

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

48th Legislative Day

5/25/2005

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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 the guests in the galleries please rise? The invocation today will be given by the Right Reverend William D. Persell, Episcopalian Bishop of Chicago, Chicago, Illinois.

THE RIGHT REVEREND WILLIAM D. PERSELL:

(Prayer by the Right Reverend William D. Persell)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President. I move that the reading and -- and the approval of the Journal of Tuesday, May 24th, in the year 2005, be postponed, pending approval {sic} of the printed Journal.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

Senate Resolution 229, offered by Senator Haine and all Members.

Senate Resolution 230, also offered by Senator Haine and all Members.

And Senate Resolution 231, offered by Senator Clayborne and all Members.

They're all death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports House Bills 1919 and 1968 Do Pass.

Senator Garrett, Chairperson of the Committee on State

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Government, reports Senate Resolutions 208, 209, 210 and 218 Be Adopted and Senate Joint Resolutions 38, 40, 47 and 48 Be Adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

We will be going to House Bills 3rd Reading. I would hope that everybody within the sound of my voice would quickly come to the Senate Chambers so we could begin our business for the day. Madam Secretary, Message 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 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 1663 and 3464.

Passed the House, May 24, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford, for what purpose do you rise?

SENATOR RUTHERFORD:

Well, to wake everybody up and -- and -- considering both of us are here in the Senate Chambers right now. So, within the sound of my voice, I want everybody to welcome to the Illinois State Senate Jessica Milbauer, who is -- today is her last day as a junior in high school at Dwight and she's spending it with the Illinois State Senate. In the gallery are her parents, Jeff and Tammy, and her grandmother, Barb Milbauer. So, would all of the Senators welcome them to the Illinois State Senate?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? And welcome to Springfield. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR BRADY:

Thank you. I would ask that the Senators today all welcome my special guest and Page, Matt Skinner, from Delavan, Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome, Matt, to Springfield. House Bills 1st Reading.

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SECRETARY HAWKER:

House Bill 4053, offered by Senator Schoenberg.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

In case you didn't hear me earlier, I would suggest that everybody be here in the Senate Chambers as quickly as possible so we can get to our business. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Madam President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR CULLERTON:

I just wanted to indicate in the record that there were a couple of votes where my button was inadvertently pushed the wrong way. On House Bill 873, I wanted to vote Yes; I was voted No. And on House Bill 3485, I had voted Present on that bill, because of a conflict of interest. Someone, unfortunately, pressed the button green and I would have preferred to have voted Present. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MEEKS:

Point of personal privilege, Madam...

PRESIDING OFFICER: (SENATOR HALVORSON)

State your -- state your point.

SENATOR MEEKS:

...President. Today I have as a special guest my oldest daughter, Jamie, who is a graduate of Johns Hopkins University and she's now a law student at Kent in Chicago, and she's going to be hanging out with me for the day. I'd like for the Senate to welcome the pride and joy of my life, my -- my firstborn, Jamie.

PRESIDING OFFICER: (SENATOR HALVORSON)

Jamie, welcome to Springfield. Jamie, it's a good thing you look like your mother. Madam Secretary, Message from the House.

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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 1669, together with House Amendment 1. Passed the House, as amended, May 24, 2005.

Received like Messages on Senate Bill 1701, with House Amendment 1; Senate Bill 1862, with House Amendments 1 and 2; and Senate Bill 1910, with House Amendments 1 and 3, which also passed the House, as amended, May 24, 2005.

PRESIDING OFFICER: (SENATOR HALVORSON)

If everybody could open their Calendar to page 67, we're going to be starting with House Bills 3rd Reading -- House Bill 511. Senator Hunter seeks leave of the Body, on House Bill 511, to return it to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 511. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain the amendment.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 5 to House Bill 511 is the culmination of a -- a -- a long and arduous negotiation. The intent of the -- the bill, as it will be amended, is to eliminate thimerosal, a mercury-based product currently being used by many pharmaceutical manufacturers as a preservative in vaccines. It -- we have reached an agreement with the drug manufacturers and -- and have worked closely with the doctors and the pediatricians with the amendment. I don't believe that there's any opposition and I would asked that it be adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Harmon, it's my understanding that, with the adoption of this amendment, the pediatricians have now dropped their opposition as well. There was some concern early on that the influenza vaccines that they were receiving from the federal government, with the original draft of the bill, would have violated State law and this takes care of that concern. Is that your understanding as well?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Yes. The pediatricians have -- have -- have worked very closely with us and have -- with this amendment will not be opposed to the bill. There are broad provisions for the Department of Public Health to issue variances, if you will, if a -- a real public health need arises.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any other discussion on the amendment? Seeing none, Senator Harmon moves the adoption of Amendment No. 5 to House Bill 511. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. -- Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now at the top of page 68. We're going to House Bill 788. Senator Trotter seeks leave of the Body to return -- okay. Senator Haine, on House Bill 930. Senator Hunter, on 991. Page 69. Senator Collins, on 1319. Senator Collins, on 1319? Senator Cullerton, on 1469. Senator Cullerton, on 1588. Turning to page 70. Senator Winkel, on 2500. Senator Winkel seeks leave of the Body to return House Bill 2500 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2500. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dahl, to explain your amendment.

SENATOR DAHL:

Madam Chairman, this Floor amendment is an TIF extension for the Village of Gardner from twenty-three to thirty-five years. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Dahl moves the amendment of -- Amendment No. 3 to House Bill 2500. 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, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2500. Senator Winkel wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2500.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

Thank you, Madam President. What House Bill 2500 does is it provides a process whereby drainage districts can detach and become a part of a municipality. This is something that the Illinois Association of Drainage Districts is neutral on. This is language that's been worked out between the municipalities and the Drainage District Association, and I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 2500 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 2 voting Nay, none voting Present. And House Bill 2500, having received the required

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constitutional majority, is declared passed. Senator Maloney, on 2531. Senator Maloney seeks leave of the Body to return House Bill 2531 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is -- granted. On the Order of 2nd Reading is House Bill 2531. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain your amendment.

SENATOR MALONEY:

Thank you, Madam President. Amendment 4 simply covers employees related to this bill hired after January 1st, 2006.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Maloney moves the adoption of Amendment No. 4 to House Bill 2531. 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:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain Amendment No. 5.

SENATOR MALONEY:

Thank you, Madam President. Amendment 5 would require a fingerprint check to be submitted according to the requirements set by the State Police. Without this amendment, the State Police would not be able to conduct this -- would only be able to conduct a statewide record check.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Maloney moves the adoption of Amendment No. 5 to House Bill 2531. 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:

Floor Amendment No. 6, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain Amendment No. 6.

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SENATOR MALONEY:

Thank you, Madam President. Amendment 6 is a request of the State Medical Society. This removes physicians from the required fingerprint check, because they're rarely in long-term care facilities and current law prohibits them from practicing if they do have a felony conviction.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Viverito, do you wish to say something on the amendment?

SENATOR VIVERITO:

Yeah -- no...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney moves the adoption of Amendment No. 6 to House Bill 2531. 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, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2531. Senator Maloney, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2531.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. What House Bill 2531 does is expand background checks for healthcare workers in long-term facilities to anybody who has direct access to records or patients. In the past, this has been simply nurses, but now it will include custodial people, food service people and office people. The background check will be name -- a name -- moved from name-based to fingerprint check and this will make it a possible national background check, rather than a statewide background check. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I simply stand in support of the bill. The underlying bill passed out of committee unanimously, as did Amendments 5 and 6. Appreciate the sponsor's hard work and urge its passage.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 2531 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 2531, having received the required constitutional majority, is declared passed. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR VIVERITO:

I'd like very much, if you would, to give a warm welcome to my Page here and his father up in the balcony up there. Scott Andrews is an honor student at the Liberty School and a personal friend of my family and I have -- I hope you'll give him a warm welcome today. Scott Andrews.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield and will our guest in the gallery please rise? It's always good to have you. Jo Ann Hustis from the Morris Daily Herald seeks leave to take photos. Leave is granted. Senator John Jones, for what purpose do you rise?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR J. JONES:

Up in the gallery, my State Rep is sitting up there with his mother and his aunt, and I would like for the General Assembly to give them a warm welcome to Springfield today.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Will our guests in the gallery please rise? It's good to have you in Springfield. We're on page 70. Senator Lightford, on 2578. Page 71. Senator Harmon, on 3650. Senator Crotty, on 3800. Senator Crotty seeks leave of the Body to return House Bill 3800 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3800. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty, to explain your amendment.

SENATOR CROTTY:

Thank you very much. On House Bill 3800, this -- this bill would allow the Metropolitan Water Reclamation District to annex a parcel of property in Matteson, Illinois. The developer is about to develop those homes and would like the services of the Water Rec. That's all the bill does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Seeing none, Senator Crotty moves the adoption of Amendment No. 1 to House Bill 3800. 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.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3800. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

And, again, the amendment is now the bill and it just gives the description of that property to be annexed by the Metropolitan Water District.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 3800 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 3800, having received the required constitutional majority, is declared passed. Senator Silverstein, on 3874. Senator Maloney, on 4030. Senator Maloney seeks leave of the Body to return House Bill 4030 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4030. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain your amendment.

