by not requiring them to reapply for their DCFS license.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

So, from a non-lawyer like me, the answer is yes?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR W. JONES:

...Within a couple year...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

...phased out.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. It's -- it -- they do have to do it, but we recognize that some are for-profit now. We give 'em time to transfer over.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Rutherford.

SENATOR RUTHERFORD:

Sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RUTHERFORD:

Thank you. Senator Cullerton, I -- I appreciate the effort that you and the team have put in on this, but tell me again why - and I happen to be thinking in my mind right now - a very good enterprise that is involved with adoption that is not a 501(c)(3). Help me understand the problem as to -- letting them maintain their status and continue doing the good things they're doing today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

There's no doubt that there are very fine for-profits that are involved in the adoption process. But unfortunately, recently we have seen in our State there's some for-profits that have not been so admirable in their actions. And so the purpose of this bill - which is an extraordinary coalition of adoptive parents, as well as organizations concerned about adoptees and they have come together. People in the past who have been at odds with each other, have come together to draft a bill. The philosophy is to take profit out of adoption. They -- it creates a family. In allowing -- individuals to transfer children from one person to another for unlimited amounts of money sends the wrong message. That -- we had an extraordinary testimony in the Judiciary Committee from a -- a -- a mother in support of the bill saying that someone noticed that her child was a different race and -- and someone said in a -- in a checkout line, "How much did this -- your baby cost you?" I mean, that's the type of mentality that the children suffer under, as well as adoptive parents. We want to take that out. That's the reason for the change. But we recognize that that change takes a little bit of effort and we give 'em up to three years to do so. And I -- I told a -- a lady from Jacksonville from the Hobby Horse, because it's a three-year period, if we find that there's a problem with them doing it, I would be the first one as a sponsor of this bill

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to reexamine this next year. If there's any concern in -- in southern Illinois or central Illinois because there's not as many agencies - about access, I would be the first one to come back. But I really don't believe that that's the case. It's not impossible just to switch over, or even a portion of your agency to switch over, to a not-for-profit as it relates to adoptive -- services.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. Senator Cullerton, I -- I -- I don't diminish the effort that was put in and the heart and the intent of those that testified on it. I guess the concern I have is that there are scurrilous enterprises that are taking advantage of a situation, whether they're under a for-profit or not-for-profit status. There's always a way to go around trying to take advantage of a process and I do have some real concern forcing good enterprises that are doing good service into a category that they may not need or want to go into and that being the 501(c)(3). Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Madam President, Senator Cullerton and I don't always have the same view, but I have to tell you I was in committee - Judiciary - when Senator Cullerton -- brokered this deal and I was impressed with his thoughtfulness and his willingness to work with all sides. And I believe that he's worked very hard on this legislation. I urge my colleagues to support it with a -- a -- overwhelming Aye -- Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator Cullerton, you remember the testimony in the committee from that couple who basically said, look, they went

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the nonprofit route and the nonprofit route was expensive and it was very difficult and they -- they -- they were not well-served by that? And then they said, we went to this tiny agency, it's for-profit and they took care of us and they, you know, they weren't prejudice against the working mom and -- and we were slightly older and they really helped us. How do we kind of balance that to make sure that -- that those folks are well cared for? Because he was -- that witness was really animated, you know, and -- and had very passionate feelings and felt like the big adoption agencies were using House Bill 3628 to railroad through competition. Could you speak to that issue, and particularly to that one witness' observation of his own experience?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I remember the testimony. There's -- I believe it was anecdotal. I think that the couple did have a bad experience in one larger agency, had a better experience in a for-profit, smaller agency. There is no question about that. But the -- and -- and there's -- and I'm saying that there's not a guarantee that being a 501(c)(3) is -- is a guarantee of good behavior. But it does guarantee certain safeguards that make bad behavior more easily detected and it eliminates incentives that would have the same results. So, I -- you know, it's hard to know the circumstances under that -- that that couple had. I don't know, there might have been another side of the story that we weren't privy to. I don't think it takes away, though, from the -- the philosophy of the bill, to take profit out of the adoption process. So -- and we're not creating larger adoption agencies at the expense of smaller ones. I -- I anticipate they're still be -- they would still be the same size, but they've gone from a for-profit to a not-for-profit, and you know the difference. So, I really think it's -- it's an important part of the bill. We've been reasonable, I think, in giving it a period of time for us to see how it -- give them time to switch over and if they -- if people come to us next year and say this isn't working, it's impossible, it's going to prevent adoption services from being provided in the sparsely populated areas of the State, my God,

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we'd -- we'd come right back and we'd change it.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

I would just -- appreciate the dialogue and I hope I've answered the questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 3628 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 41 Yeas, 12 Nays, 2 voting Present. And House Bill 3628, having received the required constitutional majority, is declared passed. Senator Harmon, on 3650. Senator Collins, on 3680. Madam Secretary, read the bill. Senator Collins seeks leave of the Body to return House Bill 3680 to the Order of 2nd Reading for an amendment. All those in favor, say Aye -- no. On the Order of 2nd Reading is House Bill 3680. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Madam President. I would like to table Floor Amendment No. 3. Is that the amendment number?

PRESIDING OFFICER: (SENATOR HALVORSON)

Amendment No. 3 will be tabled. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment will be tabled. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On the Order of 3rd Reading. Senator Collins, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3680.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Members of the Senate. House Bill 3680 replicates Senate Bill 1850 that passed out of the Senate 57 to 0. It's a initiative of ISBE. And what it does, it removes the requirement that school boards annually certify the existence of hazardous conditions to the State Superintendent when they are providing students with free transportation to school, because walking would be too dangerous. As I indicated before, ISBE initiated the bill, because they felt that it -- it simply does not use the information and that it is thus unnecessary for the school board resolution and IDOT determination to be submitted and kept on file with the State Board. The information would still be expected to be kept by the school district as it must be available there in case of an audit. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3680 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 3680, having received the required constitutional majority, is declared passed. Senator Wilhelmi, on 3755. Miss -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President. House Bill 3755 amends the Illinois Underground Utility Facilities Damage Prevention Act, regarding open cut utility locate practices. Specifically, the bill provides definitions of excavation, open cut utility locate

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and roadway surface milling. There was a problem in defining "forty-eight hours" before. The practice of the industry is that "forty-eight hours" means two business days, so that is taken care of in this -- in this bill. Also -- the -- this bill also designates certain colors of flags, stakes and paint used to mark underground utility facility locates. And, finally, there's some penalty provisions in here for when those notification provisions are not followed. I know of no opposition and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3755 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 3755, having received the required constitutional majority, is declared passed. Senator Jacobs, on 3770. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3770.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Madam President, this is an identical bill to what I passed out of the Senate some time ago. It simply stops the sweeps from the CMS from the State Construction Fund. And I ask for your affirmative vote and I would also like to put the Body on notice that if the Governor doesn't begin to quit sweeping these funds, we should move next year to take back -- all power that we gave away the Governor to sweep these funds.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3770 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 3770, having received the

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required constitutional majority, is declared passed. Senator Crotty, on House Bill 3800. Senator Silverstein, on 3874. Senator Maloney, on 4030. Senator del Valle in the Chair.

PRESIDING OFFICER: (SENATOR DEL VALLE)

With leave of the Body, we'll return to page 67 on the Calendar. Bottom on page 67. Continuing with House Bills 3rd Reading. Senator Halvorson, on House Bill 188. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 188.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 188 amends the Prevailing Wage Act by requiring all contractors and subcontractors subject to the Prevailing Wage Act to submit a certified payroll to the public body on a monthly basis. Also establishes penalties for noncompliance. What this is about is it's to help the little guys, the contractors -- the smaller contractors who are no longer able to stay in business, because they underbid a project and then the local municipalities or -- or -- or places that are doing these public projects are underbidding and paying less than what the prevailing wage is. We're trying to catch the cheaters. We haven't been able to do that. We feel that this is about accountability, about transparency, about doing something that we will then be able to catch the people who are not paying prevailing wage on a project. There's a lot more I could say, but at this point I would rather leave it open and answer any questions that I can.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: I rise in strong support of this legislation. In -- in -- at a time when we talk about transparency and accountability, this is exactly the type of legislation you want passed. Every year government entities pass ordinances requiring that public entities pay prevailing

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wage for government contracts that they enter into. They have no idea whether or not those entities do pay prevailing wage. This is an opportunity for them to be accountable to the taxpayer and let them know that they are following their own rules. I rise in strong support. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR RIGHTER:

Thank you. Senator Halvorson, we had some discussion of this bill in committee and -- and you -- you mentioned it in your opening that there was a concern by some, like the -- the Association for Fair Labor Contracting, I think it was, about the fact that there were constructing -- construction entities out there who are under bidding their competitors. And the reason that they were able to land the contracts was not because they were going to be more efficient in their business operation, but because they were cheating. And I think I asked that gentleman on how many of those instances were prevailing wage investigations initiated and how many were found to be guilty of the prevailing wage, and it seemed to be a very, very small number. Not the -- not the number of investigations initiated - that was a pretty big number - but violations really weren't found. What is in this bill that's really going to help the Department of Labor do a better job of determining, once an investigation is started, whether or not someone cheated? Because that was the problem in those instances.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

As the Department of Labor attended many of these meetings, people, when they're told to submit their payrolls, they're basically just thumbing their nose at them, because there's nothing in place really to encourage them to give them the payroll. They'll do it in time, but their lawyers are probably telling them, don't give it to 'em. And then by the time the

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project's done, you know, they don't care if they're found to have done something wrong, because now they've gotten the project and they've worked it through. All this is, is it simply states we want the public to be able to find out who is paying prevailing wage. Prevailing wage is the law. We're not trying to do anything but certify what people are paying based on the law.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Senator, isn't it already true that the Department of Labor already has the authority to get the certified payroll records any time they want? I mean, this would require the -- the contracting entity to submit them every single month, regardless of whether they've ever been investigated, regardless of whether they've ever been found in violation. They've got to send those in every month, but the Department already has the authority to get those. So, how are we moving forward the cause of catching the cheaters, if the Department already has the authority to do all that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

The Department of Labor says that sometimes it takes several years to get it. So, what we're doing -- and we added an amendment after these meetings. We added an amendment that said, however the person certifies their payroll, they send that in. So, they're not having to do anything. In fact, to give you a little history on this, we had this bill in the Senate and then there was one identical in the House. I held mine in the Senate and said, you guys work it out in the House, because there's some obvious problems. They made seven changes to the House bill and then the people who were against it there, when it came over here they're still against it. We've done everything we could to accommodate the people that have been against it. No matter what we do from now on, the people who are against it are going to be against it. They just don't want to put their payroll out there. These are public projects. This is all about certifying a payroll. It -- it -- the federal -- with the federal government

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you got to do it -- if you get federal dollars you got to do it every week. And right now, if you want to find out what a person is making, just go on the Internet. It's all public knowledge. This is just saying if -- if contractors know that they have to certify their payroll once a month, however it is that they pay their payroll now, people are less likely to cheat.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President, please. Thank you. Ladies and Gentlemen of the Senate, I think that Senator Halvorson - and thank you for your work, Senator, on this and I know that you've tried to be accommodating to a good number of the groups - I don't know that it's fair to characterize that people who are against this are going to be against this regardless of the change that's made. I don't think that's fair to say about my constituents and my small construction company owners, most of which have never had a problem with the Department of Labor, most of which have never been -- found in violation of the Prevailing Wage Act, most of which have never even been -- had an investigation initiated against them. But now we're going to require, every thirty days, they're going to have to send in their certified payroll to help the Department of Labor look at records that they already have the legal authority to get. I think if -- if we want to address the issue of people who won't turn in their payroll records when the Department of Labor says, we want your payroll records, then let's address that specific issue. But -- this casts a very, very broad net over a large number of contractors who have never done anything wrong, who their intent has never been to do anything wrong and this simply adds more paperwork to employers that are trying to create jobs. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR J. SULLIVAN:

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Senator, what -- where -- why do you see the need for this legislation? What -- what drives this?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Senator Sullivan, the small contractors in my district came to me and said that they can no longer bid on public projects, because they are underbid. Now, it's already been agreed that people pay the same amount for their stone, the same amount for the different products and things that come -- go into a project, but when people are underbid that much, it's all based on wages. And -- and they know that there's no way for people to find out these wages. What we're trying to do is we're helping the little guys try to still be able to bid on public projects. You know, it -- it's very difficult, and I know, I used to be a township clerk. You know, when you get all the bids, it's very difficult to turn away a bid that is very, very, very low. But a lot of times that difference is based on just what people are being paid. This is only on public projects. We already have a prevailing wage law. You are required to pay prevailing wage, we just want to make sure they pay that prevailing wage.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

I -- to kind of follow up on Senator Righter's comments, I have a -- I met with a contractor last week with the Department of -- and -- and the Department of Labor. They had had twenty-three prevailing wage violations filed against them. The Department's required to investigate all of those. They found, of the twenty-three, there was one minor error and it was really almost an accounting error, but the Department -- and these were mostly filed, not from an employee, but from a third-party that made those filings. Would you be willing to work with me on trying to address some of those frivolous claims that are being filed to try to reduce those numbers? I feel very strongly if somebody makes a violation, if there is a violation in regard to prevailing wage, somebody is trying to get behind -- get, you know, avoid paying it, I would be very much opposed to that. I

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see the need and I fully respect the prevailing wage, but the -- some of the frivolous, minor, third-party -- accusations that are coming -- I do have a very big concern with.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you for asking that. As you know, today is the deadline for Senate Bills and I plan on calling this for a vote, but I will definitely work with you and all the other people that have come to me with regards to that issue on -- on a bill to follow.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson, to close.

