

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

HB0271	Third Reading	20
HB0271	Vote Intention	22
HB0314	Second Reading	9
HB0824	Recalled	24
HB0896	Third Reading	25
HB1351	Third Reading	26
HB1361	Second Reading	9
HB1449	Third Reading	27
HB1533	Second Reading	9
HB1702	Third Reading	28
HB1809	Third Reading	39
HB1915	Third Reading	40
HB1998	Second Reading	10
HB2392	Third Reading	44
HB2671	Third Reading	45
HB2757	Third Reading	45
HB2825	Third Reading	46
HB2859	Third Reading	47
HB2913	Third Reading	48
HB3399	Third Reading	49
HB3446	Third Reading	50
HB3477	Third Reading	51
HB3508	Third Reading	52
HB3569	Third Reading	53
HB3733	Third Reading	54
HB4129	Third Reading	55
HB4158	First Reading	4
HB4159	Third Reading	56
HB4172	First Reading	4
HB4182	Third Reading	57
HB4189	Third Reading	58
HB4189	Vote Intention	112
HB4195	Third Reading	58
HB4199	Third Reading	59
HB4201	Second Reading	10
HB4203	Third Reading	60
HB4221	Third Reading	62
HB4229	Third Reading	63
HB4251	Third Reading	67
HB4252	Second Reading	10
HB4255	Second Reading	11

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

HB4297	Third Reading	68
HB4309	Third Reading	69
HB4353	Second Reading	12
HB4369	Third Reading	70
HB4378	Second Reading	12
HB4402	Second Reading	12
HB4407	Third Reading	71
HB4416	First Reading	5
HB4450	Third Reading	72
HB4506	Third Reading	73
HB4513	First Reading	5
HB4522	Third Reading	74
HB4527	Third Reading	75
HB4527	Vote Intention	76
HB4527	Vote Intention	76
HB4536	Second Reading	13
HB4567	Third Reading	76
HB4603	Third Reading	77
HB4611	Third Reading	79
HB4634	First Reading	5
HB4646	Third Reading	80
HB4646	Vote Intention	81
HB4648	Third Reading	81
HB4674	Third Reading	81
HB4683	Out Of Record	89
HB4683	Third Reading	88
HB4687	Third Reading	89
HB4700	Third Reading	95
HB4725	Third Reading	96
HB4726	Third Reading	96
HB4736	Second Reading	14
HB4758	First Reading	5
HB4766	Third Reading	97
HB4777	First Reading	5
HB4791	First Reading	5
HB4811	Third Reading	98
HB4838	Third Reading	99
HB4839	Third Reading	100
HB4869	Second Reading	14
HB4931	Third Reading	101
HB4936	Third Reading	102
HB4936	Vote Intention	106

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

HB4956	Third Reading	103
HB4992	Third Reading	105
HB4999	First Reading	5
HB5011	First Reading	5
HB5017	Third Reading	106
HB5022	Third Reading	107
HB5061	First Reading	5
HB5074	Third Reading	108
HB5082	Third Reading	109
HB5086	Third Reading	110
HB5108	Third Reading	110
HB5120	Second Reading	14
HB5121	Second Reading	15
HB5148	Second Reading	15
HB5152	First Reading	5
HB5230	Third Reading	111
HB5242	Third Reading	112
HB5243	Third Reading	113
HB5285	Third Reading	115
HB5285	Vote Intention	118
HB5312	Third Reading	116
HB5318	Third Reading	117
HB5319	First Reading	5
HB5368	Third Reading	118
HB5494	Second Reading	15
HB5505	Third Reading	119
HB5516	First Reading	5
HB5574	First Reading	5
HB5596	Third Reading	120
HB5603	Second Reading	18
HB5607	Third Reading	121
HB5655	Third Reading	122
HB5666	Third Reading	123
HB5699	Third Reading	123
HB5717	Third Reading	125
HB5729	Third Reading	126
HB5739	First Reading	5
HB5760	Third Reading	128
HB5776	Third Reading	129
HB5849	First Reading	5
HB5904	Third Reading	131
HB5904	Vote Intention	132