SENATOR MALONEY:

Thank you, Madam President. Amendment 2 makes sure that the length of the time a person is on the sex offender list does not extend beyond the original ten-year registration period.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Maloney moves the adoption of Amendment No. 2 to House Bill 4030. 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:

Floor Amendment No. 3, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain Amendment No. 3.

SENATOR MALONEY:

Thank you, Madam President. Amendment 3 simply defines more clearly the definition of a park as it relates to a sex offender's restrictions to frequent that park.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Maloney moves the adoption of Amendment No. 3 to House Bill 4030. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is

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adopted. Are there any further 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 -- now on the Order of 3rd Reading is House Bill 4030. Senator Maloney, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4030.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. House Bill 4030 require juvenile sex offenders to register as adults once they attain the age of seventeen. Currently, under seventeen, they are only -- the only available list that they are on is for schools and law enforcement, but after their seventeenth birthday, they would go on the public list, the list that's available to the public. However, this would not -- they would not stay on that list ten years after their seventeenth birthday, but only ten years after the offense was -- occurred. If -- if, for example, they -- the offense occurred at age fifteen they would come off that list at age twenty-five. And, finally, it would define the status of a child sex offender becoming an adult sex offender as it relates to their restrictions to parks and areas where they cannot frequent. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4030 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 4030, having received the required constitutional majority, is declared passed. Page 67. Top of the order. Senator Winkel, on 325. Senator Trotter, on 369. Senator -- Senator Righter, for what purpose do you rise?

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SENATOR RIGHTER:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RIGHTER:

I would like everyone in the Senate to give a hearty State of Illinois Senate welcome to State Representative David Reis, who is in the -- who is in the gallery right above me. Apparently, things in the House are a little bit slow today. He came over to see how we do it. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Righter. You know what, Representative, we'll welcome you again. Senator Trotter, on 369. Senator Trotter, on 788. Senator Trotter seeks leave of the Body to return House Bill 788 to 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 788. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

Thank you very much, Madam President and Members of the Senate. Senate Amendment No. -- Floor Amendment No. 1 retains the underlying bill and simply makes an implementation subject to appropriations.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Trotter moves the adoption of Amendment No. 1 to House Bill 788. 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. -- Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 788. Senator Trotter, do you wish to proceed? Madam Secretary, read the bill.

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SECRETARY HAWKER:

House Bill 788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you. House Bill 788 creates the Epilepsy Disease Assistance Act. It outlines the policy of the General Assembly in relationship to that Act. It also requires the Department of Public Health to -- to develop standards for conduct of research and for the identification, evaluation and referral of treatment of victims of epilepsy and their families through regional centers, and it's also subject to appropriations.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I simply rise in support of the bill. The bill and the amendment passed out unanimously and I urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 788 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And House Bill 788, having received the required constitutional majority, is declared passed. We will now be going to the Order of Concurrences on page 77. Okay. I jumped ahead of the gun a little bit. Before we go to Concurrences, we will be going to House Bills 2nd Reading on the Supplemental Calendar. House Bills 2nd Reading. Senator Jacobs, on 1919. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 1919.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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Have there -- 3rd Reading. Senator Link, on 1968. Okay. Now we're going to be going to page 77 on Secretary's Desk, Order of Concurrences. On the Order of Concurrences is Senate Bill 46. Senator Silverstein, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 46.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein, to explain your motion.

SENATOR SILVERSTEIN:

Thank you. I -- I wish to concur in the two amendments. Had to do with excluding the City - Chicago - and excluding -- exempts -- which has to do with stairwell closures. I'll take any questions at this point.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 46. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 2 to Senate Bill 46. And the bill, having received the required constitutional majority, is declared passed. Senator Sullivan, on Senate Bill 53. Senator Peterson, do you wish to proceed? On the Order of Concurrence is Senate Bill 53. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 53.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson, to explain your motion.

SENATOR PETERSON:

Thank you, Madam President. I move to concur with Amendment -- House Amendment 1 to Senate Bill 53. The original bill dealt with the purchasing of ammunition from a person outside of

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Illinois. The House put in "valid". They want his or her valid Firearms Owner Identification Card inserted.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 53. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that -- on that question, there are 58 Yeas, none voting Nay, 1 voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 53. And the bill, having received the required constitutional majority, is declared passed. Senator Peterson, on Senate Bill 54. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 54.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson, to explain your motion.

SENATOR PETERSON:

Thank you, Madam President. I move for concurrence of -- House Amendment 1 to Senate Bill 54. This was the bill that had to do with using twelve-foot blades for plowing snow by private contractors. And in the House, the House inserted "purposes on behalf of a unit of government". So, to use the larger plow blade, you would have to be under contract with a unit of local government.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 54. 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 Yeas, 1 voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 54. And the bill, having received the required constitutional majority, is declared passed. Senator Roskam, on Senate Bill 57. Madam Secretary, please read the motion.

SECRETARY HAWKER:

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I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 57.

Motion filed by Senator Roskam.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, to explain your motion.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 57, as it left the Senate, had three primary elements. First, it closed the gun show loophole. Secondly, it preempted gun laws across the State, with the exception of the City of Chicago. And, finally, it has the destruction of records language that the Illinois State Police maintain after -- it lets the State Police keep the -- the records for ninety days with two exceptions. The first exception is if there is an ongoing investigation of a forcible felony or terrorism or gunrunning, or if someone attempts to purchase a firearm and they -- they are denied. That's the way the bill left the Senate. The House stripped the bill of the preemption language. So, now it just has the two elements in it. It has the closing of the gun show loophole and the destruction of records language. So, it is less controversial now and I'd be happy to answer any questions, but I'm -- I -- I -- I -- I -- I make the appropriate motion, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR HARMON:

Senator Roskam, first of all, I applaud Representative Millner for his wisdom in removing the preemption portion of the bill. I think that is a vast improvement and does make a very bad bill better, but it is still a bad bill. And just recently, this last Sunday, the Chicago Tribune declared today, the day you called this bill or this motion for a vote, "Gangbanger Day in Springfield". These are folks that the Tribune accurately describes as gangbangers who rule their turf through murder and

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mayhem. This is a spectacular day for them according to the Chicago Tribune. I just have to ask you the same question I asked you in committee. A man in your position in life with a such a bright future, why would you want to be the one who supports the gangbanger's legislative initiative?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, to respond.

SENATOR ROSKAM:

Well, thank you for that thoughtful and gentle question, Senator. I, obviously, reject that characterization. You know, the federal government by contrast destroys these records within twenty-four hours. What we're doing here is, we're saying the government ought not keep lists on law-abiding citizens and that's -- that comes down to really a world view. What is your -- how does one view governance, I would argue, and should the Governor -- should the government keep lists just for the sake of keeping lists on transactions that are within the scope of the law? I say no. The federal government says -- says no and actually destroys the records within twenty-four hours. A number of us sort of rolled up our sleeves and decided to try and do something about the gun show loophole, which has been a perennial problem, 'cause right now, under Illinois law, people that go in, there is no background check in terms of purchases that are made at gun shows. This is an arena of compromise and what we've seen in the past is both sides will get up and be very animated and talk a lot about various firearms legislation and nothing gets done. So, when you roll up your sleeves and try and bring people to the table, there's a compromise to this arena, as we all know. What we have to do is balance the compromise, and my colleague has come down on the other side of the balance and I respect that. I come down on the side that says that if there are exceptions in the destruction of records language - in other words, if there is an investigation that's going on - the government should keep that information; if someone is denied that -- their ability to purchase a firearm, the government should keep that information. But we ought not keep lists on law-abiding citizens. And so that's -- that's the reason, Senator, that I've agreed to sponsor the bill and I, obviously, reject the characterization that you gave it earlier.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. To the motion: Senator, I do appreciate your work and -- and the -- I understand the notion of compromise. It's not my characterization; it's -- it is the Tribune's, to be clear. Although, I do agree with them. And these lists are a valuable law enforcement tool and I think it is unwise for us to be throwing them out. Law enforcement relies on these in -- in investigating straw purchasers and it is really the only tool at their disposal to unravel these gunrunning schemes. On the more philosophical notion of keeping lists, it strikes me as incredibly bizarre that we would sanction the keeping of lists on automobile purchases and reject them with respect to -- to handguns and firearms. If we -- if we can devise a scheme where law-abiding citizens purchase an ownership of automobiles is maintained without any invasion of privacy or sacrifice of our civil liberties, I see no reason we can't do the same with firearms. And I would urge my colleagues to think very carefully about supporting this -- this motion.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR HENDON:

Senator -- Senator Roskam, can you tell us why all - and I - I did use the word "all" - that means each and every law enforcement agency, group, sheriff's association, State -- all the law enforcement people of Illinois, the professionals, are against your bill? Can you explain to me why all of them, everybody who is -- has the responsibility to fight these gangbangers that Senator Harmon referenced to and the Chicago Tribune - which is quite a conservative paper and one that I'm certain you will be seeking their endorsement soon for higher office - why would everyone be -- in law enforcement be against your bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Roskam.