SENATOR HALVORSON:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 188 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 14 Nays, 1 voting Present. House Bill 188, having received the required constitutional majority, is declared passed. With leave of the Body, we will go to page 68. House Bill 361. Senator Righter. Senator Dave Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We hear Scott Kaiser's voice every day on the Floor, now we get to see what's really important to him. His wife, Julie, is in the gallery with his son, Jacob, and his daughter, Laura. If we could welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator Righter, on House Bill 361. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 361.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

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SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 361 is a simple endeavor. It creates within the Department of Commerce and Economic -- Opportunity -- excuse me, it allows the Department to create within their Department a business park certification program. Business parks are sprouting up all over this State. They've been a very good tool to create jobs. This simply allows the Department to put some guidelines into effect and if funding becomes available, to put some incentives in place for that program.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 361 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 361, having received the required constitutional majority, is declared passed. With leave of the Body, we will proceed to the top of page 69. House Bill 457. Senator Cronin, do you wish to proceed? Senator Cronin leaves -- seeks leave of the Body to return House Bill 457 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 457. Madam -- Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

This is a amendment that imposes the statute of limitations of five years on the identity theft bill of Senator Cronin's. I believe it's agreed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, 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, Mr. President.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. The Order of 3rd Reading is House Bill 457.  
Senator Cronin. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 457.

(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 addresses the issue of identity theft. We've seen a number of bills on that subject matter this Session. This bill, and with the amendment, seeks to -- to impose a -- provides a prosecution for identity theft or aggravated identity theft may be commenced within five years after the discovery of the crime. I know of no opposition. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? There being none, the question is, shall House Bill 457 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 457, having received the required constitutional majority, is declared passed. House Bill 487. Senator Wilhelmi. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. House Bill 487 amends the Illinois Identification Card Act and the Illinois Vehicle Code regarding unpermitted use of -- of a Secretary of State identification card. The underlying bill makes it -- illegal to use information obtained from a person's driver's license or

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identification card during a commercial transaction for any purpose other than identifying the person or completing the commercial transaction. The bill would prohibit also transferring information obtained from a driver's license to a third party. The last issue is that it provides an exception in the -- in this bill when a third party is complying with a State or federal law, and, therefore, would be allowed to give that information over to the third party or when the transfer is pursuant to detecting and prosecuting criminal offenses. I would like the Body to know that we are working with interested groups on a trailer bill that I would be presenting in the fall. Other than that, I know of no opposition, and I would appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 487 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 487, having received the required constitutional majority, is declared passed. Now with leave of the Body, we will proceed to page 71. House Bill 2343. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2343.

(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 2343 amends the Illinois Health Care Finance Reform Act by requiring the Department of Public Health to collect data for inpatient and outpatient conditions and procedures from hospitals and ambulatory surgical treatment centers. It also requires all hospital and ambulatory surgical treatment centers licensed in Illinois to adopt a uniform system for reporting patient claims and encounter data. The Department is currently required to make available on its website the "Consumer Guide to Health Care" by

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January 1, 2006. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of Chamber. Briefly, to the bill: I stand in support of the bill. Senator Garrett has done a nice job of working with all the parties in removing - to my knowledge - the opposition to the bill, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 2343 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2343, having received the required constitutional majority, is declared passed. Proceeding to the top of page 72. House Bill 2509. Senator Trotter. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 2509.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Mr. President, Members of the Senate, hospital {sic} (House Bill) 2509, we've had many discussions about in committee and we've amended it once. It creates the Hospital Basic Service Prevention {sic} (Preservation) Act. It allows the State to guarantee a loan to the Hospital Basic Services Preservation Fund. And as -- kind of as a result of financial difficulties at Roseland Hospital, we have put in place a Hospital Basic Services Review Board at the request of some of the Members, which we'll be looking at a copy of the hospital's last audited financial statements, percentage of the hospital's patients, who are Medicaid patients, who are Medicare patients. And it will have the authority of the Hospital Planning Facilities Board to oversee the viability of their plan.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill: I stand in support of the bill. It's my understanding this is an initiative from the State Treasurer's Office. The Senator has done a nice job of working with all the parties to put the appropriate safeguards in with regards to these funds, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 2509 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2509, having received the required constitutional majority, is declared passed. Senator Wojcik, for what purpose do you rise?

SENATOR WOJCIK:

For the point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR WOJCIK:

I have the privilege of having some young students in the gallery on the Democratic side from the Bartlett Nature Ridge School and they're here with their parents and let's welcome you to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guest in the gallery please rise? Welcome to Springfield. Proceeding to the top of page 73. House Bill 3564. Senator Halvorson. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3564.

(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. House Bill 3564 expands the scope of the Penny Severns Breast and Cervical Cancer Research Fund to include ovarian cancer research.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I stand in support of the bill. It's my understanding with this expansion it makes it easier for us to capture federal research dollars. I appreciate the Senator's work. Urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 3564 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, none voting Nay, none voting Present. House Bill 3564, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to page 67. House Bill 21. Senator Cullerton. Mr. Secretary, read the bill.

SENATOR CULLERTON:

House Bill 21.

(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. House Bill -- House Bill 21 provides that a governmental agency in a municipality or county may establish, if they wish, an automated traffic law enforcement system. Currently, the City of Chicago is the only governmental agency that's done this in Illinois. A number of other cities have asked for the right to do this if they wish. An automatic traffic enforcement program is a very effective component of a traffic safety strategy, which includes engineering, education and man enforcement. It's a real problem. In 2002, there were two hundred and seven thousand crashes, a hundred and seventy-eight thousand injuries and nine hundred and twenty-one fatalities in the United States attributable to red light running. In Illinois, that translates into about fifty people killed every year 'cause of red light running. These fatal motor crashes at traffic signals are rising faster than all other fatal crashes. It -- it -- studies have shown that the

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crashes resulting from red light running tend to be more severe than other crashes, because the vehicles are hit at right angles. So it's a serious safety issue. A number of cities have enacted these, primarily in the larger cities where there's a lot of traffic. The -- some issues were raised in committee, and I'll try to address those. First of all, to make it clear, the violation would occur when a motorist enters the intersection after the signals turn red. These are not -- you don't get a ticket for -- yellow lights. The fact is that the way this is set up, the ticket -- the -- the pictures that are taken are not of the driver of the vehicle, but rather the -- the license plate. And so, the ticket is like a parking ticket, not a moving violation. The cameras are not set, therefore, to take a picture of every car that goes through the intersection, it's rather only after the light has turned red. There's three photographs and, of course, there's defenses to this, as well. A police officer looks at the photograph to determine whether or not a ticket should be issued. If it was a funeral or an ambulance that caused you to do this, go through the light, that's certainly a defense. The law is needed, because it will authorize the cities to do so, but there's no obligation that the cities would pass this ordinance. And as far as the fine, that's up to the cities, as well. They get to decide. We, in the State, set many statutes. We set a maximum fine. Like, for example, petty offenses you can have up to a thousand-dollar fine. In this case, it's up to a five-hundred-dollar fine. But the municipality that sets this ordinance in -- into effect would be the one that would set the fine. As I said, Chicago has chosen to have seventy-five-dollar fine. So, be happy to answer any questions. I think that some people are concerned about the big brother cameras invading people's lives. These are public highways. It's not a picture of the person. It's the equivalent of a parking ticket and it works. If you -- if you come up to an intersection and there's a police officer in a squad car parked at the side and you're thinking about running a red light, nobody here would do that. But unfortunately, all of us at one point in time have probably run a red light, 'cause we didn't think we were going to get caught. When there's a camera on there and there's a sign saying there's a camera, it has the effect of

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cutting down on people running red lights. It has the effect of saving lives. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President and Members of the Body. I think -  
- I think we ought to all realize what this bill is all about. And I appreciate the sponsor and I think the sponsor has worked hard and I think the sponsor is concerned about accidents. But let me quote what the National Motorist Association -- some traffic engineers have to say about it; revenues seem to be driving the red light rage, because what they're doing is, manufacturers of the cameras are coming in at no cost to the city, installing the cameras at the intersections and then receiving a fee off of the fine. Now, the sponsor said the communities are free to set the fine, but it - they've raised the limit up to five hundred dollars. The reason they've raised the limit up to five hundred-dollars is because the manufacturers put the cameras in, they collect about seventy-five dollars off the ticket. The communities jack the fees up -- the fines up to two hundred and fifty dollars or so, and so it's a cash cow for them. In Fairfax County, Virginia, there's been a ninety-six percent decrease in red light violations at the intersection of US-50 and Fair Ridge Drive, but only after they changed the traffic signal and the timing on the -- on the yellow lights. There's a way to do this without putting a camera at the intersections. Senator Shadid and myself have entered a resolution encouraging IDOT and the communities to add additional red time to the legs to clear the intersection. So if you're truly interested in the safety of the intersection, the engineers - the traffic engineers - have a way to do that. This is really about making money and once this goes into effect, it won't come off the books, because it will be a -- a -- a revenue streams for our communities. I urge a No vote on this and I urge a Yes vote on the resolution so that we can encourage the traffic engineers to reduce the -- accidents. One other thing I might add, when these contracts are put together with the manufacturers of the camera company, they have a clause in it that says the traffic engineers cannot change the signals, because if they change the signals, the number of

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accidents go down and the revenue that comes into the manufacturers also goes down at the same time. I think we -- ought to be honest about what this bill is about. It's really not about safety. We have a way of -- of -- of protecting the safety by changing the signals. This is really about money. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

I appreciate the previous speaker's comments. I -- I wanted to respond them if I could. Aware of his concerns, we have in the bill the compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated. So it's not true that they get seventy-five dollars per ticket. In Chicago, the fine is seventy-five dollars. That goes to the City. The City repays the -- whoever the winning bidder was for the red light camera and they cost up to a hundred thousand dollars per intersection. So the money is going to pay off the cameras. It's not a money raising -- the goal is not a money raising for the City, but rather to cut down on the number of fatalities. And it's not inconsistent with traffic engineers delaying the length of the yellow lights whatever they want to do. This only takes a picture of somebody who is -- whenever -- however long that yellow light is, has gone through a red light. So -- and I think the organization that he quoted, the National Motorist Association is not a safety organization at all. In fact, they don't believe in the registration of cars. So they probably don't even believe in red lights, and so it's not a -- a -- a -- an entity that's worth quoting.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR ROSKAM:

Senator Cullerton, there's no cell phone part in this bill.

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Right? That's been amended out. Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

That is correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

And when you originally had this bill, it was to be a moving violation and you've reduced that down to a -- the equivalent of a parking ticket. Is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Big difference, because the picture that's taken is not of the driver. The picture that's taken is of the license plate only, and therefore it's only -- it can't be a moving violation. It's only a parking ticket equivalent.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

I just want to kind of follow up on that. So, in other words, there's no -- there's not a big brother data file, per say, of -- of images of people and so forth. It's strictly limited to the vehicle itself, not unlike somebody walking along and, you know, Barney Fife in Mayberry, writing down you were here, Goober, at three in the afternoon and I'm writing it down. It's kind of like that, isn't it?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. It -- perfectly analogous to a parking ticket. And -- and therefore, the owner of the car, no matter who parked the car, gets the ticket. The owner of the car, no matter who's driving the car, gets the ticket. But it's a ticket, not a moving violation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

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Well then briefly to the bill: You know, I think this is a pretty reasonable thing. It's not something that -- that is -- is taking pictures of people as they're driving along. It's not taking pictures of people that are going through red lights. It's not giving people tickets that are -- are -- are -- I'm sorry, going through yellow lights. It's not giving people moving violation tickets that have a -- a much more serious impact. It's had a proven track record in terms of its ability to be a restraining influence in intersections and to -- to save lives. And I think it's been greatly compromised down. And the contingent fee argument, were that true, that would be a real problem, but there's not a financial incentive built into this. In fact, there's a prohibition built into any kind of contingent fee arrangement that a vendor can have with the municipality. So, I think, based on that, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Bomke.

SENATOR BOMKE:

Thank you -- thank you, Mr. President. Question to the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR BOMKE:

It was not -- not real clear, Senator Cullerton, when we were talking about owner liability. Could you explain that, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Since you only have a picture of the license plate. And you have a picture of the license plate of a car that is running -- a red light. The person driving the car is not getting a moving violation, and therefore they're not getting a ticket. The ticket that you get is the same ticket that I would get if I parked illegally down in Springfield, Illinois, and I -- I'm the owner of the car or if I gave it to a Page and the Page parked illegally, I still got to pay the ticket. It's the same analogy.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Bomke.