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

HB5907	Third Reading	133
HB5909	Third Reading	133
HB5930	Third Reading	135
HB5950	First Reading	6
HB5953	First Reading	6
HB5983	Third Reading	136
SB0886	Recalled	138
SB0886	Third Reading	139
SB1908	Recalled	141
SB1908	Third Reading	142
SB1908	Vote Intention	148
SB3043	First Reading	4
SR0712	Resolution Offered	1
SR0713	Resolution Offered	1
SR0714	Resolution Offered	1
SR0715	Resolution Offered	1
SR0716	Resolution Offered	2
SR0717	Resolution Offered	2
SR0718	Resolution Offered	2
SR0719	Resolution Offered	2
SR0720	Resolution Offered	2
SR0721	Resolution Offered	2
SR0722	Resolution Offered	2
SR0723	Resolution Offered	2
SR0724	Resolution Offered	2
HJR0099	Resolution Offered	4
HJR0104	Resolution Offered	4
HJR0105	Resolution Offered	4
SJR0101	Resolution Offered	2
Senate to Order-Senator Clayborne		1
Prayer-Pastor Terry Reilly		1
Pledge of Allegiance		1
Journal-Approved		1
Messages from the House		2
Senate Stands in Recess/Reconvenes		20
Introduction of Guest-Senator Martinez		72
Remarks by Consul General Manuel Rodriguez Arriaga		72
Communications from the President		145
Senate Stands at Ease/Reconvenes		146

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Committee Reports
Adjournment

146
148

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Pastor Terry Reilly, Calvary Assembly of God in Crystal Lake.

PASTOR TERRY REILLY:

(Prayer by Pastor Terry Reilly)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Pledge of Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journal of May 15th, 2008.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY SHIPLEY:

Senate Resolution 712 through 715, offered by Senator Demuzio and all Members.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senate Resolution 716 and 717, offered by Senator Clayborne and all Members.

Senate Resolution 718 through 720, offered by Senators Emil Jones, Watson and all Members.

And Senate Resolution 721 and 722, offered by Senator Dillard and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Consent Calendar.

SECRETARY SHIPLEY:

And Senate Resolution 723, offered by Senator Syverson.

Senate Resolution 724, offered by Senator Noland.

And Senate Joint Resolution 101, offered by Senator Bond.

They are substantive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam -- Madam Secretary, Messages.

SECRETARY SHIPLEY:

I have 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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 2170.

We've received like Messages on House Bills 2332, 4416, 4513, 4758, 4845, 4999, 5061, 5152, 5516, 5752 and 5969.

All passed the House, May 15th, 2008. Mark Mahoney, Clerk of the House.

And I have a Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

that the House of Representatives has passed bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 4425.

We've received like Messages on House Bills 4550, 4634, 4791, 5011, 5319, 5356, 5574 and 5739. All passed the House, May 16th, 2008. Mark Mahoney, Clerk of the House.

I have another Message from the House by Mr. Mahoney, Clerk.

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

House Bill 3177 and House Bill 4665.

Passed the House, May 19th, 2008. Mark Mahoney, Clerk of the House.

And another 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 2091, together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1 to Senate Bill 2091.

Passed the House, as amended, May 19th, 2008.

We've received like Messages on Senate Bill 2170, with House Amendment No. 1; Senate Bill 2431, with House Amendment No. 1; Senate Bill 2435, with House Amendment No. 1; Senate Bill

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

2473, with House Amendment No. 1; Senate Bill 2486, with House Amendment No. 1; and Senate Bill 2506, with House Amendment No. 1.

All passed the House, as amended, May 19th, 2008.

And a final Message from the House by Mr. Mahoney, Clerk.

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

House Joint Resolution 99.

Offered by Senator Burzynski and adopted by the House, May 13th, 2008.

We've received like Messages on House Joint Resolutions 104 and 105, offered by Senator Althoff and adopted by the House, May 14th, 2008. Mark Mahoney, Clerk of the House.

And they are all substantive, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Introduction of Bills.

SECRETARY SHIPLEY:

Senate Bill 3043, offered by Senator Wilhelmi.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

House -- Madam Secretary, House Bills 1st Readings.