SENATOR ROSKAM:

Thank you, Senator, I don't think they are. I mean, I -- I was -- I sat through those hearings in the Senate Judiciary Committee and there was not the litany in the Senate Judiciary Committee that you've described. Think some folks, after the bill came out of the Senate, have gotten -- or out of the House, have gotten a little more animated and there is some -- some opposition. You know, Senator -- or Representative John Millner is the former Chief of Police of Elmhurst and the former President of the Illinois Chief of Police Association. He's no "soft on crime" person and he's no -- he's not cavalier about what the needs are. But the balance that is made, the balance that I'm arguing for today, is to say, look, the maintenance of records on the purchases of firearms, it's in a different category than an automobile purchase, for example. The United States Constitution doesn't talk about automobiles. The United States Constitution does talk about firearms. So, we, as lawmakers, don't believe in an absolute right that there's no limitation. But what I'm suggesting, Senator, is that this is a good balance and a good compromise. Because if we reject this today -- or, actually, you're going to have another bite at the apple theoretically if Senator Cullerton moves his bill, but these bills I think are compelling because they do close the gun show loophole. Under current law, there is no closing of the gun show loophole, and under current law, unless we can come up with a compromise that both sides on this issue can -- can walk away with some kind of victory, then we'll continue to be a stalemate and we'll do absolutely nothing. Now if the timer was on, I think I would have just given a pretty good Senator Rickey Hendon answer. But the timer's not on, so it's back to you, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Well, Senator, since you're in the Minority, you probably won't get the amount of time to speak as much as I probably will get, because I'm in the Majority and I'm a Leader and that just comes with the territory. You mentioned the Constitution. When the Constitution of the -- originally was drafted, I don't think

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we had automobiles. We had firearms and there may be something in there about cattle and horses, because that was our mode of transportation, so the founding fathers did understand mode of transportation was important. But they had firearms at that time, so maybe that's why that difference is there. You mentioned the former chief of police. Former people can say anything, you know, because they're former, they used to be, so now they change. But is the current chief of police who has that position that Representative Millner had, is -- is he in support of your bill, or she?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

You know, Senator, just talking about the Constitution -- and I'll answer your question with an I don't know about the former -- former chief of police -- or the current chief of police. I -- I've not had any contact with him. But I think it is important to put this into context of what the framers were struggling with. You know, the framers -- you're right, Senator, the framers were dealing and they knew about firearms. And the framers of our Constitution, in the second amendment, said this is something that is vitally important. So I think as we -- and I'm not suggesting that a No vote on this is somehow disingenuous or -- I understand this is a compromise, and you and I have been in this arena long enough to know that when you compromise on things not everybody's happy. But we can either -- we can either say we're going to try and close the gun - I'll wait till you're done, listening - we can either try and say we're going to close the gun show loophole and come up with some sort of compromise or we can say, well, let's just keep sort of issuing our press releases and press statements and have newspaper articles lambaste us for doing absolutely nothing. I'm choosing to do something and I think thirty-seven of us - this went out of here two weeks ago with more -- more -- sort of more controversial language - thirty-seven of us said, "Let's do something." So, my invitation to people today is to join with me and to join with Senator Radogno and to join with others and say, "Come on, let's do something." But this is not an arena, Senator, as you know, where one side gets everything. We've seen the great compromises

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that are coming out on other issues. We've seen great compromises that are coming out of the budget. This is a -- an..

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Hendon.

SENATOR HENDON:

Senator, you know, I'm one -- one of your advocates to see you leave this Chamber. I think whoever replaces you, most certainly, won't be as bright, intelligent, and have the -- the skills that you have with your -- your quick wit and your humor. So, I won't say much more that might cause you to lose and remain here and then I'll have to deal with you on a regular basis. But let me say this, I'm trying to look out for your best interest here, believe it or not. So why would you, as Senator Harmon said, carry a bill that destroys records that would allow law enforcement people to track gunrunners, to track the guns that are going to gangbangers, they're going to drive-by shooters. In the -- in the olden days, when the Constitution was framed, the only drive-by shooters were the -- it -- it wasn't the people in your -- in your local towns. Now it's your -- your neighbor. I mean, gun violence has really gotten out of hand. If gun violence was as out of control back then and -- and -- and they didn't have the protection that they had -- they had maybe one sheriff for the whole town, you know what I'm saying, a whole territory. Now you have a lot of law enforcement people and none of them, Senator Roskam, none -- you can't name one sheriff, one State's attorney, one law enforcement, one police officer, organization that's supporting your bill. They're all against destroying the records because they want to be able to track down the straw purchasers and the ones who provide the guns - the illegal gun owners. I am for the right to -- to bear arms. All right. I'd be a hypocrite to stand here and say I'm not. But we have to get rid of the illegal purchasers. We have to get rid of the gunrunners. And I think you'd be better off giving it -- this bill to one of your friends who -- who is -- we'd -- we'd rather keep around here, because they're not as bright and articulate as you are.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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I move the previous question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Senator, that's always in order. There are one, two, three, four, five speakers. Thank you. Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I rise in support of this legislation. And for those of you who have ever dealt with issues dealing with firearms - and Senator Cullerton and myself deal with them almost on a daily basis in the Judiciary Committee - it's not an easy thing to balance all the interests here and I commend Senator Roskam for taking on this -- this fray. It's not easy to -- to balance things. He mentioned that preemption, clearly something that probably was not in order in this bill, is now out. I don't think we've seen the last of this issue with respect to the destruction of records. It is troublesome to me, but I don't want to be on record voting No against closing the alleged gun show loophole. Clearly, this can go down to the Governor's desk. My guess is Governor Blagojevich may use his amendatory veto on this. So we haven't seen the last of the destruction of records yet. Also, when I look at the board, in addition to Senator Roskam's name, Senator Radogno, who is certainly a more moderate Republican than probably Senator Roskam is. She's no Annie Oakley. And if Senator Radogno is comfortable with this, it makes me a little more comfortable with it. But I don't want to be on record against closing the gun show loophole. And for those of you who are all exercised about the destruction of records - and I have questions about it as well - we haven't seen the last of that. And Senator Cullerton has a bill, Senate Bill 1333, that's still alive and floating these last few days. So, between Governor Blagojevich and Senator Cullerton, my guess is we haven't seen the last of this issue. But I don't want to be on record against gun show loophole closure and that's why I'm going to vote Aye. And I thank Senator Roskam for at least having the time and -- and the gumption to take on this very difficult issue. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Raoul.

SENATOR RAOUL:

Sponsor yield for question?

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PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RAOUL:

Senator, you made reference to -- to the Constitution several times. Is -- is it your opinion that the -- maintaining these records violates some constitutional rights?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

No, Senator. You know, I -- I said earlier in remarks that we in the United States don't -- don't recognize an absolute right to really just about anything and the courts have said that there are reasonable -- reasonable restrictions that you can place. I mean, the classic first -- first amendment example that we all learned in law school is, you -- you know, you don't have a constitutional right to yell "fire" in a theater, for example. So, I'm not suggesting that the maintenance of this data file is -- and this profile, really, that the State Police have made is unconstitutional. I -- I think though that any time it rubs up against something that is referenced in the Constitution, that our founders thought was so important to amend the Constitution to protect, that we ought to give great deference to it. So I would put it in -- in that category, but I'm not suggesting today that this -- that this file is unconstitutional.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Raoul.

SENATOR RAOUL:

And -- and as we talk about the Constitution and -- and yielding sometimes in the Constitution analysis whether it's -- it's a reasonable restriction, we -- we look at interest. We look at compelling interest. And oftentimes public safety is a compelling interest. Isn't that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

I agree with that, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Raoul.

SENATOR RAOUL:

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Well, you know, it's been indicated that a vote against this bill is a vote against closing the gun show loophole. I'm going to vote against this bill, but I'm a proponent of closing the gun show loophole. I don't think, as we talk about compromises, compromising public safety in one way in -- in the interest of promoting public safety in another way is -- is a true compromise. I think if we all show courage and stand by our law enforcement officers, instead of standing by the Rifle Association, we can -- we can pass bills in this Chamber that -- that -- that do more for law enforcement than they do for gangbangers. I strongly urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GARRETT:

Senator, I would consider you one of the best wordsmiths in the Senate and so when you talk about the balance -- balance the compromise, compromise is a key word that you keep bringing up with this particular legislation. And so -- and you've also stated that a vote against this -- or a previous Senator said a vote against this would be something that could be used - the implication was - in campaign mailers to those who believe that destroying the database is a bad idea, but closing the gun show loophole is a good idea. So, you've very cleverly been able to put two pieces together where there are strong opposition. There are those of us who want to close the gun show loophole and, at the same time, are adamantly against destroying the -- the police records on the -- those that have purchased guns. So, my question to you is, I understand where the interest and the support comes from closing the gun show loophole, but I'm not sure where the need -- who is really pushing to make sure that the databases are completely removed in the State of Illinois for those who have purchased guns.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

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Thank you, Senator, for those kind compliments. The database won't be completely removed for the -- the two exceptions that I mentioned. One is, where there's an ongoing investigation of a forcible felony or terrorism or gunrunning. And the second is, if somebody attempts to purchase a gun and they're denied based on their background. You know, this -- the -- the larger context - and I think that's what you're asking about - how do these -- these two issues come together, the -- and -- is that not your question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

The -- I guess a final question is, who is really promoting, what organization is behind -- the database record?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