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SENATOR BOMKE:

Thank you. So, in others words, if my son is driving my car, you're driving my car, Senator Rauschenberger's driving my car, they get a ticket in my car or they -- they run -- allegedly run a led -- light, I'm going to get the ticket. Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Just like if your son gets a ticket on Rush Street in the City of Chicago, and he tells you, Dad, I wasn't on Rush Street. I wasn't anywhere near Chicago. We have worked with the City of Chicago and the downstaters to make sure that there's a double check to make sure that the ticket wasn't issued in error. But that's when a police officer writes it out and makes an error because he writes the wrong number down. In this case there's a actual picture of the license plate, so there's less chance of there being those errors.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. To the bill: It's been indicated that these lights, or these cameras, actually save lives, I guess. I would question that. I -- I have in front of me a study by the North Carolina A&T State University Transportation Institution {sic} (Institute), has concluded, after extensive analysis, that eighteen red light cameras used on Greensboro thoroughfares may very well cause more accidents rather than fewer. According to the study, while wrecks overall were found to be decreasing, their incident {sic} at the intersection with surveillance cameras was increasing. So, I question that this is a safety issue. I believe, as Senator Risinger said earlier, this is a cash cow not only for the communities, but -- but also for those who are manufacturing these cameras. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Could -- if I could. Senator, I took this out of the record yesterday, 'cause I read -- I heard about that study for the

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first time yesterday. So I contacted the Insurance Institute for Highway Safety, which is the most independent highway safety organization in the United States and they rebutted. I have a -- I have a copy of it rebutting that study. That was a flawed study. It was not peer reviewed. What happens is, they put these cameras in the more dangerous intersections to begin with and it has an interesting effect even though there are signs up saying that there's a -- the camera is -- the intersection you're coming up to has a camera, it has the effect of people in those communities of not running other red lights -- other intersections even when there is no -- camera. So, that was the flaw in the study. There's no question - all the studies that have been done, that one's been refuted - that it does cut down, as -- as you're -- logically would expect. If you know you're going to get a ticket, you don't run the red light. It cuts down on -- on crashes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I rise in opposition to this bill. I think my colleagues have addressed some of the fiscal concerns and -- and from that aspect. But I'd also like to point out that right now we have several instances where we have people that are being ticketed unfairly because of cameras, whatever. If you've driven the tollways, I'm sure every one of us in here has received all kinds of letters, correspondence from our constituents, who all of a sudden get these little letters from the Toll Authority telling them that they have to go out and pay for their tickets and their fines. And upon further inspection, it's because of a mechanical failure with I-PASS or maybe a camera failure with I-PASS. Well, I would suggest to you that even now that there are problems. I -- it seems that I recall there was an article in one of the Chicago papers - a month, two months ago - talking about the fact that there were errors with the cameras that were taking photos. That, indeed, upon further inspection, the City was ticketing people who were not found to be guilty, but they had to go through a bureaucratic nightmare to -- to prove themselves -- to prove that they were not guilty of the crimes that they were committed of. I'm going to suggest

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that by doing this -- and people have said it's the equivalent of a parking ticket. Many of us also have dealt with those parking ticket problems in the City of Chicago, too. And I don't think that this is going to help us when we have to deal with our constituents who receive all kinds of tickets in error. And I would just urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid. Senator Shadid.

SENATOR SHADID:

Thank you very much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR SHADID:

In your legislation, Senator Cullerton, is there any schedule of what the fines would be for this offense, going through the red light?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

The fines are determined by the municipality, if they choose to enact this ordinance. If they choose not to enact the ordinance, this doesn't become the law. Just like my smoking bill that I passed the other day, authorizing the Village of Peoria if they want to impose some kind of smoking limitations, it's up to them. Just like many other statutes, the Legislature sets a cap on how much you can charge in a fine. Petty offenses are a thousand dollars, for example. The fine in this case would be up to that municipality who decides what they want to charge. In the case of the City of Chicago, it's a seventy-five-dollar charge. That's the only jurisdiction that has this so far.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Senator, with all due respect, please don't compare this to smoking when a business owner wants you to -- to let you smoke in his tavern. This red light camera that -- there is no comparison there. Okay? As far as I'm concerned. But my -- my big problem is this, are these cameras put in there with the sole intent, or the main intent, to reduce the amount of accidents at this

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dangerous intersection?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. That's the -- that's the main purpose, the goal of the -- of the -- it's the only goal, in my opinion, of this bill, to cut down on the incidence of red light running. Now, you have a fine, because people have to know there's consequences. If there's no fine, they would -- so you take a picture of 'em going through a red light - big deal. There's no fine. The City has to pay off the hundred thousand dollars per intersection that the cameras cost, so they charge the fine and they pay 'em off. And the bill says that the owners of those cameras that sell 'em to the City can't -- can only be paid based on the value of the equipment, not on a quota system for how -- for the City to -- to give a -- a bunch of tickets.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

The information I have is that each city has their own separate contract with whoever the vendor is going to be, and they determine the amount of fine, the amount that the vendor will get for each camera or he gets a percentage of the fine, instead of them buying the camera. Okay. Now...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

...it just -- it just seems strange, also, to me, that we're willing to do this and not use a gentleman's - who I have known many years - Senator Risinger, who is a district engineer for IDOT for fifteen, twenty years, who does understand this and does understand what you can do with today's technology. That you can program these intersections to reduce the accidents and that's what we're trying to do. And it doesn't cost the taxpayer a nickel and it doesn't -- because what really bothers me, is you're using this as a parking ticket fine when it's a violation, a moving violation. If you got your car parked, it's not causing an accident, you didn't run over anybody. But if you do this, there is an accident, did the camera stop the accident? I don't

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think so. The camera, to my knowledge, to my - what I've read, is a cash cow that's there because there's money involved and also this group who's providing these cameras gets a percentage of it in most of the cities -- and a lot of the cities are now -- states are now on the verge of reversing what they did and not allowing them in their state. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, I'm going to make history today. Today is going to be the first day I ever vote against a John Cullerton bill. Well, that smoking in prison one was just as bad. I -- we prevented some riots with that one. So, this will be the first time that I vote against a -- the second time that I've voted against a John Cullerton bill. This is a bad bill, Ladies and Gentlemen of the Senate. And I am actually shocked that Senator Roskam, a bright and intelligent man, who possibly is on his way to Congress, would get up and stand up for something like this. This is a bad bill. The City of Chicago has cameras now. And let me tell you something, for anyone who believes in fairness, all the cameras that the City of Chicago has spying on people right now - the innocent people, I'm not talking about the guilty people - are all in the Black and Hispanic community - all of 'em. You have one or two in the white neighborhood and that's mostly around the airport to fight terrorism, but all the rest are in the Black or Hispanic neighborhoods. So, my question to you, Senator Cullerton, is what's the guarantee that the municipalities will put the cameras everywhere, or can they put them wherever they choose?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Oh! So glad that you gave me an opportunity to respond to that, because I'm going to point out the difference between what they're doing on -- in your community and what this is about. The difference - you're talking about something which I am very concerned about myself - and we've had legislation on it and you've had -- you have in the City of Chicago in certain areas and you've pointed out where they are - of cameras taking

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pictures of people on the street, ostensibly to cut down on crime. That is a real civil libertarian concern and especially where they choose to do it. But I -- I ask you this, what -- the -- the one area where there's no racial profiling is a camera taking a picture of a license plate. How does the camera know who owns that car? There's no way. That's the one thing we got equality in this country, is no racial profiling when you take a picture of a license plate. So, I don't want have your concerns on the Westside with those cameras be -- be -- be confused with this bill, 'cause this bill has nothing to do with that legitimate concern that you have.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Let me -- let me make this very clear to you, my friend. White folk live on the Westside, too. All right? Whites, Hispanics, Asians, everybody live on the Westside now. It's the place to live, you know that. Four-hundred-thousand-dollar condominiums right down the street from me. There is neighborhood profiling. How do you address that? My question was, can the municipality choose which neighborhood in which to put the camera? Which is neighborhood profiling. Address that, my friend.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

They put the cameras in the City of Chicago at the twenty most dangerous intersections. The one I'm familiar with is at Peterson and Western. That's, I think, in Senator Silverstein's district. They don't pick these based on where the crime rate is, where black people live, where yellow people live. It doesn't take a picture of a person. It takes a picture of a car and they only care about cutting down on red light running. You are confusing a very legitimate concern about what's happening in the City with a bill that has nothing to do with it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Where in your bill does it clearly state that the cameras

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can only go at the high accident intersections? Is it in your bill or -- or can the cities -- can these cities decide where they go? Is it in your bill that says they can only go at the twenty highest accident locations? Where in your bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

To answer your question, the answer is, it's -- that is up to the municipality to decide, but they can't take a picture of the vehicle's driver, so they can't racially profile. They can only take a picture of a license plate that goes through a red light.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

I hope you all are listening to what attorney Cullerton just said, because that was not the Legislator speaking, that was the attorney, and he gave you the answer in attorney talk, attorney speak. In other words, we got to trust the local municipalities. He's just admitted they can put them wherever they want and I believe that these cameras, like the other cameras, can be used to profile neighborhoods, to target certain neighborhoods for economic reasons only - for economic reasons only. People are already getting tickets that they did not deserve, John, tickets that they weren't even where they said they were, and -- and to fight these tickets you have to go before a officer who works for the city. So, the judge in these cases works for the city. That person gets paid by the city. They're not on the people's side. They're on the municipality's side. So, how can you get a ticket from a dumb camera and then appeal? Are you going to appeal to a camera, as well? Maybe we should have the -- them go before a camera to make your appeal, John. This is wrong. It is bad. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I rise in support of the bill, as Chair of Insurance Committee. To reiterate Senator -- Cullerton's

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reference to safety studies, I attended a conference sponsored by the National Conference of Insurance Legislators in February, and a morning was spent on the -- on the tremendous cost to insurance -- companies and ratepayers, as well as people suffering the ill effects of traffic accidents at intersections. Apparently, most of the traffic fatalities are the result of intersection collision -- t-boned collisions. And the safety experts, the engineers, have come up with two approaches. One of which is to reconstruct dangerous -- intersections to have a circle entrance. That's a tremendous expense. The second -- method, is to adopt the procedures outlined in this bill. This is not a cash cow, with all due respect, much less than the enforcement of our Traffic Code is a cash cow. These are safety measures. These are measures -- this will deter the running of red lights, which will reduce the number of fatalities and serious -- injuries that result from people speeding through an intersection. Enforcement is the only way the law has to reduce the desire to beat a light, and that means paying a fine. It's not a cash cow. It's a way to deter reckless and irresponsible behavior. The way Senator Cullerton has crafted this bill, it reduces the incentive to just treat it as a cash cow. It's a safety measure and I urge strong support for this so we can save lives of the citizens of -- of -- of -- of Illinois, our children, our grandchildren who are crossing an intersection at the same time somebody in a hurry wants to beat a red light. This will deter that irresponsible conduct. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I stand in strong support of this bill. I have one in my district on Western and Peterson. I travel that every single day and, yes, it does work. This is a issue about safety. This isn't an issue about profiling. How many times do we hear on the news, hit and run accidents where people are killed or injured? These things work. People slow down. I think it's a good idea and I think we're getting off the issue totally. So, I would support -- support the bill, and hopefully that it will pass the Senate. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Risinger, for a second time.

SENATOR RISINGER:

I think my name was used in debate, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RISINGER:

Can you indicate to me of the ten locations in Chicago how much money is -- is -- is taken in each year from that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

I don't know the intersections. And I asked the representative of the City if they could get 'em to me, right now, so I could respond to Senator Hendon's concerns. I don't know how much money they've -- they've taken in. I do know that they have to pay off these cameras and they cost up to about a hundred thousand dollars an intersection.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

Can you tell me if the amount of money has gone up or gone down since the -- each year since the cameras have been installed?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know and I would point out, you -- you remind me to point out that this bill doesn't apply to Chicago, they already have it. But we can look to Chicago as an experience so -- an analogous to the rest of the State if they choose to do it. I think what probably happens, I'm just guessing, it's human nature, people probably initially run the red lights, they get the tickets and then they realize they really have to pay the fines and then there's a reduction in the amount of -- red light running and there's a reduction in the amount of money that the city would get, as well.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger, last point.

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SENATOR RISINGER:

And I think that's exactly right. I think the issue is, if -- if this truly is reducing a number of accidents and everything, the amount of revenue has gone down. And I think if you'll look at that, you'll find that the amount of revenue has not gone down, but I'd like to have that verified. You know, to -- to the bill, itself: This -- there is a way to really reduce accidents without costing the taxpayers anything, and that's to adjust the yellow and the red on the traffic signals. The traffic engineers, right now, are trying to balance the amount of traffic going through these intersections. And so they're balancing the amount of green time against the amount of red and yellow time, knowing that there's going to be accidents. If you want to reduce the accidents, there's a way to do it and they can do it, believe me. And the resolution that Senator Shadid and myself has presented is to urge IDOT, urge the communities, to look at that amount of time and to adjust that. And then we don't get into this whole issue of, did I get a ticket? Who got the ticket? It comes three weeks later, was I really there? And all of those issues.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Munoz, you're the last speaker. Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. To the bill: I rise in support of the bill. Ladies and Gentlemen of the Senate, the bill -- if the local municipalities want to do this, they can implement this. People are saying it's a cash cow. People are saying it's the big brother syndrome. The bottom line to me, in my opinion, this is a safety issue for the local municipalities if they want to go ahead and do this. As a former policeman, I can only tell you - and I don't have to tell - all of us know you're going to be more careful going through an intersection if, in fact, there's a camera there that can take a picture of your license plate. Bottom line, Ladies and Gentlemen, it's simple, it's a safety issue, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. Thank you very much. I have -- certainly appreciate

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Senator Risinger's concerns. I -- I did some research yesterday. Again, the Insurance Institute for Highway Safety is -- looked at the ways in which we can cut down on these intersection crashes. One of the things they talk about is changing the signal lighting to give pedestrians exclusive access to intersections. That's one way of doing it. And a variation known as early release signal timing gives pedestrians a head start across the intersection before the light changes. Those are not inconsistent with this bill. Those are things which municipalities can do and it would be very helpful if they did do them, but this is an additional safety measure. I am very sensitive to the issue of racial profiling, in addressing Senator Hendon's concerns. He knows that last year we worked together with Barack Obama and we passed a racial profiling bill before we passed a seatbelt law. This is clearly not an area where there's any potential for racial profiling - there's only a picture of the license plate. And, you know, his concerns about being falsely accused, that's why we have videotaping of confessions in criminal cases. And now the police have finally come around to realizing this a good thing, it's even better, 'cause now it's on tape. There's no allegations of -- of beating a confession out of somebody. At the same time, somebody can't say it was beaten out of 'em, 'cause it's on tape. Same thing is true here. It's a picture of a license plate and a picture of a camera and a picture of an intersection. And as far as the City of Chicago's concerned, we already have it. It's -- doesn't -- this bill doesn't even apply to my -- my district. I'm trying to pass the law to save the lives in the rest of the State where they don't have it. And it's permissive, so that municipalities can decide whether they want to do it. I appreciate your attention and really would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 21 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 29 Nays, 3 voting Present. House Bill 21, having failed to receive the required constitutional majority, is declared failed. Senator Cullerton.