SECRETARY SHIPLEY:

House Bill 4158, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 4172, offered by Senator Frerichs.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

House Bill 4416, offered by Senator Link.

(Secretary reads title of bill)

House Bill 4513, offered by Senator Hunter.

(Secretary reads title of bill)

House Bill 4634, offered by Senator Hendon.

(Secretary reads title of bill)

House Bill 4758, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 4777, offered by Senator Delgado.

(Secretary reads title of bill)

House Bill 4791, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 4999, offered by Senator Kotowski.

(Secretary reads title of bill)

House Bill 5011, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 5061, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 5152, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 5319, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 5516, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 5574, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 5739, offered by Senator Millner.

(Secretary reads title of bill)

House Bill 5849, offered by Senator Demuzio.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

(Secretary reads title of bill)

House Bill 5950, offered by Senator Pankau.

(Secretary reads title of bill)

And House Bill 5953, offered by Senator Demuzio.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sandoval, for what purpose do you seek recognition?

SENATOR SANDOVAL:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR SANDOVAL:

I'd like to not only welcome myself -- I have not been here for a brief period of time, so I'd like to welcome Senator Sandoval back to the Chamber. But in addition to that, I'd like to recognize a sophomore class of Little Village/North Lawndale High School that is visiting Springfield here today, joined by their teacher, Miss Becker, I believe. Would you all please give 'em a warm welcome to Springfield?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Would you please rise and be recognized? Thank you for coming. Senator Collins, for what purpose do you seek recognition?

SENATOR COLLINS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state -- please state your point.

SENATOR COLLINS:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Ladies and Gentlemen of the Senate, I would like for us to recognize the accomplishment of one of our colleagues. I've just been informed that Senator Mattie Hunter was awarded the Degree of Doctor of Humane Letters from Monmouth College, her alma mater, on Sunday, May 17th. So, now I guess we have to say Doctor Senator Hunter. So, let us all give her a warm...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Congratulations, Senator Hunter. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR ALTHOFF:

Thank you. For those of you who were unable to be in attendance when the prayer was given, I would just like to take this opportunity to introduce to you Pastor Terry Reilly, who is from the Calvary Assembly of God. He also works for the Monarch Hospice as a part-time chaplain out of Arlington Heights. And he also has been elected just recently as a presbyter, and he covers the following communities: Antioch, Beach Park, Zion, Bloomingdale, Elburn, Elgin, Elmhurst, Evanston, Grayslake, Gurnee, Hanover Park, Lake Villa, Lombard, Mount Prospect, Mundelein, Palatine, Rolling Meadows, Saint Charles, Skokie, Wheaton, Woodstock, and three churches, again, in Zion. Might we give him a warm welcome? And for those of you whose area he covers, please come over and introduce yourselves. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Pastor Reilly, for being here today. Thank you.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Link, for what purpose do you seek recognition?

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR LINK:

Today I have an honorary Page with me today, Michael Leahy, who happens to be the son of Tim and Lisa Leahy of Palatine, Illinois, which, I think, is in Senator Murphy's district. Michael is fourteen years old and is a freshman at Fremd High School. And I would like the Senate to welcome him.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate, Michael. Glad to be here -- glad to have you here. Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR SULLIVAN:

I have a guest with me here today as well. Is Miss Macomb, Alycia McCullough. She's a -- just finished her first year in the graduate program at Western Illinois University. And she's spending the day here in Springfield. I'd like the Senate to welcome her to Springfield.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...to -- welcome to the Senate, Miss Macomb. We're going to go to House Bills 2nd Reading. Page 18. Senator Delgado. Senate Bill -- I'm sorry, House Bill 230. Out of the record.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Dillard. House Bill 314. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 314.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Halvorson. House Bill 773. Out of the record. Senator Hunter. House Bill 1040. Out of the record. Senator Lightford. House Bill 1141. Senator Lightford. Out of the record. Senator Hendon. House Bill 1361. Madam Secretary, read -- read the bill.