I think that was your question, so I -- I was getting to that. Let me give -- just give you a little bit of background and I will directly answer your question. Myself and I think some other suburban legislators, who have historically been supporters of firearms rights -- firearm owners' rights and so forth, began to interact with the -- the NRA and the ISRA to say, look, we want to close this gun show loophole and -- and we have a strong idea that this is something that needs to be accomplished and makes good commonsense, so let's start to negotiate. Over the course of months, the NRA began to enter into a negotiating process and the -- the profiling of individuals is something that they, as an organization, are very uncomfortable with and they put that idea on the table. They also said, look, let's -- let's destroy these records within twenty-four hours. I said, "Let's not do that. Let's extend that period of time for three months and let's have two exceptions in there." The NRA also wanted some other things in terms of the preemption language, which we passed out of the Senate, but was rejected by the House. They also wanted the, you know, the abolition of -- of the waiting period and we rejected that, and there are some other things I think my staff is whispering in my ear that I'm not recalling right now. So, it is -- it's a

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compromise, but those are the -- those are the parties, Senator. And as you know, there's been article after article after article about Mayor Daley's gun bills that come down and he attempts to move them and people give him, you know, credit for -- for advocating his position, but it's largely your side of the aisle -- I mean, some key components on your side of the aisle that reject that. You know, you may be Mayor of Chicago, but you're not mayor from downstate. So, this is an attempt to bring really a wide range of parties together for some sort of a -- some sort of a compromise and it's something that I don't think any -- you know, the -- the NRA position is, for years they said, we don't have a gun show loophole, and if we do have a gun show loophole, it doesn't need -- it needs -- doesn't need to be filled. You know what I mean? Now we're at a point where these -- these kind of a wide range of people have come together and I think it's a - - I think it's a good compromise.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

To the motion: To the -- the comment of the -- balance the compromise, I think the compromise has been put on the table really by the NRA, and what we're being asked as -- as Senators is to go along with something that really divides us and doesn't really resolve the problems that Illinois is faced with pertaining to gun ownership. I will also say that I had the opportunity last year to sit in on the budget negotiations and this particular idea was being floated -- around as being part of the budget negotiations. And I remember thinking to myself that it should be something that the General Assembly should have the opportunity to vote on, on its own, not put into the budget or not be part of a balance compromise. The State Police was represented at that budget negotiation in Governor Blagojevich's Office and they were adamant. They were adamant that this is the wrong direction, that this the wrong course for Illinois to take, and I believe that the Governor felt the same and I'm sure he still does. So, I would just ask my colleagues to consider how important it is to make sure that we work with law enforcement, that we don't try to side with an outside special interest group, such as the NRA, to determine how we keep track of those who are

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purchasing guns in the State of Illinois. I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President. Question for the sponsor. Would the gentleman yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR SCHOENBERG:

Senator, do you consider yourself an advocate for greater accountability in government?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Well, sort of, in the -- I -- I would characterize myself that way, Senator, yes, but something tells me that I might regret that answer in a minute.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

I -- I'm not going to disabuse you of that notion, Senator. I -- I have to -- when we -- to the amendment: When we first began our respective careers here at the Capitol, roughly the same time, I don't think that technology was -- as advanced as it is now. So that, time and time again, we heard the argument of how unwieldy and -- and cumbersome and -- and how bad bureaucratic nightmares would become as a result of the repeated requests by the Legislature to various agencies in government to collect and accumulate data so as to provide more accountability and some -- and some quantitative analysis for -- to prove or disprove the -- the value of the decisions that we make. We don't have those problems now. And -- and I would hate to think that someone is going to have to create a bootleg database, like bootleg CDs are created. I -- I would hate to think we're going to have to put police chiefs of large jurisdictions in concert with others in a -- in a compromised position of creating bootleg databases so that we can maintain the -- the records necessary in order to ensure that straw purchases can be averted. Madam President, Ladies and Gentlemen of the Senate, we don't hesitate

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to make additional demands. We never hesitate to make additional demands to provide more accountability. We demand greater data collection about sex offenders and who -- and where they live in our communities and never do we hear how difficult it is to maintain those records, how unwieldy it is to maintain those records, why those records should only have a limited short life -- shelf life. We never hesitate to ask other agencies in government to make more demands on them to collect data so that we can decide whether the choices we've made are the right choices. This is not a compromise. This is an outright -- this bill is not a compromise; this is an outright surrender. And for those of you who live in suburban communities, as I do, who've already watched a disingenuous attempt to eliminate our ability to assert local control over having higher gun standards in our communities, this is hardly a -- this is not a compromise. This is an outright surrender. There is an alternative that exists. Senator Cullerton has introduced an amendment to Senate Bill 1333, which is word for word with the -- about -- for -- with this amendment with the exception of the Hobson's choice that's created with the destruction of the database. If we don't weaken our standards for collecting information on sex offenders, if we don't weaken our standards for collecting information on other important decisions that we make, why are we weakening our standards here? That fact is obvious, but some have chosen to look past it. I don't and I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, to close.

SENATOR ROSKAM:

Thank you, Madam President and Members of the Senate. And for those of you who rose and asked thoughtful questions, I appreciate it and I know there's -- this is one of those issues of the heart. I reject the -- the comparison between sex offenders and law-abiding citizens. The notion that someone who commits a heinous crime and is sexually violent to be compared and to be on a list with someone who is a law-abiding citizen going in and exercising a constitutional right, I think is a very bad comparison, and -- and the notion that they're in the same category, I reject and I would urge you to reject. Remember when this -- when -- when similar bills - just to sort of set the tone

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and set the table on this - when similar bills came to the Senate Judiciary Committee, one had to do with a similar -- a similar area of the law and I recall Senator Haine asking the witness, it was -- had to do with a making the Firearm Owner's Identification Card more difficult to obtain, and Senator Haine asked the City of Chicago witness - and I have a strong clear -- independent recollection of this - Senator Haine asked the witness, "Mr. Witness, can you tell me in the last year how many crimes were committed in the City of Chicago by people who held a valid Firearm Owner's Identification Card?" The witness paused, gulped, and said, "none". Now, there is a lot of histrionics on this issue and we can sit back and we can vote No. And, listen, I respect the sincerity of a No vote, but to sort of characterize this as -- as running roughshod over law enforcement is a mischaracterization. Some of the law enforcement folks got tweaked up. They didn't come into the -- they didn't come into the Senate Judiciary Committee. Senate Judiciary Committee in opposition had the usual folks who usually oppose the gun laws. You don't -- you didn't hear from the Sheriff's Association. You didn't hear in the Senate Judiciary Committee from the Chiefs of Police Association. We have a Senate -- or, a House sponsor, who I referenced earlier, who has a long and decorated history of law enforcement. The -- the idea that this database is going to be used for gun -- gun straw purchase investigations, I think is troublesome, and it's really troublesome based on the idea that I've heard my Senate colleague from the west side reference in other contexts and that is, are you really comfortable with the idea of the City of Chicago or somebody else knocking on the door of a law-abiding citizen saying, "What did you do? Where is your stuff? Show us your file." That's not what this is all about, and actually, the City has vehemently denied that they're doing that in -- in -- in sharp contrast to some admissions that they've made in Appellate Court cases. The bill has been well debated today and I appreciate everybody's attention and I would urge an Aye vote on the motion.

PRESIDING OFFICER: (SENATOR HALVORSON)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 57. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Yeas, 25 Nays, 0 voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 57. And the bill, having received the required constitutional majority, is declared passed. Senator Link, on Senate Bill 66. Senate Bill 79. Senator Peterson. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 79.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson, to explain your motion.

SENATOR PETERSON:

Thank you, Madam President. First a question of the Chair. There is Amendment 1 that I nonconcurrred with. Do I have to make that motion at this time or is that automatically taken care of?

PRESIDING OFFICER: (SENATOR HALVORSON)

We'll do that after we adopt this motion.

SENATOR PETERSON:

Okay. Thank you -- very much, Madam President. The Senate Bill 79 was the bill that had to do with allowing our service people to defer paying their taxes on property. And in the House, they decided that they wanted to change the -- the day -- the amount of days that were provided to reservists and guards from sixty to a hundred and eighty days of their deactivation that they could go in and -- and make arrangements if they could not pay the taxes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 79. 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 59 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 2 to Senate Bill 79, and the bill, having received the required constitutional majority, is declared passed. Madam Secretary, do you have any other motions on file?

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SECRETARY HAWKER:

Yes. I move to -- nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 79.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson, to explain.

SENATOR PETERSON:

Thank you, Madam President. In the House, they took out a Section and right now there's a debate as to that Section being needed or not. We want to go back and have them discuss it. They may withdraw or they may ask for a conference committee on this particular Section, so I'm moving to nonconcur.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Just for colleagues on this side of the aisle, the Senator's motion to concur with Amendment No. 2 was through the Revenue Committee and we discussed the nonconcurrency. I would urge my colleagues to support the Senator's motion.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon. Senator Peterson moves to nonconcur in House Amendment No. 1 to Senate Bill 79. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. Senator del Valle, on Senate Bill 101. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 101.

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to explain your motion.