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SENATOR CULLERTON:

I would ask for postponed consideration on 21.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton seeks postponed consideration on House Bill 21. The bill will be placed under Postponed Consideration. With leave of the Body, we will go to page 68. House Bill 339. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 339.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. This is a bill that the Speaker of the House sponsored and asked me to sponsor. It's a -- and is supported by the Illinois State Bar Association. The -- the -- a part of this bill is also included in the Civil Justice League concern about updating jury reforms. Although, they have not -- they don't oppose this bill, they don't support it. They haven't had an opinion on it, but it does deal with the issue of -- of jurors and trying to get more money for jurors. We pay a -- really a small amount of money to jurors right now. And so I would warn, those of you who care about this, that there -- there are potential fees included in this -- in this bill. So, I don't want -- anybody be -- be tricked. The bill provides that a cost study would be conducted and an initial juror fund fee would be imposed. Again, we set the limit up to ten dollars within a hundred and eighty days with the effective date of the bill. The initial juror fund fee would be -- must be justified by the cost study. And the -- once the fee is imposed, the operative language of the bill would commence and an increase in juror compensation and payment of juror fund fees by plaintiffs and defendants. This would be for the purpose of -- of paying more money to our citizens who fulfill their constitutional obligation of serving in jury duty. I think it's a good idea. I know the Speaker was very interested in passing this, as a result of some -- some stories that came out in some Chicago papers about how people are avoiding jury duty even though they're subpoenaed to

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go to it. Happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President and Members of the Senate. I discussed with the sponsor, yesterday, the position of the Civil Justice League. He indicated that they had not called back indicating a -- a preference for -- for this. Have you heard from them?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Mr. Murnane from the Justice League said that he would -- he needs -- he hadn't looked at the bill, but the increase in fee in -- in -- the increase in -- in fees and payments to jurors was a part of his package. But, obviously, he wanted his whole package passed and this is only that one part of it. So, it's not inconsistent with his position.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. The underlying idea of -- of paying jurors more money, we support it, but we Republicans voted against it, because it's a fee increase. I would suggest to everybody vote their conscience on whether they want to pay jurors more or be tagged with an increase in -- in fees. And the Speaker does want this, and, of course, that's important to all of us. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. It gives me great pleasure to stand shoulder to shoulder with my good friend, Senator John Cullerton, who is certainly one of the bright, shining stars here in the Senate and always has brilliant ideas. I rise in strong support of this fine, well thought out piece of legislation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

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Thank you, Mr. President, just a question for the -- sponsor -- several -- three questions. First of all...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR LAUZEN:

...after the study is done, this system is mandated isn't it? This requirement is mandated?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

I would have to double check to actual language. I -- I think the purpose is to -- is to do a study to see if the fee could be justified and then I'd have to double check to see if it's imposed. I -- I would suspect they -- they could decide not to do it. I would hope that that would be the way it would work. I -- I don't think we want to mandate that there'd be a fee increase, but that might be the way the language is drafted. I'll try to check it and give the answer.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. Our analysis says "mandate", but I know that we should go back to the actual bill. Is there any funding provided under this legislation for that, if it's a -- if it's required? Is there any funding from the State government that's going to cover this cost, in case it's mandated?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

No, and that's a good point. You know, this is about as close as you can get to a user fee. If you're going to give the jurors more money, you got to -- come from somewhere. We're asking the litigants in the court system to pay for it. I don't -- I don't know how else you could do it, unless you wanted to go to the General Revenue Funds. We don't have any money there, we know, so it's -- that's why it's a local -- local fee.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President. A parliamentary inquiry, if I may. Does this bill preempt home rule, and therefore require a three-fifths vote?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard, we are checking. Senator Dillard, in response to your inquiry. The bill expressly provides that home rule units may exercise and perform concurrently with the State any power or function of a home rule unit. Pursuant to Section 6(i), Article VII, of the Illinois Constitution, the bill will require thirty votes for Senate passage. Senator Dillard.

SENATOR DILLARD:

Thank you. Just one question of the sponsor, if we may.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor -- sponsor will yield.

SENATOR DILLARD:

Normally, the State Bar Association is a vehement opponent of any new filing fees. And, Senator Cullerton, I think you indicated may -- maybe it's because of who the House sponsor is, but they're okay with this? Our -- our State Bar Association doesn't oppose this filing fee just like they opposed every filing fee for the last five or six years?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Well, I have a good lawyer's answer for you. The House analysis says, the Illinois State Bar Association is an opponent and the Senate analysis says they are proponents. How's that for an answer? I don't think they testified in -- in the committee. It was a -- we called the bill late, but I don't believe that they -- they -- I -- I don't know -- Senator Crotty might remember, she was the Chairman of the committee, but I don't think they filed a witness slip.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Just one good indication of why bills like this ought go to the Judiciary Committee, just like the two we had yesterday that went through the Housing Committee. With all due respect to those committees, you know, these kind of things, I think, ought

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to go through Senator Cullerton's committee even though he's the sponsor of the bill. You know, hopefully, these things will go through the right committee in the future. Thanks.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, to close.

SENATOR CULLERTON:

Thank you, Mr. President. It's really very simple: If you think jurors should get more money, we've got to pay for 'em somehow. The State doesn't have any money, so we are and -- and neither do the counties. So, we're saying the litigants in the civil court system, with certain exceptions -- stated in the law, have to pay a fee if the county -- after a study is done and it justifies it. So, it's pretty straightforward and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 339 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 27 voting Nay, none voting Present. House Bill 339, having failed to receive the required constitutional majority, is declared failed. Senator Cullerton.

SENATOR CULLERTON:

Yeah. I don't want that on postponed, 'cause I got to -- the Speaker said he wanted to see the roll call. So, just leave it -- be the way it is.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We will now proceed to page 85. Order of Postponed Consideration. On page 85 of the Calendar is the Order of Postponed Consideration. This is final action. As the bills on this Order have already been presented and debated on the Floor, debate on each bill will be limited to one proponent and one opponent each speaking to the bill. On the Order of Postponed Consideration is 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.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I presented House Bill 873 two days ago. To remind you, it amends the Ticket Scalping Act to permit a new secondary market with significant consumer protections. Specifically, you or I or anyone of our constituents could buy or sell tickets in an online marketplace like eBay or StubHub. Let me simply try to correct some of the misunderstandings. This bill is not opposed by the City of Chicago. It is not opposed by Labor. If anyone else has told you that it is, you have been misled. Were I not on the Senate Floor I would use a less charitable characterization, but I hope you'll factor that into your -- your thinking. Let me try to deal with the most significant misunderstanding and that's the two business models. Let's say that you had -- well, let's say that the Cubs and White Sox made the World Series and you had two tickets that you could not use. The face value of the tickets is fifty dollars and the market is -- is at five hundred dollars. Under current law today, your only option, if you wanted to resell those tickets, would be to sell them to a broker for fifty dollars for the face value. He then turns around and sells them for five hundred dollars, pays any amusement taxes that might be due and keeps more than four hundred dollars in profit, per ticket for himself. Under this bill, if you could post them on an online Internet auction site you could sell them to the highest bidder, the five hundred dollars. You would pay eBay a commission of four dollars and fifty cents per ticket and you -- you would have to pay the amusement tax yourself if one were applicable, but you would keep that four-hundred-dollar profit per ticket for yourself. Now let me highlight the key difference, and that's the business model. A broker buys and sells tickets. Ebay never buys, never sells, never owns, never holds, never even sees the ticket. They are merely a market place. Whoever rises in -- opposition to this bill will likely tell you that there's an amendment in Rules that would mandate that eBay would collect the tax and make it a level playing field. We are not changing the law with respect to the amusement tax. The seller still has to remit the amusement tax,

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if there is an amusement tax applicable. This would be like saying that the landlord of the ticket broker is now responsible for collecting the amusement tax on behalf of the ticket broker. The City of Chicago will not lose revenue as a result of this. In fact, I believe that the City of Chicago - which has the largest amusement tax that I know of, the most significant one - will actually gain revenue 'cause there's a provision of this bill that says the seller must be prompted and directed as to how to remit the tax. The only opposition to this bill is from the ticket brokers. And if I had the kind of monopoly powers that would allow me to mark up a product by one thousand percent, I would do everything that I could to oppose it, as well. So the choice is clear. You can side with a handful of ticket brokers who profit at the expense of our constituents, or you can side with over two and a half million Illinois residents who use licensed auction sites right now. The choice is clear. I ask you for you Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I'm not going to try to convince anybody one way or the other. I just you ask you to vote just like you voted the other day. But, you know, fair is fair and there's an amendment filed to really make sure. Instead of, Please, please, pretty please, will you please pay the tax? You know, we require that the tax be collected. With all due respect, eBay is a multi-billion-dollar company and they can collect the tax and I don't know why the City of Chicago has no position on this, but I think the couple of million dollars that would be raised by it would certainly be wise for the City of Chicago to use it for law enforcement; whether it's fire protection, police protection or what have you. But fair is fair. And I do want to point out that Senator DeLeo, who we've always known is really the expert when it comes to, you know, making sure that we have consumer protection and regulating in the ticket scalping industry. Senator DeLeo, has long worked on this particular Section of the statute and Senator DeLeo believes this is an abrogation of the -- the package that he had put together a number of years ago. And anytime Senator DeLeo is

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opposed to a bill and my Leader, Senator Watson, I feel comfortable in being with those guys and I think we ought to vote like we did the other day. Fair is fair. Let's level the playing field and I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 873 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 21 Nays, 2 voting Present. House Bill 873, having received the required constitutional majority, is declared passed. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

It's late on a Friday afternoon, I hate to do this, but I'd request a verification of the roll.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard has requested a verification. Will all the Members please be in their seats? The Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, del Valle, Demuzio, Forby, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Wendell Jones, Lightford, Link, Martinez, Meeks, Raoul, Rauschenberger, Righter, Ronen, Rutherford, Schoenberg, Shadid, Silverstein, Dave Sullivan, John Sullivan, Trotter, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Does Senator Dillard question the presence of -- Member voting in the affirmative?

SENATOR DILLARD:

Lunch must be on its way and there's perfect attendance. So, no, sir. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

On a verified roll call, there are 31 Ayes, 21 Nays, 2 voting Present. Having received the required constitutional majority, House Bill 873, is declared passed. Senator Meeks, on House Bill 2417. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2417.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. I defer to Senator DeLeo.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo, as a proponent.

SENATOR DeLEO:

Thank you very, very much, Mr. President and Ladies and Gentlemen of the Senate. And thank you, Senator Meeks. I -- I presented this bill in -- as the chief cosponsor in the committee. I think there was a little confusion yesterday during the debate. This bill came out of here on April 15th, the same exact bill on a Senate Bill, 1445, with 56 Ayes and 1 Nay, 1 voting Present. So I think there was a little confusion. This bill was strongly supported by all the Cook County -- the County Clerks Association, the DuPage Election Commission, so many township clerks, municipal clerks. Was -- the bill was introduced, because several of the -- clerks asked that this be -- relieved of this -- purely ceremonial duty it -- and it needed a change in the law to do that. It's not true that the local canvassing board provided check and a balance. They've only rubber stamped the returns that the election authority provides to them and it's -- it's not a local control issue. It's good government. And everybody should be -- supporting this bill, because it abolishes an unnecessary layer of government, and, more important, it saves taxpayers money. Saves taxpayers money by abolishing this. So, I ask for a affirmative roll call. We passed this out of here a month ago on 56 to 1. So, Ladies and Gentlemen, I ask for a -- for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. As you will recall yesterday when Senator Viverito and I were both opposed to this bill, we felt that the local canvassing group should still be involved. So if you have a school board, a park board, a village board or a township board, anybody like that who

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has just run for office, you are removing their opportunity to canvass their own election. This simply doesn't make sense. How does it save any money for a local board not to canvass their own election? It also takes out some provisions which are pretty important. I have a question for the sponsor, Mr. President, if he'll yield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones, we're not debating.

SENATOR W. JONES:

We're not debating?