SECRETARY SHIPLEY:

House Bill 1361.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Cullerton, on House Bill 1432. Senator Cullerton. Madam Secretary, out of the record. Senator Dillard. House Bill 1533. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1533.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading. Senator Frerichs, on House Bill 1768. Out of the record. Senator Cullerton, on House Bill 1842. Senator Cullerton. Out of the record. Senator Dillard, on House Bill 1998. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1998.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Millner, on House Bill 2862. Senator Millner. Out of the record. Senator Schoenberg, on House Bill 3286. Senator Schoenberg. Out of the record. Senator Althoff, on House Bill 3416. Out of the record. Senator Cullerton, on House Bill 3441. Senator Cullerton. Out of the record. Senator DeLeo, on House Bill 3679. Senator DeLeo. Out of the record. Senator John Jones, on House Bill 4132. Out of the record. Senator Garrett, on House Bill 4175. Senator Garrett. Out of the record. Senator Rutherford, on House Bill 4201. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4201.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Martinez, on House Bill 4207. Out of the record. Senator Syverson, on House Bill 4252. Senator Syverson. Madam Secretary, please read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SECRETARY SHIPLEY:

House Bill 4252.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Link, on House Bill 4255. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4255.

(Secretary reads title of bill)

No committee amendments reported. I have -- I have a Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain the amendment. Senator Link.

SENATOR LINK:

One... This just retains the bill. The amendment just amends the State Mandate {sic} (Mandates) Act to require the implementation without the State reimbursement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator... I'm sorry. Senator Hendon, for what purpose do you seek recognition? Seeing none, Senator Link moves the adoption of -- of Amendment No. 1 to House Bill 4255. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any other Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Link, on House Bill 4353. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4353.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Link, on House Bill 4378. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4378.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Dillard, on House Bill 4402. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4402.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Point of personal privilege, Mr. President.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HENDON:

Mr. President, behind me, we have some great guests today. They're activists in a prison reform movement, the Coalition for Prison Reform, as well as the Tamms reform group, and I'd like to welcome them to the Illinois Senate. Would you -- my guests, please rise?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please rise and -- and welcome to the Senate.

SENATOR HENDON:

They're doing...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hendon.

SENATOR HENDON:

I was just saying they're doing great work for those who are incarcerated, because we know some of them have changed their lives and some of them were never guilty in the first place. So I just wanted to welcome them to the Senate, encourage them to keep up the good work.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Hendon. On the top of page 20. Senator Link, on House Bill 4536. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4536.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading. Senator Frerichs, on House Bill 4556. Out of the record. Senator Frerichs, on House Bill 4723. Out of the record. Senator Dillard, on House Bill 4736. Madam Secretary, read -- read the bill.

SECRETARY SHIPLEY:

House Bill 4736.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Dillard, on House Bill 4869. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4869.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Martinez, on House Bill 4879. Out of the record. Senator Raoul, on House Bill 5069. Out of the record. Senator Murphy, on House Bill 5101. Senator Murphy. Out of the record. Senator Link, on House Bill 5120. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 5120.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading. Senator Righter, on House Bill 5121. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 5121.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Collins, on House Bill 5148. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 5148.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Althoff, on House Bill 5195. Out of the record. Senator DeLeo, on House Bill 5204. Senator DeLeo. Out of the record. Senator Link, on House Bill 5494. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 5494.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Has there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

Floor Amendment No. 1, offered by Senator Link.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain the amendment.

SENATOR LINK:

Thank you, Mr. President. The amendment just adds two more parcels of land to the transfer bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Wilhelmi, for what purpose do you seek recognition? Senator Link moves -- I'm sorry. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Link, do you mind just briefly describing the two parcels? Mr. President, I think Senator Link's having trouble hearing.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link. ...we hold it down in the back? Senator Link.

SENATOR LINK:

I -- I didn't hear the question, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter, could you repeat the question?

SENATOR RIGHTER:

Thank you, Mr. President. Senator Link, do you mind just briefly describing the two parcels you're talking about that have been added and why they're being added?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Link.

SENATOR LINK:

The two parcels that were added were -- one was in Senator Haine's district and one in Senator Koehler's districts {sic}. These were agreed upon in the House and they were just added on properties. They were just omitted in drafting of the original bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. And just a brief follow-up, Senator Link. It's my understanding there is a -- another amendment pending in Rules to add some information that was omitted from the amendment that you're putting on House Bill 5494 now. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link.