SENATOR DEL VALLE:

Thank you, Madam President. I move to concur with House Amendment No. 1 to Senate Bill 101. This House amendment did two things. It passed out -- it deleted hearing instruments, because hearing instruments are already covered under the Hearing Instrument Consumer Protection Act, and it also clarifies that

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the -- the dealer is responsible, rather than the manufacturer, for the replacement and for the warranty for assistive technology devices.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 101. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 101, and the bill, having received the required constitutional majority, is declared passed. Senator Radogno, on Senate Bill 127. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 127.

Motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno, to explain your motion.

SENATOR RADOGNO:

Thank you, Madam President. The underlying bill actually allows antique vehicles to display a small blue light in their taillights so restorations of those vehicles can be historically accurate. When we were talking about this during the Senate debate, it was pointed out by Senator Trotter that this would also apply to antique motorcycles. So, the House amendment just adds motorcycles -- antique motorcycles to the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 127. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 127, and the bill, having received the required constitutional majority, is declared passed. Senator Crotty, on Senate Bill 139. Mr. Secretary, please read the motion.

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ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments No. 1 and 2 to Senate Bill 139.

Motion filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty, to explain the motion.

SENATOR CROTTY:

Thank you very much. Senate Bill 139 amended the Regulatory Sunset Act and the Respiratory Care Practice Act. This amendment to this bill allowed certified registered nurse anesthetists to give authorization for respiratory care in a licensed hospital or ambulatory surgical treatment. It also makes a technical change by changing the word "registered" to "licensed" when referring to a respiratory care therapist.

PRESIDING OFFICER: (SENATOR HALVORSON)

Did you explain amendment -- motions -- Amendment No. 1 and 2?

SENATOR CROTTY:

Well, and Amendment No. 1 just retains that bill, but it just made a couple of cleanup language -- to the language.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 139. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendments 1 and 2 to Senate Bill 139, and the bill, having received the required constitutional majority, is declared passed. With leave of the Body, we will be -- be returning to page 77 to Senate Bill 66. Senator Link. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments No. 1 and 2 to Senate Bill 66.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your motion.

SENATOR LINK:

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Thank you, Madam President. Amendment 1 is -- on the amendment or on House -- on Senate Bill 66 reinstates a portion of the bill regarding placement of liens on nonessential personal items which may be left in the vehicle. And on Amendment 2, it just clarifies that only personal property belonging to the vehicle owner is subject to lien, meaning that property that someone had left -- relocated vehicle could be redeemed without penalty of the -- by the owner of the property. I know of no objection. Be more than happy to answer any question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 66. 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. The Senate concurs in House Amendments 1 and 2 to Senate Bill 66, and the bill, having received the required constitutional majority, is declared passed. Top of page 79. On Senate Bill 143. Senator Ronen. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 143.

Filed by Senator Ronen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen, to explain your motion.

SENATOR RONEN:

Thank you, Madam President, Members of the Senate. This amendment just codifies an executive order of the Governor, allowing people who work at child care home centers to be part of State government, but not for the purposes of receiving benefits, health benefits, or a pension.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 143. Those in favor, 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. The

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Senate concurs in House Amendment No. 1 to Senate Bill 143, and having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes. A point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR DEMUZIO:

Thank you. Today we're very pleased to have with us in the President's Gallery the AARP members from Senator Haine and Senator -- Clayborne's district. We'd like to give them a big hand and welcome 'em to our -- to the Illinois Senate. Would you like to stand, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Crotty, on Senate Bill 159. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in adoption of their Amendment No. 1 to Senate Bill 159.

Filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty, to explain your motion.

SENATOR CROTTY:

Thank you very much. House Amendment No. 1 to this Senate Bill 159 retains the underlying bill, but it further amends the bill to make several changes in relations to the licensure procedures. One of those -- this -- this was a compromise between the Illinois Home Care Council and the Illinois Hospital and Health Systems. It would delete references to rules guiding gradual licensing for agency and replaces it with the language mandating the creation of a single application to apply for licensure. It also excludes agencies under the Hospital Licensing Act as home service agencies and it makes it clear that the four members of the newly renamed and expanded Home Health and Human {sic} (Home) Services Advisory Committee must represent the home health agency profession, including one each from the voluntary, for-profit, private not-for-profit, institutional-based and home health agencies operated by local health

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departments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I simply rise in support of the bill. This bill did pass out of -- this motion, excuse me, did pass out of committee unanimously. I appreciate the sponsor's hard work on a pretty complicated subject. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any other discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 159. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 159, and the bill, having received the required constitutional majority, is declared passed. Senator Cullerton, on 210. Senator del Valle, on 223. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 223.

Filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to explain your motion.

SENATOR DEL VALLE:

Thank you, Madam President. This is the bill that establishes gifted education within the State Board of Education and establishes guidelines for the development of gifted education programs. House Amendment No. 1 makes clarifying changes to the underlying bill, which establishes the criteria for gifted and -- talented education programs in order to achieve State Board of Education approval, and in the event of funding, if funding becomes available, to become eligible for State funding.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment

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No. 1 to Senate Bill 223. 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 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 223, and the bill, having received the required constitutional majority, is declared passed. Senator Viverito, on 232. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 232.

Filed by Senator Viverito.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito, to explain your motion.

SENATOR VIVERITO:

What this does, it amends the Public Aid Code. The Trial Lawyers are on -- on board now, as well as the Township Officials.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 232. The -- those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 232, and the bill, having received the required constitutional majority, is declared passed. Top of page 80. Senator Cullerton, on 241. Senator Martinez, on 309. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 309.

Filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez, to explain your motion.

SENATOR MARTINEZ:

Thank you. This amendment would -- still achieves the intent of the original legislation, which is to make it clear

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that any questions in Section 22-5 or Section 22-10 should be directed to the county clerk and not the clerk of the circuit court, even though the Section 22-5 notice is mailed by tax purchaser or assignee and the Section 22-10 notice is mailed by the clerk of the circuit court.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 309. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 309, and the bill, having received the required constitutional majority, is declared passed. Senator Link, on 383. Senator DeLeo, on 411. Senator Maloney, on 463. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 463.

Filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, to explain your motion.

SENATOR MALONEY:

Thank you, Madam Chairman. I -- I certainly do concur with this. This amendment is an enhancement of the original bill that helps accomplish the intended goal of transferring the GED administration from the State Board of Education to the Illinois Community College Board. The -- actually now the awarding of the certificates will be done by the Community College Board and this has been agreed to by the Illinois Community College Board, the Illinois Board of Higher Ed and the Illinois Adult and Continuing Education Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 463. All those in favor will say {sic} Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 463, and the bill, having received the required constitutional majority, is declared passed. Senator Haine, on 468. Senator Cullerton, on 477. Senator Cullerton, on 478. Senator Cullerton, on 511. Senator Wendell Jones -- oh, no. Senator Hunter, on 635. Senator Demuzio, on 768. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 768.

Filed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio, to explain your motion.

SENATOR DEMUZIO:

Yes. Thank you, Madam President and Members of the Assembly. 768, it passed the Senate, would have required the Interagency Coordinating Council to develop a comprehensive plan to increase the availability of school personnel with Transition Specialist certification and to implement that plan by September the 1st. House Amendment No. 1 instead requires only that the Council make recommendation for increasing the -- the number of -- such specialists in its 2007 annual report.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 768. All those in favor will say -- 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 the Senate concurs in House Amendment No. 1 to Senate Bill 768, and the bill, having received the required constitutional majority, is declared passed. Senator Garrett, on 780. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 780.

Filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Garrett, to explain your motion.

SENATOR GARRETT:

Yes. Thank you, Madam President. Motion No. 1 -- Floor Amendment No. 1 -- Amendment No. 1 basically just tightened up some loopholes and -- and made the bill stronger. There's some technical changes. So, I would ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 780. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 780, and the bill, having received the required constitutional majority, is declared passed. Senator Garrett, on 966. Senator Garrett, on 966. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 966.

Filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett, to explain your motion.

SENATOR GARRETT:

Yes. The motion just goes to taking care of some changes in the Affordable Housing Planning/Appeal Act. We made the Act stronger and this particular amendment closed some -- loopholes so there's no misinterpretation, and that's really it. It gives local communities much more of a voice.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 966. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 966, and the bill, having received the required

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constitutional majority, is declared passed. If you turn the page, we're on 82. We will be going to Senator Sandoval, on 1119. Senator Harmon, on 1230. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1230.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, to explain your motion.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The underlying bill polices the secondary market in law enforcement badges. The amendment offered by the House merely refines this to provide affirmative defenses for collectors and when badges are used as decoration or in theatrical presentations. I believe it's a sensible amendment. I'd ask the Senate to join me in concurring.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1230. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 1230, and the bill, having received the required constitutional majority, is declared passed. Senator Link, on 1698. With leave of the Body, we'll return to page 81 to Senate Bill 635. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 635.

Filed by Senator Hunter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter, to explain your motion.

SENATOR HUNTER:

Thank you, Madam President. I move that -- Amendment 1, which specifies the intercity passenger rail services to Amtrak

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or its successor, just to -- some language changes also. And, also it changes -- this amendment also changes the Director of Amtrak to chief operating officer of Amtrak to -- accurately reflect Amtrak's structure.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 635. 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 the -- Senate concurs in House Amendment No. 1 to Senate Bill 635, and the bill, having received the required constitutional majority, is declared passed. With leave of the Body, we'll be returning to page 82, on Senate Bill 1698. Senator Link. Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in adoption of their Amendment No. 1 to Senate Bill 1698.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your motion.