PRESIDING OFFICER: (SENATOR DEL VALLE)

We're speaking to the bill. We have one proponent and one opponent.

SENATOR W. JONES:

Oh! Well we can't -- but we got a -- we got a new -- we got a new spokesman over there, I thought I'd ask him some questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, Senator Meeks deferred to...

SENATOR W. JONES:

Okay. Well, I'll just make -- if I could then, Mr. President...

PRESIDING OFFICER: (SENATOR DEL VALLE)

...Senator Jones, to the bill, please.

SENATOR W. JONES:

I'll just make my statement. There -- there's been some concern that this may be a move to abolish township government, but that wasn't my question. Anyway, we want to know why you can no longer ask for a new judge in a recount and how can you engage in a full recount? These are things that are removed from this bill. It really isn't any better than it was yesterday. Ladies and Gentlemen, I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 2417 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, none voting Present. House Bill 2417, having received the required constitutional majority, is declared passed. Continuing on the Order of Postponed Consideration, on the top of page 86,

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is House Bill 3485. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3485.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I'm not going to get into the -- I'll keep this short. I -- this is the One Day Rest in Seven Day {sic} Act regarding hotel attendants. We -- debated this at length yesterday. Some of the issues we talked about set -- regarding Governor Schwarzenegger, his approval rating. We talked about Senator Radogno talking about flexibility. None of us can guarantee any flexibility to any of these workers who work in the hotel rooms. This guarantees rest time and as Senator DeLeo eloquently said yesterday, "This is for the little people." So I would ask for a favorable Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. The main item in this particular bill is this is a bargainable issue. It has been bargained before. It has been presented many times before this particular labor union. So, why are -- if they can't get it in their own negotiations, why are they coming down here to us to put it into law? Second point is that the majority of the workers are single head-of-household -- single heads of households with children. Many of them have worked out agreements with their employers where if they get their work done, they can go home early to be there, so their kids don't have to come home to a latch-key situation. The third point is that, twenty-six downtown hotels - which are the driving force behind this - shouldn't set the policy for all of the Cook County hotels. I ask -- I don't think this -- this bill got any better overnight either and I ask for your No votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 3485 pass. All those in

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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 30 Ayes, 22 Nays, 3 voting Present. House Bill 3485, having received the required constitutional majority, is declared passed. Senator Jacobs, for what purpose do you rise? On page 79 of the Calendar, is Order of Resolutions. This is final action. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR DILLARD:

On the last bill, House Bill 3485, it's come to my attention that one of my couple hundred law partners may do work in that particular area of the law. I voted Present on that bill and I want to declare that I might have a conflict of interest. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The record will so reflect. We'll proceed again to page 79. Top of the page. Secretary's Desk, Resolutions. House Joint Resolution 1. Senator Hunter. House Joint Resolution 2. Senator Dillard. Madam Secretary, read the resolution.

SECRETARY HAWKER:

House Joint Resolution No. 2, offered by Senator Dillard. There are no amendments.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you very much, Mr. President. This is a resolution that encourages NASA, the space exploration department of our federal government to continue to invest in a variety of things. NASA, now, actually has a facility located in DuPage County in the research park. And it is now -- and Speaker Hastert, the United States Speaker of the House, is very much involved in making sure NASA increases the amount of money they spend in Illinois, but it's now in Illinois' interest to encourage NASA. And we just ask and urge our federal government to do so, and I'd urge a Aye vote.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Dillard moves the adoption of House Joint Resolution 2. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. House Joint Resolution 3. Senator Dillard. Madam Secretary, read the resolution.

SECRETARY HAWKER:

House Joint Resolution No. 3, offered by Senator Dillard. There are no amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This continues a number of things we have done, especially led by the Senate President, Emil Jones, in trying to bring autism to the forefront and this creates an Autism Awareness Month. Autism is the fastest growing affliction, nearly a six-hundred-percent increase in autism in the last couple of decades in the United States among our children and I'd urge its adoption.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing -- Seeing none, Senator Dillard moves the adoption of House Joint Resolution 3. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Demuzio, on House Joint Resolution 4. Madam Secretary, read the resolution.

SECRETARY HAWKER:

House Joint Resolution 4, offered by Senator Demuzio. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Joint Resolution 4 creates the -- Rural Water Task Force to study ways to improve access to rural water infrastructure funds. The Rural Water Infrastructures Task Force will consist of thirteen members, which will be appointed as follows: one member appointed by the Director of the Environmental (Protection) Agency; two members appointed by the Director of Commerce and Economic Opportunity, one of whom represents the interest of

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local government and one member appointed by the Executive Director of the Illinois Finance Authority; two members appointed by the President of the Senate; two members appointed by the Minority Leader of the Senate; two members appointed by the Speaker of the House; two members appointed by the Minority Leader of the House of Representatives; and one member appointed by the Chair of the Governor's Rural Affairs Council.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Demuzio moves the adoption of House Joint Resolution 4. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Righter, on House Joint Resolution 5. Madam Secretary, read the resolution.

SECRETARY HAWKER:

House Joint Resolution 5, offered by Senator Righter. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Joint Resolution 5 would create the Joint Task Force on Rural Health. It is a creature of a study done by a committee that originated out of Southern Illinois University, their Public Policy Institute and former Senator Paul Simon. From the Senate, both myself and Senator James Clayborne served on that. One of the recommendations from that was the creation of this task force. The task force would consist of eight Members of the General Assembly, two coming from each of the four Legislative Leaders. The purpose behind the taskforce, obviously, is to study access and quality issues that are particular to rural areas in the State. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Righter moves the adoption of House Joint Resolution 5. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. House Joint Resolution 10. Senator Althoff. Madam Secretary, read the resolution.

SECRETARY HAWKER:

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House Joint Resolution 10, offered by Senator Althoff.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House (Joint) Resolution 10 is to award the Medal of Honor. It's the highest honor one can receive at the federal level. Lieutenant -- this is actually a classroom project from a class in McHenry. The first and -- first and most common is the nomination by a service member and a chain of command, followed by approval at each level of the chain of command and in Congress. First Lieutenant Connor was a native of Clinton County, Kentucky, who served with distinction and valor in the United States Army during World War II. He did not receive this medal. We are now asking to do it, thereafter.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Althoff moves the adoption of House Joint Resolution 10. All those in favor will vote Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. House Joint Resolution 11. Senator Petka. House Joint Resolution 13. Senator Althoff. Madam Secretary, read the resolution.

SECRETARY HAWKER:

House Joint Resolution 13, offered by Senator Althoff.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

Thank you much, Mr. President. House -- Joint Resolution 13 renames the William G. Stratton Lock and Dam as the William G. Stratton - Thomas A. Bolger Lock and Dam. The Bolger family proudly owned the land where the Lock and Dam, Stratton Lock and Dam, is currently situated. And Thomas A. Bolger was also a proud and distinguished member of the McHenry community and was dedicated to serving the interests of the people of the community. He served as an Illinois State Representative in 1930, as well as the local school district.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? In the -- Senator Althoff moves the adoption of House Joint Resolution 13. It -- it -- it -- it is the opinion of the Chair that this resolution requires expenditure of State funds, and therefore a roll call shall be taken. 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 Joint Resolution 13 is adopted. House Joint Resolution 19. Senator Luechtefeld. Senate Joint Resolution 3. Senator Cullerton. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 3, offered by Senator Cullerton. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This would be a request that the Supreme Court modify the recordkeeping of circuit court clerks by adding a case designation of "MM" for medical malpractice cases. This would help facilitate us in understanding how many cases are filed every year throughout the -- the State and keep a better -- idea of what the costs are from those cases.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Senate Joint Resolution 3. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 5. Senator Watson. Senate Joint Resolution 13. Senator Martinez. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 13, offered by Senator Martinez. There are no committee amendments.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. The amendment retains the underlying resolution and directs the Commission on -- Government Forecasting and Accountability to conduct an actuarial study of the impact of Progressive Indexing of Social Security benefits on future State pension payments to retirees. The Commission is to report the results of a study to the General Assembly by January 1st, 2006, and I can go more into the resolution on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This amendment came through committee and -- and the committee had no problem with the committee {sic}. I will speak to the resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen. All -- 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)

If not, then to the resolution. Senator Martinez.

SENATOR MARTINEZ:

Thank you, Members of the Senate. Senate Joint Resolution 13 urges the Congress to protect Social Security and to reject proposals to divert money out of Social Security to fund private accounts. Social Security provides income protection for the forty-seven million individuals, one of every six American receiving benefits. Some policymakers propose to fix Social Security funding by cutting guaranteed benefits and privatizing Social Security. Privatization will worsen Social Security funding needs by draining resources from the trust fund into private accounts, increasing the federal deficit by -- by two trillion over the first decade alone. And more in future and putting us in deeper hock to foreign creditors. Some benefits are slashed, so the demand for public assistance would increase

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and this -- it will make -- will be left up for the State to provide public assistance. I'll be happy to discuss the resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President, Members of the Body. While we think the amendment was a good idea -- that to take a look at State workers and -- and how the Social Security benefits and -- and that would -- would affect them. We have real concerns about the resolution itself. It's being debated in Congress right now. We don't expect Congress to divert any money from social security. It would be individuals that would do that. So, there is concern on -- on this side of the aisle about the resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would just rise to ask the sponsor to take this resolution out of the record. For the first time in more than twenty-five years, we at least have discussion at the federal level of reforming Social Security, a burden that we're going to pass on to our children without any kind of real plan of how we're ever going to fund it. Regardless of what the discussions are in Washington, D.C., for us to be playing politics on the Floor of the Senate, criticizing whatever proposals are out there when we don't know what their results are, I think is a terrible mistake. We stand here in Springfield with a Governor who introduced a budget almost three months ago that shorts our pension system by eight hundred million dollars. We -- we -- we've got a Social Security meltdown on our own, but I didn't hear any resolutions standing up criticizing the Governor for proposing to balance his budget by not funding -- by taking a pension holiday. So, before we tell Congress what to do or before we urge them things that we don't understand - their resolutions or -- or what -- what they're proposals are - I -- I wish we would tend to our knitting here, work on the State budget and criticize our own administration, when we don't fully fund the promises we've made to future generations. So, I -- I know

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the -- the -- the sponsor is well-intended. I just would appreciate the taking out of the record. This is not the kind of debate that we ought to have on the Floor of the Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. I think it's very appropriate that we debate this and state our position and not be afraid to state our position. Let's be clear, this resolution is telling Congress what our position is on the future of Social Security and whether or not we think it's a good idea to privatize Social Security. If you agree, as I do, that it's a bad idea to privatize Social Security, vote Yes. If you think privatizing social service -- Social Security is a good idea then you vote No. Let's not be afraid to let the people know what our position is. And I -- I want to commend Senator Martinez for -- for putting this very important issue to us today. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you. Thank you, to the previous speakers. I think it's very important that we look at what's going on in the federal government. We're talking about Social Security that affects the people in Illinois. And I think that by actually directing the Commission on -- on Government Forecasting and Accountability to conduct an actual study, will give us some answers as to where we're going with this privatization of Social Security. And I think the people of Illinois deserve the very best from this Body right here, so I -- I urge a Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Martinez moves the adoption of Senate Joint Resolution 13. It is the opinion of the Chair that this resolution requires the expenditure of funds, and therefore a roll call vote shall be taken. 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 32 Ayes, 19 voting Nay, 1 voting Present. The resolution is adopted. With leave of the Body, we're returning to -- we're returning to the top of page 80 to pick up Senate Joint Resolution 5. Senator

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Watson. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution No. 5, offered by Senator Watson.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I appreciate this consideration. I was off the Floor when you called this. This does exactly what the Calendar says. It recognizes February 6, 2005, and each subsequent year thereafter, as Ronald Reagan Day. A great President of this -- great county and, of course, a -- a native of Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Watson moves the adoption of Senate Joint Resolution 5. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 14. Senator John Sullivan. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 14, offered by Senator John Sullivan.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. As the board says and as the book says here, simply recognizes the fourth Sunday in January as American Eagle Day. Of course, as many of you know, my Senate district is located over on the Mississippi and the Illinois Rivers and eagles have been a -- really a big economic boon for the area, as we have events take place during -- especially during the winter months while the eagles are nesting and roosting in that area over there, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator John Sullivan moves the adoption of Senate Joint Resolution 14. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the

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resolution is adopted. Senate Joint Resolution 20. Senator Collins. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 20, offered by Senator Collins. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Basically, Senate Joint Resolution 20 would require the Department on Aging in collaboration with the -- Departments of Children and Family Services, Public Aid and Human Services to complete an assessment of existing State and federal programs assisting grandparents, explore new or alternative grandparent assistance methods, as well as -- and then issue findings to the Governor and General Assembly by January 1st, 2007. As you know, many grandparents are now raising their grandchildren. They receive very little financial support to help to pay for their grandchildren's needs. They're taking out of their -- they're depleting their savings and other retirement income. And so this is basically asking for a study and assessment on how we can best help them.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Collins moves the adoption of Senate Joint Resolution 20. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 22. Senator Syverson. Senate Joint Resolution 26. Senator Halvorson. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 26, offered by Senator Halvorson. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Assembly. Senate Joint Resolution 26 designates March as Women's History Month. Women have made tremendous strides in history, but yet our history books have it completely overlooked, and this would

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just urge the Governor to make March, Women's History Month.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Halvorson moves the adoption of Senate Joint Resolution 26. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 28. Senator Lauzen. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 28, offered by Senator Lauzen. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Hydrogen is a non-carbon energy carrier that can be made from clean renewable energy and it's ideally suited to address global, regional and local energy and environmental challenges. President George Bush has proposed three hundred and twenty-two million for a Department of Energy Fuel Cell and Hydrogen Program in the United States. In the State of Illinois, we pledge ourselves to be leaders in renewable energy production, efficiency and conservation, as well as in creating, promoting and commercializing new technologies and industries. Hydrogen-powered vehicles and infrastructure can lead to energy independence, lower global warming pollution, improve fuel economy, reduce health harms associated with motor vehicles related to air pollution and provide economic and employment opportunities throughout the State. It's fascinating that in California they're setting up a network of filling stations along their highways so that it's practical to own and use cars fueled by hydrogen. This Senate Joint Resolution resolves that the State of Illinois is committed to achieving clean energy and transportation future based on the commercialization of hydrogen and fuel cell technologies.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Lauzen moves the adoption of Senate Joint Resolution 28. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 31. Senator

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Hunter. Madam Secretary, read the resolution.