SENATOR LINK:

Thank you, Madam President. This changes -- one thing it changes from - a technical change actually - from "qualified professional" to "health care professional". I know of no objection to the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1698. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 1698, and the bill, having received the required constitutional majority, is declared passed. With leave of the Body, we'll be returning to page 80. Senator Link, on Senate Bill 383. Mr. Secretary, please read the motion.

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ACTING SECRETARY KAISER:

I move to concur in the -- with the House in the adoption of their Amendment No. 1 to Senate Bill 383.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your motion.

SENATOR LINK:

Thank you, Madam President. This is a change where we were agreed on with all the fire protection agencies to add the amendment to where it adds the provision that annual inspections for each school district -- each school building will be administered by the State Fire Marshal or a designee. As I indicated, all the fire prevention districts, the fire agencies and the Illinois Association of Regional Superintendents are on board on this. I know of no objections.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 383. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 2 voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 383, and the bill, having received the required constitutional majority, is declared passed. On the Order of House Bills 2nd Reading on the Supplemental Calendar No. 1 is House Bill -- 1968. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 1968.

(Secretary reads title of bill)

No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

Have there been any Floor -- 3rd Reading. We'll return to House Bills 3rd Reading. Page 71. House Bill 3874. Senator Silverstein seeks leave of the Body to return House Bill 3874 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3874. Madam Secretary, are there any amendments approved for consideration?

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SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein, to explain your amendment.

SENATOR SILVERSTEIN:

Thank you, Madam President. It keeps the bill. It just -- Floor Amendment 2 makes some changes regarding -- regarding the removal of penalties for misconduct. It retains a Class 3 felony. It clarifies language regarding criminalizing knowing use of records or -- to conceal or reduce a public contractor's obligation to deliver property. I'll explain more on 3rd.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein moves the adoption of Amendment No. 2 to House Bill 3874. 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, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3874. Senator Silverstein, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3874.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. This bill passed out of the Senate a couple -- a couple -- about a month or two ago. There was a change made in the House. What this does, this removes the increased penalty for official misconduct, retaining it as a Class 3 felony; clarifying language, criminalizing the knowing use of false records to conceal or -- or reduce a public contractor's obligation to deliver or pay property, clarifying the public contractor's authority to act -- to act, and reduce the penalty for public contractor misconduct to a Class 3 felony. I'll take any questions.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I rise in support of this bill and thank Senator Silverstein for working with us on this side of the aisle to take some of the ideas that we have on this subject of ethics in State government. And, again, I thank Senator Silverstein and there are some Senate Republican ideas in this and we appreciate it. Urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any -- is there any further discussion? Seeing none, the question is, shall House Bill 3874 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And House Bill 3874, having received the required constitutional majority, is declared passed. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR SANDOVAL:

Madam President and Members of the Senate, I have the distinguished honor of having with me a business delegation from Mexico from the great State of Jalisco, Mexico. They are here on a business delegation meeting. They are commercial printers looking for -- opportunities with Illinois companies. I'd like to give everyone a -- like to give 'em a warm welcome after I introduce them. George Mendez Flores, Juan Carlos Mendez Gutierrez, Jr., Agustin Muno Ruiz, Jose Luis Gomez, Jose Luis Gomez, Sr., Octavio Alcocer, Juan Carlos Alcocer, Thomas Lopez Miranda, Sergio Sandoval and Oscar Pereda Santa Maria. Like to give 'em all a warm welcome to the State Capitol of Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield to all our guests. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

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PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ALTHOFF:

Behind me in the gallery, we have forty-three students and their teachers, Ms. Ebstein and Ms. Brooks, from Edward H. White Elementary Academy. They are from President Jones' district and I'd like to give them a warm welcome to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests in the gallery please rise? Welcome to Springfield. Page 68. House Bills 3rd Reading. House Bill 930. Madam -- Senator Haine seeks leave of the Body to return House Bill 930 to the Order of 2nd Reading for the purpose of an amendment. On the Order of 2nd Reading is House Bill 930. Madam Secretary, are there any -- amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your amendment.

SENATOR HAINE:

The -- thank you, Madam President, Ladies and Gentlemen of the Senate. The -- the amendment takes care of the objection -- part of the objection of the City of Chicago to this bill. It removes language which preempts the City, and we -- I -- it -- the City -- the City, as you'll find, still objects, but we took out the part for which they vociferously objected.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR D. SULLIVAN:

Senator Haine, does this amendment also address the concerns of the Plumbers Local 130 in Chicago?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank -- thank you very much, Senator Sullivan, for that

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question. Yes, it does. The Plumbers Union, as well as the Mechanical and Specialty Contractors, strongly are in favor of the amendment. Both.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, in -- in recent weeks I've had contact by two or three companies in my district that install water softeners and -- and water conditioning products, those kinds of things. Under current law, or under your bill, will they have to have a plumbing license to install if -- if those types of things are already plumbed in?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

I believe they're already covered by the current law, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, Senator Haine moves the adoption of Amendment No. 2 to House Bill 930. 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, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 973 {sic} (930). Senator Haine, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 930.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Haine.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill now -- clarifies that local governments cannot issue permits for the installation or repair of plumbing unless they have a verification that the applicant has a valid plumbing license or is the owner or occupant of the home. It also clarifies that a letter of intent must be included, and this is what the -- the City of Chicago still objects to, but quite honestly, the -- everyone else downstate and in the City, the contractors of the City and the union in the City, agrees that this is a good provision. It improves the current law. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 930 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 3 voting Nay, 0 voting Present. And House Bill 930, having received the required constitutional majority, is declared passed. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HENDON:

Madam President, Members of the Senate, I am holding in my hand a picture of President Emil Jones smacking that softball past the short center. He looks like he's about nineteen/twenty-years-old. He probably felt that way at the moment. We've sent around -- we have photographs from the -- the great victory we had over the House. Brandy, the photographer, did a great job. I want to show you this picture of President Jones. He -- he looks pretty cute in his shorts, also, by the way. Take it easy on that one. We want you to order these pictures. Brandy -- we've given you an order form. It's on your desk. Please make sure you look through all the contact sheets. Very inexpensive. You need this memento. Your grandchildren will be like, "I don't

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believe grandpa really did that", but you'll have the proof if you have a photograph. So, please, we're going to take 'em around; we want to collect 'em today. Give it back to Brandy and just get the photo -- the team photographs. There's pictures of me and Frank Watson hugging each other and we're both smiling. It's -- it's wonderful. Love breaking out all around when we beat up on the House. Please look at the contact sheets and get the photographs that you like and this one we're sending to the media to put in the newspapers. Thank you very much, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Hendon. We'll be returning to the Calendar for Secretary's -- Order of Concurrences. Regular Calendar, page 79. Senate Bill 210. Senator Cullerton. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 210.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your motion.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. I move to concur with Floor {sic} Amendment No. 1 to Senate Bill 210. It was a suggestion of the Illinois State Police. Representative Froehlich was the sponsor. Just adds the words "on a roadway" to permit prohibited individuals to pull over to the shoulder of a highway and use their cell phones. Don't know of any opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, Friday after we adjourned from Session here, I was on my way home on Interstate 55 and I happened to

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pass a vehicle where the driver, I believe, was above the age of eighteen and using a handheld phone as he drove down the road. Can he do that any longer in the City of Chicago or does this have anything to do with that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

How fast was I going?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Senator, I -- I'm hesitant to say how fast you were going, because I passed you. But anyway, thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further 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 was looking through the information on my laptop and I saw that when this bill came through the Senate the first time, it was approved by a vote of 38 to 19, and we've been humming along here rather peacefully in rather bipartisan fashion here for the last hour or two, and I wonder, to break that up a little bit, if you couldn't walk through the bill a little bit more and refresh some of the recollection of some of the Members of the Senate about what this bill exactly does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I apologize for not doing that. The bill would require that people who are under the age of eighteen, including people on an instructional permit, they would not be able to use a cell phone. And it doesn't have anything to do with hands -- hands-held or otherwise; it's just not be able to use a cell phone. There's a -- exceptions for emergencies. And the only change in the House was to say - at the request of the State

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Police - clearly, if there is a need for an emergency, that they would pull over to the side of the road and -- and be able to use the phone, and it wasn't clear. So, it's really just a technical amendment. The bill defines wireless telephone, defines the age and it provides for, as I said, for emergency purposes: a call to law enforcement agencies, healthcare provider, fire department, that sort of thing. So, that's what the bill does. Again, it's not substantively changed from when we passed it out of here and I'd be happy to take the same roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski, for a second time.