SECRETARY HAWKER:

House {sic} Joint Resolution 31, offered by Senator Hunter.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 31 creates the Commission to Study the Transatlantic Slave Trade and its Past and Present Effects on African-Americans. The Commission will examine the institution of slavery within the United States and colonies, which would include the capture and procurement of Africans, the transportation of Africans to the United States to sell, and acquisition of Africans as chattel properties in interstate and interstate commerce, and the treatment of African slaves in the United States. It would also examine the federal and State laws that discriminated against the African -- the freed African slaves during the period between the end of the Civil War and present. The Commission will have twenty-five members appointed. And the proponents of this resolution are the Center for Intercity Studies of Northeastern Illinois University, Harvest Institute, Chicago State University, People Organized for Equal Respect, the Harold Washington Institute for Research and Policy Studies, the Black Elected Officials of Waukegan and the African American Women for Empowerment. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussions? Seeing none, Senator Hunter moves the adoption of Senate Joint Resolution 31. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 32. Senator Dave Sullivan. Proceeding to the top of the page 81. Senate Joint Resolution 35 -- 34, I'm sorry. Senator Hunter. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 34, offered by Senator Hunter.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

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SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 34 extends the Sibling Post-Adoption Continuing Contact Governor's (Joint) Task Force created by the -- the Senate Joint Resolution 58 of the 93rd General Assembly to December 30th, 2005. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Hunter moves the adoption of Senate Joint Resolution 34. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 35. Senator Shadid. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 35, offered by Senator Shadid. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Yeah. Thank -- thank you, Mr. -- thank you, Mr. President. Senate Joint Resolution 35 declares October 15, 2005, as Pregnancy and Infant Loss Remembrance Day. According to a 1996 study by the Centers of Disease Control, sixteen-percent of over six million pregnancies ended in either a miscarriage or stillbirth. And of those over six million pregnancies, sixty-two-percent ended in live birth and twenty-six thousand of those births ended in deaths of infants eleven months or younger. We're trying to bring it to the attention of the public and it's very informed -- to be informed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Shadid moves the adoption of Senate Joint Resolution 35. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 41. Senator Garrett. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 41, offered by Senator Garrett. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

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SENATOR GARRETT:

Thank you, Mr. President. Senate Joint Resolution 41 simply urges Congress to provide adequate funding for schools that have military families. Currently, the Impact Aid that comes from the Department of Education is not sufficient to take care of the education of the students of military families and, of course, that spreads across the entire school district where military families have their children attend. So, this is really a directive to Congress to ask them to provide the necessary education dollars for military families.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Garrett moves the adoption of Senate Joint Resolution 41. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 43. Senator Trotter. Senate Joint Resolution 45. Senator Lightford. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 45, offered by Senator Lightford. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Out of the record. Senate Resolution 38. Senator Rauschenberger. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution No. 38, offered by Senator Rauschenberger and all Republican Members.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This Senate Resolution merely congratulates the people of Iraq for conducting a successful democratic election. Extraordinary times for the people of Iraq. And it also thanks the Members of the Illinois National Guard for their meritorious service in Iraq. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Rauschenberger moves the adoption of Senate Resolution 38. All

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those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution -- 60. Senator Schoenberg. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 60, offered by Senator Schoenberg.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 60 acknowledged Rotary International's one-hundredth anniversary. I'm sorry. I -- I believe we have a Floor amendment on this, as well. So, could we take this out of the record?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Out of the record. Senate Resolution 63. Senator Cullerton. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 63, offered by Senator Cullerton.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This resolution supports the rights of Macedonians to speak their language, attend schools and churches offered in their native language, practice their customs and be granted all civil and human rights. Macedonia -- the Republic, became a member of the United Nations in '93, the U.S. recognized them in '94 and they voted for independence from Yugoslavia in '91. They have supported United States efforts in Iraq. And this is identical to a resolution that was passed in California, as a matter of fact, where there's a number of Macedonians as there -- is in Chicago. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Senate Resolution 63. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Ronen, on Senate Resolution 92.

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Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 92, offered by Senator Ronen.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This resolution relates to the issue of smoking as a healthcare issue and just says that, we -- resolve that we will, as the General Assembly, promote the health of all -- Illinois residents by working to reduce the toll of tobacco on Illinoisans and urge the Governor to do the same.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Ronen moves the adoption of Senate Resolution 92. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. With leave of the Body, we will return to Senate Joint Resolution 43. Senator Trotter. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 43, offered by Senator Trotter.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Joint Resolution 43 creates the Host Committee for the Midwestern Legislative Conference. That is a nonpartisan regional association of the Council of State Governments. In 2006, Chicago will be the host of the annual meeting. I'm honored to say that I will be the Chairman that year and this bill will create the committee who will be working with me to greet all the other legislators from across the country.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just rise in enthusiastic support of the resolution and offer to Senator Trotter, as we all should, that we'll help with the Host Committee and make sure that the CSG meeting -- the CSG

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meeting in the Midwest, that he's Chairman of, is a great success.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter moves the adoption of Senate Joint Resolution 43. It is the opinion of the Chair that this resolution requires the expenditure of State funds, and, therefore, a roll call vote shall be taken. 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 53 Ayes, no Nays, none voting Present. The resolution is adopted. Proceeding to page -- top of the page 82. Senate Resolution 110. Senator Emil Jones. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 110, offered by Senator Emil Jones. There are no committee of Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. Senate Resolution 110 is very simple. It just designates March the 16th as 4-H Day in the State of Illinois and that's all that it does.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Emil Jones moves the adoption of Senate Resolution 110. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 115. Senator Hunter. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 115, offered by Senator Hunter. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 115 urges Congress to reauthorize all provisions of the Voting Rights Act of 1965 that are scheduled to expire in 2007 and to amend those provisions to make them permanent. The Fifteenth Amendment of the United -- of the U.S. Constitution and the Voting Rights Act of 1965 ensure that no

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person can be prohibited from voting because of race or color; however, there are some provisions in the Voting Rights Act of 1965 that are up for review in -- in 2007, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Hunter moves the adoption of Senate Resolution 115. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 116. Senator Cullerton. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 116, offered by Senator Cullerton. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Senate Resolution 116 calls on Congress to fully fund the AIDS Drug Assistance Program. This program provides access to treatment for low-income people living with HIV/AIDS, who are uninsured or who lack adequate prescription drug coverage.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Senate Resolution 116. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 139. Senator Silverstein. Senate Resolution 147. Senator Hunter. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 147, offered by Senator Hunter. There are no committee amendments.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

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The amendment basically changes the month from -- from May to September.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

If not, to the resolution. Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint {sic} Resolution 147, simply declares September as Obesity Awareness Month. September.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This bill came through -- or this resolution came through committee and the only question that came up was, this resolution said the General Assembly and we thought that ought to be more of a joint resolution and ought a -- or ought to say the -- it ought to be only the committee in the Senate instead of the General Assembly. And I thought the -- the sponsor was going to amend this later on.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Yes. Thank you. Senator, you did bring this issue up in the -- in committee and I don't know. What is the procedure? Should I change it to...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

Yeah. Senator, I thought we were going to amend this in the veto Session. You had indicated that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

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I never agreed to that at that particular time; however, right now, it's -- it's a bit late to -- to amend this, so I'd like to just go ahead and -- it's a nonbinding referendum on -- it's just a resolution so if we need to change it at a later date we can. However, at this particular time, I would rather vote for it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson. Senator Hunter, to close.

SENATOR HUNTER:

I ask for adoption of this amendment -- I mean, resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter moves the adoption of Senate Resolution 147. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 148. Senator Geo-Karis. Senate Resolution 156. Senator John Sullivan. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 156, offered by Senator John Sullivan. There are no committee of Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President, Members of the Senate. Senate Resolution 158 {sic} urges the Governor's Travel (Control) Board to negotiate with Amtrak for a special travel rate between Chicago and the cities of Bloomington-Normal, Carbondale, Champaign-Urbana and Macomb, all of which have public universities. A negotiated rate for travel between these communities would increase train ridership and provide a much needed transportation option for Illinois public university students, faculty and administration. The negotiated rate would be similar to the State rate, which saves tax -- taxpayer money and benefits Amtrak by encouraging the use of trains by those traveling on State business. I ask for the adoption of Senate Resolution 156.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator John Sullivan moves the adoption of Senate Resolution 156. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the

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resolution is adopted. Senate Resolution 157. Senator Hunter.  
Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 157, offered by Senator Hunter.  
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. Senate Resolution 157 recognizes the week of April 25th,  
2005, as National Minority Cancer Awareness Week and I ask for a  
favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Hunter moves  
the adoption of Senate Resolution 157. All those in favor will  
say Aye. Opposed, Nay. The Ayes have it, and the resolution is  
adopted. Senate Resolution 178. Senator Collins. Madam  
Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 178, offered by Senators Collins, Radogno  
and Sandoval.

It's -- no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Basically what Senate Resolution  
178 does is it asks the federal government to produce a safe list  
of American Muslim Charitable organizations that are safe for  
people of faith to -- to donate to. And I would like to indulge  
the patience of my colleagues to read into record a little  
background information on the reason -- or the genesis for this  
resolution. First of all, I'd like to thank President Jones and  
my colleagues for giving attention to this very important matter  
that affects the Muslim community and people of faith throughout  
the State of Illinois. First, some background on the faith of  
Islam and on our Muslim brothers and sisters here in Illinois.  
There are hundreds of thousands of Muslims in the State of  
Illinois, with over four hundred thousand Muslims in the Chicago  
area alone. There are also mosques in at least ten downstate

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communities. As many of you know, one of the five pillars of Islam is Zakat or giving charity to the needy. -- Muslims are to give 2.5 percent of their income to charity and, of course, Muslims are not alone in giving to charity as a result of their faith values. Jews know charity as Tzedaka and Christians know it as tithing. It is -- Zakat that brings us to the resolution at hand today. Since the attacks of September 11th, American Muslim charities have come under intense federal scrutiny. Due to allegations of connections to terrorist organizations, the federal government has closed down at least twenty-five Muslim charities, including three here in Illinois. Instead of going to help the homeless, to educate the poor and to house the needy, donations have gone towards legal fees or are still sitting frozen by the federal government. In addition to investigating the organization staff and board members, the federal government has increasingly targeted individual donors. Congress just passed the REAL ID Act, which would make any non-citizen in the United States subject to deportation for contributing to an organization that is later found to have connections to terrorism. It is this retroactive nature of the Government's actions that is causing so much fear among the American Muslims. We know that the federal government has a so-called bad list of organizations and individuals with reported ties to terrorism - a list that is nearly two hundred pages long -- is nearly two hundred pages long. Senate Resolution 178 asks the federal government to produce a safe list of American Muslim charitable organizations that are safe for people of faith to donate to. This is a civil rights issue, as well as a religious rights issue. Our federal government, as a global standard-bearer of human rights, has to take the high ground and preserve America's religious rights. We can start here in Illinois, with our significant Muslim population, to help right these wrongs and live up to our values. Finally, I would like to thank the organizations who have been working on this resolution, as well as my colleague, Senator Christine Radogno. In addition, the Council of Islamic Organizations of Greater Chicago, Illinois -- Coalition for Immigrant Refugee Rights and the United Power for Action and Justice. I thank you for your time.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? Seeing none, Senator Collins moves the adoption of Senate Resolution 178. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 186. Senator Hunter. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 186, offered by Senator Hunter. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is last, but not least. Senate Resolution 186 congratulates the Chicago Area Project and the Illinois Council of Area Projects for sponsoring Youth Democracy Day on May 11, 2005. Youth Democracy Day celebrates the skills, talents and potential of our youth and encourages their knowledge of, and involvement in, the democratic process. The values and philosophy of -- of Chicago Area Project are centered around improving the quality of neighborhood life with special focus on solving problems faced by young people and their families. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Hunter moves the adoption of Senate Resolution 186. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 188. Senator Maloney. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 188, offered by Senator Maloney. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. We're all familiar with the Take Your Son and Daughter to Work Day, which has evolved quite a bit since its inception in 1993, and it's -- a chance for children to experience the work opportunities and responsibilities of their parents. This is traditionally held on the third Thursday in

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April, and this is traditionally a school day in the State of Illinois and it has had negative impact on school attendance in many, many districts. This is also -- it has fallen on the date when the Prairie State Achievement Exam has taken place, as well. And this resolution simply asks that while we're commending the idea, that the event be held on a non-school day. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Maloney moves the adoption of Senate Resolution 188. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 189. Senator Sandoval. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 189, offered by Senator Sandoval. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Senate. Senate Resolution 189 recognizes that it is in the State's best interest to ensure access to all safe maternity care options including free-standing birth centers and home births, attended by a trained maternity care provider. This is a resolution promoted by the Coalition for Illinois Midwifery and had full support in the Committee, in State Government. And actually with -- anecdotal information, Senator Risinger, my -- my colleague on the other side of the aisle, is a product of midwives of the State of Illinois. I ask your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Haine.