SENATOR BURZYNSKI:

Thank you. And this -- thank you, Madam President. This is -- along the line of a more serious question, Senator. Just out of curiosity, how will law enforcement officials recognize whether someone is under the age of eighteen or not as they drive down the road? Or will this be a secondary offense, a primary offense? I mean, I -- I realize we started it out that way with seatbelts. So, kind of a slippery slope. So, if you could respond, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Actually, there are no more primary or secondary offenses in Illinois in any traffic ticket, Traffic Code violation, Criminal Code violation. It was -- that was something that was invented just for the seatbelts and we've eliminated that. As with any age requirement on highways - we have requirements that children in the backseat wear seatbelts up to a certain age; we've got booster seats up to a certain age - it's -- it's -- it is difficult for a police officer to -- to enforce it, but we do find in these -- in these areas that it's very instructional, especially for young drivers who take driver's ed, and they take driver's ed, they have the -- the Rules of the Road, explain to 'em what the law is, and they -- they tend to follow it, obviously. And -- and this is one area where dramatic statistics on crashes for young people when they first get their -- their driver's license, their rate is dramatic, and it drops dramatically with experience. The one thing that they don't need

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to be doing when they first learn how to drive is be talking on the phone. So, that's the purpose and the theory of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 210. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Yeas, 16 Nays, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 210, and the bill, having received the required constitutional majority, is declared passed. Senator Shadid, for what purpose do you rise? Senator Cullerton, on Senate Bill 241. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 241.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain your motion.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a very significant bill that Senator Dillard and I sponsor. It - - it -- it did pass with some objections out of here, but there was an agreement worked out in the House so as to remove all objections, and I believe it's an agreed bill among the business groups that were concerned about it. Proposal would amend the Environmental Protection Act to really provide legal authority to the Illinois EPA and for the State of Illinois to become the nation's leader in public notification when there's releases of contaminants to the environment. And, as I said, the -- the Director of EPA, Renee Cipriano, did a great job, along with Representative Holbrook, in negotiating with the business community. We had asked them -- because of this administrative order authority that was being granted to the Agency for due process, they wanted to -- we suggested to them, in the House, come up with due process protections for you. And so we have that. We allow them to appeal to the Pollution Control Board, which was a major request of the business community that's been

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granted - and we changed the standard by which the Director has the authority to order the immediate clean up, which is, again, a -- a request of the business community. So, there's a number of other minor changes, but those are the two significant ones, and as a result, we have an agreed bill. And it's a very significant bill. We will become the leader in this area. This is -- came out of a series of problems that occurred out in Representative - - Senator Dillard's district and Representative Bellock's and Meyer's, and this is a -- a -- an excellent bill in -- in response to that. Be happy to answer any questions and ask for an Aye vote.

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, it's our information over here that with the changes that were made in the House, the business groups officially now are neutral on this legislation. Can you tell me if that's your information, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I should have -- I -- I -- maybe I characterized it as in favor. They're not in favor; they are neutral on it. There's no opposition to the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. Senator Righter, actually brought up what I wanted to bring up and that's that the business community - and they've cooperated - is neutral on this legislation. I want to thank the sponsor, like he does on so many bills, for putting in so much time on this and working through not only a cumbersome process in the Senate, but doing -- going back to his old Chamber, the House, and working the House of Representatives very well and I thank Senator Cullerton.

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Last, but not least, she's leaving as the EPA Director, but I want to thank Director Cipriano, who has been out to my area in the western suburbs more times than she wants to admit or remember -- and looking firsthand and meeting with hundreds of residents on contaminated water issues in my particular part of the State. And Renee Cipriano has done a magnificent job as the EPA Director for a couple of Governors. She will be missed. There's a good director coming in, but I just want to thank her. She's made us a leader, nationwide, in this type of -- of -- of enforcement and making sure that people have clean drinking water, and I just want to thank Renee Cipriano for putting in so much time and making us a leader in Illinois nationally on this particular topic. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

This is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 241. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, 0 Nays, 0 voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 241, and the bill, having received the required constitutional majority, is declared passed. Senator DeLeo, on Senate Bill 411. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 411.

Offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo, to explain your motion.

SENATOR DeLEO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 411 retains the underlying provision of the bill. If you remember, when we passed this bill out a couple weeks ago, there's a common practice - this was brought to us by the unemployment insurance division - there's a common practice called dumping, and dumping, as we know, is utilizing certain types of business chapters or reorganizations to avoid liability of State unemployment

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insurance taxes. What -- House Amendment No. 1 clarifies what it -- an -- an entity, corporation, president, secretary, treasurer, any other officer who knowingly violates this provision -- regarding business transfers for lower insurance contribution rates shall be -- be subject to the established fines that we put in the underlying bill. So, I'd move to concur in House Amendment No. 1, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 411. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 411, and the bill, having received the required constitutional majority, is declared passed. Senator Haine, on 468. Madam Secretary, on 468, please read the motion.
SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 468.
Motion filed by Senator Haine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, to explain your motion.

SENATOR HAINE:

House Amendment No. 1, Madam President, Ladies and Gentlemen of the Senate, establishes a new procedure to change the registered agent, registered address, or both, of a corporation. It creates a procedure to allow a limited liability company to change its registered agent, address, or both. It's a -- a cleanup bill for the Secretary of State's Corporations Division. It was amended slightly from the bill we -- we sent over, but remains essentially the same, a -- a cleanup bill. There's no opposition to it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 468. All those in favor, 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, 2 voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 468, and the bill, having received the required constitutional majority, is declared passed. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Continuing on Concurrence, Senate Bills, is -- on the top of page 81 of your Calendar, is Senate Bill 478. Senator -- Cullerton, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 478.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, on the motion.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. The original bill authorized the sale of alcoholic liquors at the Illinois Pavilion, which, as you might know, is a -- is a huge facility in Chicago for athletic events. We actually have a professional indoor soccer team called the Chicago Storm that plays there and next year we're going to have the Women's National Basketball Association team, a new team, that will also be playing there. What the original bill did was to allow for the sale of liquor. Representative Saviano decided to limit, in his amendment, to limit the hours in which we could sell the alcohol. So, in the case of the Storm, the -- the soccer team, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, the liquor sales will be cut off. And with regard to the woman's basketball team, not more than one and a half hours before the start of the game and not after the ten-minute mark of the second half of the game. So, I think those are reasonable limitations and it's, obviously, designed to promote these sports teams and the attendance in the City of Chicago, which will help the State. And be happy to answer any questions and ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. There any discussion? Seeing no discussion, this is final action. The question is, shall Senate Bill 478 -- concur in House Amendment No. 1 to Senate Bill 478. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 48 Ayes, 7 Nays, 0 voting Present -- 1 voting Present. Senate Bill 478 -- the Senate concurs in House Amendment No. 1 to Senate Bill 478, and the bill, having received the required constitutional majority, is declared passed. Continuing -- continuing on Motions to Concur is Senate Bill 511. Senator Cullerton, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 511.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain your motion.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill is -- amends the Adoption Act, as we passed it out of here, and the -- actually, the -- the changes in the House were pretty minor. Notice -- it has to do with notice being sent to a potential father to determine whether the person's consent or surrender is required. The bill allows the court to determine that if an individual's consent or surrender is not required, then the person shall not be entitled to participate in the proceeding. It deletes the -- the current language which exempts consent or surrender if a person's indicated for sexual abuse involving sexual penetration of the mother and conception with the mother under the age of seventeen by a person five years or older. And House Amendment No. 1 creates a new subsection in which a father is not entitled to notice if the father is a family member or was over eighteen who has resided in the household with the mother continuously for one year and the mother was under eighteen, or where the father is at least five

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years older than the mother and the mother was under the age of seventeen at the time of the conception. So, it has to do with notice to the father in these circumstances. And again, know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Cullerton, in layperson's term, is it -- terms, is it fair to say that the House amendment basically says that this kind of consent to adoption will not be required from a father if the -- if the child was fathered by means of incest or statutory rape?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Does the individual have to be convicted of that offense, Senator Cullerton, and if not, then what is the standard by which that's going to be determined that consent does not need to be obtained?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

The -- the answer is, they don't have to be convicted and I have to refer to the actual bill to give you the -- the standard and that -- that'll take me a second. Mr. President, maybe we could take it out of the record, so I can...

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Leave of the Body, we'll take Senate Bill 511 out of the record and come back to it. On the top of page 82 of your Calendar is Senate Bill 1119. Senator Sandoval, do you wish to

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proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1119.

Motion filed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval, to explain your motion, sir.

SENATOR SANDOVAL:

...President, Members of the Senate, House Amendment No. 1, which retains the bill as passed by the Senate, would require the ICC to consider the status of an at-grade railroad crossing as an element of a bike or pedestrian trail funded under the federal Transportation Equity Act for the 21st Century and successor Acts. This amendment was introduced due to the proposed MacArthur Street extension in Springfield that could disrupt the recently opened Springfield to Chatham bike trail. The amendment would require the ICC to consider the status of an at-grade railroad crossing as an element of a bike or pedestrian trail funded under the FTC {sic} Act for the 21st Century and successor Acts. Ask your favorable vote and adoption of this amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman indicates he'll yield for a question, sir.