SENATOR HAINE:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I rise in strong support of this resolution. I -- I'm married to a woman who had our five -- our last five children at home with a certified nurse midwife. It's a wonderful thing, a home birth, if people can do it. I was a little nervous, but I came out of it okay. We had five additional beautiful -- children. First child was born at Jewish Hospital in St. Louis, another excellent

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place, but the home births were special. No wine, however, and no gefilte fish with the home births. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. This is truly not only a historic day for midwives in the State of Illinois, but this is a historic day, because the gentleman of Alton, my colleague, Senator Haine, rises in support of a bill for my people. I ask your favorable support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sandoval moves the adoption of Senate Resolution 189. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 190. Senator Winkel. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 190, offered by Senator Winkel. There are no committee or Floor amendments reported.

SENATOR WINKEL:

Thank you, Mr. President. Senate Resolution 190 -- this -- this one goes back a ways. In 1905, Governor Charles Deneen signed legislation authorizing the creation of Illinois State Geological Survey to study, inventory, and report on the geology and mineral resources of the State. That's right, and in this month, May, 2005, the Illinois State Geological Survey is beginning a year-long celebration of its one hundred years of service to the people of Illinois. During the past one hundred years, the Illinois State Geological Survey has published thousands of geological maps and scientific articles, reports and educational materials that have established the agency's reputation as one of the premier geological research and scientific service institutions in North America. This resolution is to commemorate its Centennial.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Winkel, there is no discussion. Senator Winkel moves the adoption of Senate Resolution 190. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. We have concluded Secretary's Desk Resolutions, and we are going to be

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moving some paperwork, but right after we move the paperwork, we are going to go to the death resolution for Senator Margaret Smith. Madam Secretary. Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, dated May 20, 2005.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish December 31, 2005, as the 3rd Reading deadline for the following House Bills:

House Bills 27, 227, 325, 337, 350, 369, 380, 398, 399, 511, 755, 788, 806, 881, 930, 973, 991, 1197, 1427, 1469, 1588, 2137, 2244, 2379, 2451, 2487, 2500, 2531, 2578, 2595, 3415, 3417, 3472, 3498, 3650, 3800, 3874 and 4030.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President, purpose of announcement. Immediately upon adjournment today, there will be a Republican Caucus in Senator Frank Watson's Office. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

A Republican Caucus after adjournment. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 222, offered by Senator Emil Jones and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Consent Calendar. Madam Secretary, Messages from the House. We will now proceed to the Order of Resolutions Consent Calendar. With the leave -- of the Body, all those resolutions read in today will be adopted in the Consent Calendar. Madam Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion

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carries, and the resolutions are adopted. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

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

Senate Bill 53, together with House Amendment 1.  
Passed the House, as amended, May 20, 2005.

I have a like Messages with respect to Senate Bills 98, with House Amendments 1 and 2; Senate Bill 143, with House Amendment 1; Senate Bill 158, with House Amendment 1; Senate Bill -- 232, with House Amendment 1; and Senate Bill 468, with House Amendment 1, which all passed the House, as amended, May 19 {sic} (20), 2005.

Message from the President {sic} (House) by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 1038, 1632, 1731, 2002.  
All passed the House, May 20, 2005.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 60.  
(Secretary reads HJR No. 60)  
Adopted by the House, May 20, 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

On the Order of Resolutions. Senator Shadid, do you wish to proceed on House Joint Resolution 60? Madam Secretary, read the resolution. Senator Shadid moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 60. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Shadid moves for the adoption of House Joint Resolution 60. All in

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favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. On the Order of Secretary's Desk, Resolutions. After consideration of the resolution, pursuant to the adjournment resolution, the Senate will stand adjourned until the hour of noon, on Monday, May 23rd. The staff will retire to the gallery and the Doormen will secure the door. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 223, offered by Senators Emil Jones, Hunter and all Members.

(Secretary reads SR No. 223)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 223. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. I started here as a staffer in probably 1976, 1977. So I had the honor of working both with Margaret, but also her late husband, Fred Smith, and even Senator McLendon, who Senator Hunter had that westside of Chicago district in between. Anybody that knew Fred Smith knew Margaret Smith, in those days, and we were an admirer of Margaret Smith long before she took her late husband Fred's seat. I walked out to look at Fred's portrait behind the Chamber about ten minutes ago, knowing that we were going to do this death resolution. And I think some of you know should know how that painting came about. When I worked for the Governor, I remember Mrs. Smith asking to -- then, she was Senator Smith by that time - she said, "Darlin', Darlin', I'd like to see the Governor." And, you know, anybody that knew Margaret knew that you give her whatever she asked for. She was a wonderful lady and Margaret didn't take no for an answer. So, I waltzed her down, along with Jim Owen, who used to be on our staff - Senator Watson - and we went down to see the Governor. Margaret goes down and she wasn't shy and she asked the Governor, she said, "Governor, I'd like a picture of my beloved Fred." And she always referred to him, at least around me, as "the beloved Fred". And the Governor just sat there and he goes, "Well, what do you want?" and she goes, "I

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want a painting of my Fred." This is her quote, "A man of color to hang here in the Capitol Building." So the Governor, you know, instantly agreed, like everybody did when Margaret ever asked you for anything. And she goes, "Darlin', Governor, darlin', I got one more request." And Governor says, "What's that?" And she goes, "I want him to hang down in the hallway with the Governors." So the Governor kind of took a deep gulp and said, "Well, I don't know, Margaret, that's a little hard to do." She said, "No, darlin', there's space. There's space right outside of Room 212 for my Fred to hang down in the hall." So, as you know, Fred hung down, right outside of Room 212. That beautiful painting by Mr. Davis back here behind our Chamber, it hung back down on the Second Floor for a number of years until we elected one too many Governors and Fred had to get moved up here. And I will say, Mr. President, Senator Jones, I think Fred adorning our hall and when I go out and get a cup of coffee out there behind the Chamber, I think Fred fits very well in our hallway - like he always classed up this Chamber along with Senator Margaret Smith. It's great to see the Dean of the Senate, Fred Smith, the beloved Fred of Senator Margaret Smith back there. But that's a little bit of the history on that painting. I will also say, as the Madam Secretary read in the resolution, I was very happy to go down to one of those other visits to a Governor. As we know statues are not inexpensive around this place, and I was there proudly when Margaret asked the Governor to swallow hard and find money in the Department of Central Management Service's budget for Adelbert Roberts' and Dr. Martin Luther King's statues. Margaret Smith classed up this Chamber. She was somebody that, as a staff person and then later as an honored colleague of hers, made this Chamber a nice place to serve. And as any of the staff well know, Mrs. Smith also had what we called the - affectionately, "rabbit ears". While Margaret was getting up there with age, sometimes you thought what you said around her wouldn't be heard. But as I warned younger staffers who came along, Margaret Smith had great hearing and she could pick up conversations that you thought she couldn't pick up. And I always warned our staffers, be careful, 'cause Senator Smith may be getting up there in years, but she has the ears of a -- of a young person. So, I will miss Senator Smith.

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And she's up there now with her beloved Fred and it's been my honor to, not only know her late husband, but Margaret Smith and she will be sorely, sorely missed. But she made many contributions and was just a tremendous, tremendous ambassador for the African-American community and the westside of Chicago.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. And, Kirk, I mean, he was a staffer in 1977? Gosh, I was elected in '78, that makes me feel old. But I didn't serve with Fred Smith. I came in right after -- after he left. So, I -- I didn't know the gentleman, but I certainly knew of -- of Margaret's -- admiration for him. And she spoke so very highly of him and had so much respect for him that it was almost like she wasn't serving, it was -- an extension of Fred while she was here. But -- and the "darling" thing that -- that's exactly the way she was. If -- those of you that -- that don't know her, "What can I do for you, darling?" and it -- and it was never meant in any other way than affection. And she was very -- a pleasing lady to be around and -- and a wonderful woman and she had great heart, big heart. She was really a champion for the -- the less fortunate. A strong advocate for -- for healthcare and -- and services for the poor. Spoke admirably about that on the Floor. Was a -- just someone that we all admired, including staff. We -- she was sometimes difficult to work with. I mean, I don't think I'm saying anything out of line here. Our staff would -- would recognize that she had a way about her that -- that sometimes was difficult for them to work with. But the thing about it and the issue about it was, she was trying to do something for the people she supported and believed in. So, regardless of how we got along with her in some issues, she was very sincere in her efforts and -- how she conducted herself. So, I -- I'm glad and I'm sorry I'm not going to be able to be there tonight. I understand that there will be a -- a -- a -- a ceremony for her this evening, and I guess the wake is going on as we speak and the funeral tomorrow. So, I wish her family nothing but the best and those that you -- will be there speaking tonight, I hope you will convey the wishes and support of all of us in this Chamber as you

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present a dedication to Margaret this evening. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. It was referred to in the resolution that she was "The Lady of the Senate". She was also the conscience of this Senate. Many times when we got a little uncivil, Senator Smith will bring us back to where we need to be and remind us that this is a place where we're supposed to be doing good work, but also in a civil fashion and she would call us all her "darling". Margaret's legacy is one that she's always been a fighter for the downtrodden - women and children, in particular. And if you look in the dictionary, I'm certain you would see next to "humaneness" you will see Margaret's picture, 'cause she traveled, not only throughout this State, and she was everywhere throughout this State even as she was getting older. She -- you could count on her to come if there's a hearing or a task force meeting. One to -- to lend her insights on what -- what she felt was true parity for women and children and the downtrodden. And she did that in this State, across this country, around the world. And she has left a -- a -- a tremendous impact, again, as pointed out that they've named a facility after her in Haiti. She was also -- but also, Senator Watson, you're absolutely correct, she knew when to be tough. She can pull you aside and then though she would call you "my Darlin'" and -- and rub you on your back, you knew that was just tantamount to her next action that she might just slap the hell out of you, but it would be out of love. And -- and it was just that kind of relationship. Margaret -- and she represented the African-American community, the majority of the African-American community, but she counted -- amongst her friends people of all colors. She was truly color blind when she fought for what she felt those individuals who were not getting a fair shake. And she wanted us all to know who they were and she did that for us. My personal relationship goes a little bit closer than -- than most of us -- or most of you know. Margaret was a very close friend of my grandparents. They served together, my grandfather, Reverend Trotter, when he was the vice-president of the National Baptist Convention and my grandmother

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was the President of the Women's Auxiliary. Margaret was her secretary when she was the president. And when they died a few years back, well many years back, Margaret personally embraced me with her love and with her -- her kindness and -- and helped me many times to try to -- to get past and -- and watch out and remind me and tell me about the pitfalls that often that we -- we walk into or can walk into. And she did that here for -- when I was down here as -- as a colleague, when I was in the House and when I came over to the Senate and I became her Vice-Chair on the Health Committee. She said, well, this is how you do things, this is -- these are the things that we have to fight for. And when we got back in the community, she'd call me up and remind me that -- what I'm supposed to be doing back there, as well - that you carry yourself at all time as a Senator. Carry yourself all the time as -- as someone can look up to you. So, don't -- forget all that young running wild and hanging out in those bars, you need to really carry yourself, because you are truly a role model. Well, she was my role model in that regard, and I'm going to miss her a whole bunch, because, again, we did have that -- that relationship. But we're all going to miss her as we've -- some of our other colleagues who have passed on. We sometimes didn't really, truly appreciate what they stood for. Margaret stood for all of us and I personally will miss her a lot.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you all -- as you all know, I did succeed Senator Margaret Smith; however, we go back further than that. I first met Senator Smith in the late -- in the late '70s, actually. She was my Senator a long time ago and I also knew her husband, Fred, but not as much as -- as I knew her. And every time I turn around, I -- I've always been a community and a political activist since my youth. And every time I -- I -- I go -- I would attend church functions, civic functions, you name it, Senator Smith was always there, always there. And -- and as she grew older, well, as we all grew older, but as she become -- became older, you would think that someone her age would slow down, but she would -- she would beat me to functions. In

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Chicago, I -- I sometimes advocated -- I worked for a not-for-profit here in Illinois for twenty something years and we would come down and have legislative breakfasts at 7:30 in the morning and we'd get there and -- and, you know, Senator Smith is the first one there. We'd come, you know, a half an hour early to set up, she's already there at 7 o'clock and we've not opened the doors up yet, you know. And Senator Smith was just a fabulous, fabulous woman. I remember during one of our conversations, because I had to work with her, my job was to advocate for more dollars in -- in the field of alcohol and drugs and -- and mental health services for the residents of the south and west sides. So I would start with Senator Smith first and she would work with me and -- and tell me how to go about doing so. And she would pick up the phone and call Department heads and other persons that would help us address the -- the waiting list problem on the south and west sides of Chicago. And then later on during a further conversation with Senator Smith - because she traveled also throughout the world, particularly Africa, as Senator Trotter indicated - come to find out, Senator Smith and I, actually, visited the same village in Nigeria. And the name of that village is called Asaba. And I couldn't believe it when she told me that, and we -- we happened to know that the same Chief of that tribe, you know. And it was just -- she was truly an amazing person. So, President Jones, what I am going to do is work hard to see if we can get a portrait of Senator Smith hung next to her late husband, Fred, because there aren't very many husband and wife teams who have served in this particular Body, in this particular State of Illinois. And I -- I just think that it would be a -- an honor if we - we were to do so. And I am going to truly, truly miss Senator Smith, because I've learned so much from her over the years and I have nothing but fond memories of her. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

When I arrived in the Senate in 1998, Senator Smith was the only other black woman and she really embraced me and I'm really emotional right now, for I don't what -- for what reason other than she was just such a beautiful woman to lose. And when you

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arrive here so young, you're looking for guidance and someone that can relate to you. And, although we had about -- we had almost fifty years difference, so I saw Senator Smith as a grandmother figure. And many of you, I'm sure you don't know, but she and I had lots of conversations and through my first years of being here, she was a -- a major backbone for me. I had some personal issues with marriage and all of that, and she told me so many stories of her and her husband and how he spoiled her and how a man should treat a woman. And I thought from that I'd get rid of mine, because she just gave such good insight on black families and black love and black relationships. And she was a classy woman - I think just beautiful. I would arrive here and Senator Smith would have sequins on, on the Senate Floor, shining from head to toe, beautiful jewelry. In fact, she is loved by many of the churches in my district where she was honored right after she retired here. She and I were both honored together at an event which was really a -- a special experience for me. Here in Springfield, I received an award on Senator Smith's -- behalf in the healthcare field from St. John's Hospital, she had taken ill and was unable to be there. And so I worked with her on some legislation to advance mothers in the workplace. And so -- we would leave here and take the Senate plane back, and as soon as the plane gets up and leveled off, everyone is conked out, asleep on the plane, but not Senator Smith, she's talking about the event she's going to go to as soon as she gets back in the district. And I thought, my God, and I would say it to her, "Well, Senator Smith, where do you get all your energy from? I'm exhausted." And she, "Oh, my darling." You know, she'll give me this long story of her commitment to her church, or her commitment to all the people in her district. And I think I want to just acknowledge her as a hero in terms of fighting for what she believes in. She had a -- a very challenging election that last election, and she ran her heart out, she ran hard. And -- and I believe that timing could not have been worse than for her to leave this Body after working really hard to get reelected. But we all know, sometimes campaigns can be grueling on you physically, as well. And that's when Senator Smith -- I noticed her decline, in her health. And her secretary would call me and I would go check on Senator Smith every morning before we came to

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Session just to make sure she was alert and feeling well, because she didn't want to leave us here. She enjoyed doing what she did. And when I noticed her health declining, that was the first time she went in the hospital for two weeks and away from us, because it's hard to tell someone that you need to go get checked out and leave here. But she did, she came back feeling very well and she was able to go on a little longer, but - all the way up until this past February. The Black Caucus was able to welcome her back for our Black Caucus -- Black History Program at the Governor's Mansion and she came in in blue sequins and was beautiful. And not as alert and knew who everyone was, but the minute I hugged and said hello to her, she asked me how was the little fellow. She was referring to my son, Isaiah, and I knew who she -- that she knew who I was, because she knew my son. And so I'm just -- grateful to have had the opportunity to serve with her as her junior black woman here in the Senate. And I know God has welcomed her home and I know she's going to be classy getting there. I've already been informed on how she looks and what she's planning on having - this glass casket with the State seal on it - and I don't expect anything different from her and I'm looking forward to celebrating her home going on tomorrow morning. And God bless her.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, as Senator Lightford said, Senator Smith got a glass casket. She wanted everybody to see how fine she is. She's still going to be looking good. She planned that see-through glass casket. I know she's going to be draped in a wonderful outfit. And it's good to hear that she was able to influence Senator Lightford on what a good husband is supposed to be about and Senator Lightford did something about it. It would have been great if she could have actually influenced Senator Trotter to stay out of those bars. So perhaps some of her influence didn't work, 'cause I know he still has a fondness for Jack and Coke. But Margaret was something else and our -- our districts buffered on the westside. And Margaret used to make me so mad, because she loved everybody and she trusted everybody. And we were involved in these campaigns and I just

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have to tell this story. I was like, "Margaret, Margaret," I'd say, "these people that you think are with you," I'd say, "they not supporting you." She'd say, "Oh, darlin', they -- everything going to be all right, they support me." I'd say, "Margaret, they're not supporting you," I'm saying, "I'm telling you, I know this." She say, "Oh, darlin', come on now, baby. Everybody loves me, don't -- don't tell me that." So we went and took a picture of these politicians who had her opponent's picture in their window. Remember Jimmy was the photographer for the -- I was like, "Jimmy, now you show Margaret this picture." So, Jimmy would say, "Rickey, I've been trying to show Margaret the picture, but she wanted to believe in the best in everybody," and he'd say, "Margaret won't look at the picture." So, I got the picture. I say, "Doggone it, Margaret, look at this picture. Your opponent's picture is in the window of these people that you think are supporting you." Margaret, she looked at the picture and said, "Darlin', somebody just made that picture up. They supportin' me." I was like, "Senator, you -- you -- you -- you need to know these people not really with us." But she wanted to believe in the goodness of everybody. I killed one her bills one day on the Senate Floor by talking too much and she wandered over to me, and she said, "Darlin', I told you to be quiet." I was like, "Senator Margaret, it wasn't my fault." I said, "Them Republicans they double-crossed you." She said, "Baby, when I tell you I got a deal, darlin', I got a deal, just shut up next time." I said, "Okay, okay." No problem. I never saw Margaret laugh at her opponents until one time, Kim talked about this last election. These people were after Margaret and they were talking so much smack and how they were going to beat her and they had all this money. A reverend was running against her, not a right reverend like Reverend Meeks. These folks thought they had Margaret beat. And I tell you I told my people we going to go out there on that near southside and we're going to bring Margaret home, I don't care what. And Margaret was just, "Oh, darlin', they okay and I love everybody." And when we came and got those numbers and when the moment I saw Margaret she saw those big numbers -- she won big -- bigger than ever, and Margaret just laughed at them. She just laughed. It was a laugh that she knew she was going to win. She knew, even though people

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were betraying her, she still said that they weren't, she knew they were, she didn't care. She looked for the best in everybody and I'm certainly going to miss her and we will always love her.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. I, too, had the fortune of meeting Margaret Smith. I actually -- when I first got here about ten years ago, Margaret and I had offices in the same area together in 103, so we had a lot of time to interact. And every morning I would make sure that I went in to see Margaret, that I would tell her how nice looked and how good she smelled. So, she'd look at me and she'd smile and she'd say, "Thank you, darlin'," and then we'd move on. I served on several committees with Margaret and we also went to the same undergrad and she talked about that and talked about the fact that Cecil Partee also went to the same undergraduate university, which was mentioned, Tennessee State. But I -- I remember several, I guess, different events with -- with Margaret. In fact, this person currently serves in the House - and it goes back to what Rickey was saying - and the person, he -- he is a nice guy, but he was a little arrogant and maybe he still is. He goes into Margaret's office, sits down with her and he tells her, "I'm running against you and I'm going to beat you," and got up and left out and told Margaret that she shouldn't run. So, some of us were concerned, thought that was a little arrogant. Well, I know she ultimately said that President Jones mounted a great campaign, but she told me, she said, "Darlin', I will win. Don't worry about it," and she did win. I can remember other instances that -- one time Donne Trotter - we were taking a picture and -- for the -- for the Senate and I guess Margaret was sick or something and -- and Donne came up and stood in front of Margaret's chair. And after the picture came out, Margaret went to Emil, who was the Minority Leader at the time, and she went to Pate Philip, who was the President, and she demanded that Donne be -- publicly reprimanded, because that's been a "Smith chair" for fifty-four years and how dare Donne stand in front of that "Smith chair"? But that shows you what kind of person she was, 'cause Margaret truly believed in protocol. She was very loyal

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to -- to Emil. And Margaret also used her age very well. Somehow down in our little area 103, I don't know if Shaw was smoking too much or what happened, but she got mad at Shaw. And Shaw had a bill that came up and -- and -- and -- and evidently he had talked to Margaret about it and -- and the bill died and Margaret voted No on the bill. So, Shaw comes down the -- to -- Shaw sat behind me and Margaret sat in front of me and Shaw came down to talk to Margaret. She says, "Darlin', I just didn't understand that bill." Shaw -- Shaw went back to his seat, started smoking his cigarettes again and I guess he did -- he put it on postponed consideration. So, he called the bill again and this time Shaw has Sandra to come up and talk to Margaret. Again, she voted No again. Shaw went down to talk to her again, he's all frustrated, she said, "Darlin', I just didn't understand that bill." So -- needless to say, Margaret used her age to get her point across. Still to this day, I don't think Shaw understood what happened. But I do want to say that Margaret was a very elegant woman, very conscientious person. And, you know, when I first came here, Approp was one committee and there were times that we would get out of Appropriations at 11:30 and at midnight and Margaret would be there every time and she did participate. And I am glad that I had an opportunity to share part of my, you know, there's a -- there's a e-mail that I received that shows a beginning date and an end and it has a dash in the middle and I'm glad that I had an opportunity to share my dash and Margaret's dash. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones.

SENATOR E. JONES:

After listening to all the comments our colleagues made regarding Margaret, I had the pleasure of serving in the House - Adeline Geo-Karis is away today due to a death of one of her -- her associates - we were all in the House together back in the early '70s and we all knew Deacon Davis, the "Dean". We always called him the "Dean", 'cause he'd been here so many years. We had a little familiarity with the Senate and I recall when I first had the opportunity to meet Margaret's late husband, Fred Smith. He had picked up a bill that I sent over to the Senate, so I came over to see him. We sat down, we talked, we talked,

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then he said, "By the way, young man, what is your name?" I knew my bill was dead at that particular point. But when Margaret came in the House, and we were still talking about Corneal Davis, the "Dean", she kept reminding us that Fred Smith was also a Dean in the Senate, her husband. And when I came to the Senate in '83, then Margaret -- and Fred Smith passed, she came over and she insisted that she have his seat on the Floor. Phil Rock was President at the time. Then I looked up one day - I'm glad Kirk Dillard told the story - because, where all the former Governor's pictures were, there was Fred Smith's picture and I said, "How in the heck did she do that?" You know, to be able to get the picture of your late husband down there with all the Governors. And -- but, Margaret a lot of times she was very kind, but very shrewd and very knowledgeable, as relate to this institution and how to get things done. She did it in a very, very quiet manner. And she represented a district similar to the district I represented. See she was born in the district that she grew up - - that she served. She -- the -- the same high school was in the district and -- later become Senator. When you -- when you -- when you serve in a district like that, it affords you the opportunity to know several generations in one family, and -- which gives a person a very, very, very strong base from which to run. And I recall her last election, Kim, I think her opponent, he was a reverend, thought he was popular. He said it -- they must have had a picture of Margaret Smith taking a nap, and said she was sleeping. And the old saying "you never wake a sleeping tiger" and so after the election, I told him, "See you should have let her sleep, you may have won." But never wake a sleeping tiger. I haven't heard anymore from that minister -- since. I think he left town. But she was very, very religious, very active in her community, very active in the church - very, very active. Traveled all over the world doing good for people. She championed the causes of women's health initiatives in -- in the Senate and she championed the cause of the underprivileged and healthcare initiative for young children. She did it so eloquently and she -- that phrase "my darling, my darling" and -- but she was a genuine person. And she was one who would never offend anyone. She knew protocol, but she respected everybody that she served with, but people thought her quiet and manner and

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softness was one that she's -- you could push something over on her. No she wasn't that way, really. She knew how to get the job. It's a great loss. It's one of the most difficult things about serving here is to lose a former colleague or lose a colleague, 'cause -- they become part of your family and -- and something that is with you always - always. So, I appreciate all the great remarks said about her. Everything is basically true. She was a genuine, genuine -- we all -- we always called her "The Lady of the Senate". And sometimes we'd get upset with her. I recall she was our Caucus Chair. The Members get angry at Margaret. They would get angry and come to me about Margaret Smith. But -- and she would chastise the Members of the Caucus. They didn't like that - speaking out of turn and whatnot, as she began to grow a little older. But she was a great person, whom I had the utmost respect for. And the institution in her community -- institution in her community, all the institutions respected, loved and she supported them, which -- which her legacy will -- live many, many years on. Senator Hunter, I'm going to see how smart you are. If you -- if you -- if you can use the tenacity and the skills that Margaret Smith used to get that picture up there - I'm not going to tell you how to do it, and maybe -- when you go to the funeral, you look down at Margaret, and you say, "I intend to do that." Perhaps it'll pass on. She was shrewd to get that done. No other Legislator could have gotten a picture of their spouse on the row that was specifically meant for ex-Governors, but she did it. And so, she will be surely missed and everything and I'll see many of you either this evening or tomorrow at the funeral. And -- and, Frank, I will convey all the wishes of those who cannot attend, but she will be surely missed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones moves for the adoption of Senate Resolution 223. All in favor will rise. The Ayes have it, and the resolution is adopted. Senate stands adjourned.