SENATOR BURZYNSKI:

Thank you. Senator Sandoval, is -- what's the underlying bill? Does the -- does the House Amendment become the bill or is there still -- or the Floor Amendment or is there something else still in there?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Burzynski, according to my information, the bill {sic} retains the provisions of the underlying bill as passed by

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the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. So, the -- so the bill, as introduced, indicated that you couldn't have a license plate cover that was either tinted or blue or even clear. Is that correct? Is that what the underlying bill did?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, Senator, the bill defines that registration plate cover is anything that's tinted, colored, painted, marked, clear or illuminated.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. And -- and so, then, it not only says that you cannot have one on your vehicle, but does this also prohibit the sale of that cover?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

That's correct, Senator. The -- the bill, as passed by the Senate, also prohibited the sale and advertisement for sale of registration plate covers.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

You -- you said the bill as passed by the Senate. Have we already passed this bill through the Senate?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

This is for a concurrence, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BOMKE:

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Thank you. Thank you, Mr. President. I rise in support of the bill and appreciate Senator Sandoval for concurring with the amendment. It will help bicyclists here in Springfield and -- and I truly do appreciate him concurring with the amendment and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further -- discussion, this is final action. The question is, shall Senate Bill 1119 -- concur in House Amendment No. 1 to Senate Bill 1119. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 2 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1119, and the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, purposes of an announcement. Ladies and Gentlemen, purposes of announcement. All Members of the Rules Committee - all Members of the Rules Committee - the Rules Committee will meet immediately in the President's Anteroom. So, I'd ask all Members of the Rules Committee, please return to the Anteroom. Thank you. Madam Secretary, do you have any Committee Reports?

SECRETARY HAWKER:

I do, Mr. President. Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Floor Amendment No. 2 to House Bill 881, Floor Amendment 1 to Senate Joint Resolution 45, Motion to Concur with House Amendment 1 to Senate Bill 69 and a Motion to Concur with House Amendment 1 to Senate Bill 1638; refer to Environment and Energy Committee - Motion to Concur with House Amendment 1 to Senate Bill 1701 and a Motion to Concur with House Amendment 1 to Senate Bill 2060; refer to Judiciary Committee - Floor Amendment 3 to Senate Bill 1180, Motion to Concur with House Amendments 1 and 2 to Senate Bill 98 and a Motion to Concur with House Amendment 1 to Senate Bill 1669; refer to Labor Committee - Motion to Concur with House Amendment 1 to Senate Bill 1627; refer to Licensed Activities Committee - Floor Amendment 2 to Senate Bill 930, Motion to Concur with House Amendments 1 and 2 to Senate Bill 2012; and

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refer to Local Government Committee - Motion to Concur with House Amendment 1 to Senate Bill 599.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman from Cook, Senator del Valle, for what purposes are you seeking recognition, sir?

SENATOR DEL VALLE:

Thank you, Mr. President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR DEL VALLE:

The Senate Education Committee will meet at 2 o'clock in Room 212. 2 o'clock.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Forby, for what purposes do you rise, sir?

SENATOR FORBY:

For announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR FORBY:

Labor in Room 400 at 3:30. Labor, 400, 3:30, today.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Crotty, for what purpose do you rise, ma'am?

SENATOR CROTTY:

For a point of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR CROTTY:

Local Government will be meeting today at 2 o'clock in the Stratton Building, A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The gentle lady from Macoupin County, for what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. I rise on a point of personal privilege and an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement and then we'll go to the

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personal privilege.

SENATOR DEMUZIO:

Okay. 3 o'clock today, Licensed Activities will meet in the Stratton Building.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you and now a point of personal privilege.

SENATOR DEMUZIO:

You're doing a great job up there. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Well, thank you very much. Senator Demuzio, are you seeking recognition, ma'am?

SENATOR DEMUZIO:

Well, yes, thank you. There's a correction. 3:30 today instead of 3 o'clock.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Cullerton, for what purpose do you rise, sir?

SENATOR CULLERTON:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR CULLERTON:

The Judiciary Committee will meet in Room 212 today at the hour of 2:30. 2:30, Judiciary Committee, Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

For a purpose of -- of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR CLAYBORNE:

The Environment and Energy Committee will meet today at 3 p.m. in Room 212. Again, in -- in Room 212, the Environment and Energy Committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Okay. We got the committee announcements. If leave of the Body, we will return to page 81 of your Calendar. On the top of page 81 is Senate Bill 511.

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Senator Cullerton. Senator Cullerton wishes to proceed. He was -- took this out of the record. We'll go back to it. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 511.

Motion filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain the motion.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I had taken the bill out of the record to -- because Senator Righter had a -- a question, and maybe I can just explain what this is all about in the big picture. This is where there's a -- a -- a person -- a person is -- is petitioning for adoption and it has to do with who gets notice. And the -- the current law -- so the scheme would be, you -- you'd be in front of a court and asking for an adoption and then the -- the question is, who is entitled to notice. The bill limits the right to notice in these certain circumstances of incest or statutory rape. And it does not require actual convictions, but it would be up to the court to determine whether or not those circumstances existed and then they could deny the -- the right to having notice go to the father in those limited circumstances. So I think that answers -- hopefully answers -- his question and be happy to answer any other questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill. I very much appreciate Senator Cullerton's courtesy in taking the bill out of the record momentarily to get that answer for me and I appreciate your indulgence, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, this is final action. The question is, shall Senate concur in House Amendment No. 1 to Senate Bill 511. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 Nays, 0 voting Present. Senate Bill 511 -- the Senate concurs in House Amendment No. 1 to Senate Bill 511, and the bill, having received the required constitutional majority, is declared passed. Senator Halvorson, on Senate Bill 1931. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1931.

Motion filed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Halvorson, to explain your motion, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. This is the bill that we worked out between the superintendents and the Homeless Coalition with regards to how to deal with somebody after eighteen months, whether they're still homeless or not. The House added some language that was from the Illinois Coalition to End Homelessness. We all agree on it and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Seeing no discussion, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1931. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1931, and the bill, having received the required constitutional majority, is declared passed. Senator Lightford. Senator Lightford, on Senate Bill 2091, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2091.

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Motion filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

The lady from Cook, to explain your motion, ma'am.

SENATOR LIGHTFORD:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, Senate Bill 2091, went over to the House. There was opposition by the Department of Public Health. Therefore, an amendment was drafted to address their concerns that basically clarifies the language and allows Public Health to make available on their website information directing citizens to become more aware of ongoing clinical trials. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no discussion, Ladies and Gentlemen, this is final action. The question is, shall Senate concur in House Amendment No. 1 to Senate Bill 2091. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 Nays, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2091, and the bill, having received the required constitutional majority, is declared passed. Senator John Sullivan, for what purposes are you seeking recognition, sir? Out of the record. Madam Secretary, Introduction of Senate Bills, please.

SECRETARY HAWKER:

Senate Bill 2119, offered by Senator Cullerton.

(Secretary reads title of bill)

House {sic} Bill 2120, offered by Senator Cullerton.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Roskam, we're just going to stand at ease for just a moment, sir. Senator Haine, for what purpose are seeking recognition, sir?

SENATOR HAINE:

Mr. -- Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

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SENATOR HAINE:

Mr. President, I'd like to note again, Senator Demuzio introduced from Edwardsville a distinguished group of citizens belonging to the AARP Chapter. I would like also to add that one of the members of that chapter is Helen Ramirez Rios. We just had Senator Sandoval, our distinguished colleague, introduce a group of citizens from Jalisco, Mexico. Well, this lady lives in my district, has family there. She's originally from there, and she has a cousin who teaches at the University of Guadalajara. Talk about a small world. All roads lead to the State House. Ladies and Gentlemen of the Senate, Edwardsville citizens and, especially, Helen Ramirez Rios.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the gallery please rise and be recognized? And welcome to Springfield. The Illinois State Senate welcomes you. Okay. Ladies and Gentlemen, the Senate will stand in recess to the call of the Chair till after committees. Listen very carefully. Till after committees. The Senate will reconvene only to receive Committee Reports and other matters not requiring Floor action. There will be no Floor action until the Senate reconvenes tomorrow at 11 a.m. So, Ladies and Gentlemen, we will -- the Senate will be open, receiving Committee Reports. There will be no required Floor action. We will -- the Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

Senator Crotty, Chairperson of the Committee on Local Government, reports the Motion to Concur with House Amendment No. 1 to Senate Bill 599 recommended Do Adopt.

Senator Lightford, Chairperson of the Committee on Education, reports Senate Amendment No. 2 to House Bill 881 and Senate Amendment 1 to Senate Joint Resolution 45, Motion -- Motions to Concur with House Amendment 1 to Senate Bill 69 and

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House Amendment 1 to Senate Bill 1638, all recommended Do Adopt.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 3 to Senate Bill 1180, Senate Amendment 2 to House Bill 369, Senate Amendment - that first one would have been a Senate Amendment -- no, that's correct, I apologize - Senate Amendment No. 1 to House Bill 3415, Motions to Concur with House Amendments 1 and 2 to Senate Bill 98, House Amendment 1 to Senate Bill 100 and House Amendment 1 to Senate Bill 1669, all recommended Do Adopt.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports the Motions to Concur with House Amendment 1 to Senate Bill 1701 and House Amendment 1 to Senate Bill 2060 recommended Do Adopt.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, reports Senate Amendment No. 2 to Senate Bill 930 recommended Do Adopt.

And Senator Forby, Chairperson of the Committee on Labor, reports the Motion to Concur with House Amendment 1 to Senate Bill 1627 Be Adopted.

PRESIDING OFFICER: (SENATOR HALVORSON)

House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 1663, offered by Senator Harmon.

(Secretary reads title of bill)

And House Bill 3464, offered by Senator Harmon.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HALVORSON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m. on Thursday, May 26th, 2005. The Senate stands adjourned.