SENATOR LINK:

Yes, Senator Righter. It's just a technical amendment. That's all it is.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link moves the adoption of the amendment -- Floor Amendment No. 1 to House Bill 5494. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any other further -- have there been any other further -- have there been any other Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Syverson, on House Bill 5585. Out of the record. Top of page 21. Senator Dillard, on House Bill 5603. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 5603.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Bond, on House Bill 5618. Senator Bond. Out of the record. Senator Bivins, on House Bill 5653. Out of the record. Senator Righter, on House Bill 5768. Out of the record. Senator Wilhelmi, for what purpose do you seek recognition?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR WILHELMI:

Thank you. Mr. President, Ladies and Gentlemen of the Senate, I'm very happy to have with me today a Page all the way from Manhattan, Illinois, one of my towns. She's a -- just finished her freshman year at the University of Illinois. Her name is Brie-Anna Andrew and her mother, Kelly, is in the gallery behind me. Please give them a warm welcome to the State Capitol.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you for coming today. Appreciate you being here.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Thank you, Mr. President. There will be a Democratic Caucus in President Jones' Office immediately, for thirty minutes, and we will be returning back to the Floor at 1:20 to go to 3rd Readings and to do other substantial Senate business. Senate Democratic Caucus in President Jones' Office immediately till 1:20.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I rise to request a Senate Republican Caucus in Senator Watson's Office. We'd probably like to meet about as long as you're meeting, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That's in order. So... Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Just a real quick point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR ALTHOFF:

Thank you. I, too, have a guest here. Thank you, sir. I have a guest, a very important guest from my district who is here in the Senate today. His name is Joe Gottemoller. He's a very prominent attorney who specializes in municipal and zoning law. Might we give him a welcome to Springfield, please?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Welcome to the Senate. We'll recess to the call of the Chair. We will return to the Chamber at 1:20. Then we will proceed with 3rd -- House Bill 3rd Readings, substantive action. We stand in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Will all the Members at the sound of my voice... The Senate is called to order. All Members at the sound of my voice, please return to the Senate Floor. We are going to proceed with House Bill 3rd Readings, substantive action. All Members within the sound of my voice, please return to the -- the Senate Floor. We're going to proceed with House Bills 3rd Readings, substantive action. Top of page 10. We will start with House Bill 271. Senator Burzynski, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 271.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski, to explain the bill.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This creates the Promote Illinois Ethanol and Biodiesel Act to provide each State agency which maintains a website may include hypertext links to websites containing information on ethanol and biodiesel fuels. We're trying to promote the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

utilization of ethanol and biodiesel here in the State of Illinois.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Just to remind you, this is 3rd Reading. Be prepared. All right. Is there any discussion? Seeing none, Senator Burzynski, to close.

SENATOR BURZYNSKI:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 271 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none Nay, none voting Present. House Bill 271, having received the required constitutional -- constitutional majority, is declared passed. Senator Steans, for what point do you -- for what purpose do you seek recognition?

SENATOR STEANS:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...state -- please state your point.

SENATOR STEANS:

Thank you. I have with me today two nieces who are my Pages for the Day. Jessica and Leah Steans-Gail. Stand up. And their dad, my brother-in-law, Lenny Gail, is up in the gallery.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand, and welcome to the Senate.

SENATOR STEANS:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Thank you for welcoming..

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

For point of clarification, Mr. President. I had intended to be an Aye vote on that last bill, House Bill -- 271, and I'd just like the record to so reflect that, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so -- so reflect. Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HUNTER:

We have in the balcony one of the schools, elementary schools, in my district. They're down here visiting us today - Jenner -- Jenner Elementary School. And it just so happens that one of their former teachers, who retired last year, happened to have seen them as they were walking in, Kathy Moore. So, I'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand and welcome to the Senate. Senator Cullerton, for what purpose do you seek recognition?

SENATOR CULLERTON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State -- please state your point.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR CULLERTON:

Mr. President, this evening we're going to be honored to have in our town Justice Antonin Scalia. He's going to be in town tonight for a dinner at the Abraham Lincoln Library, and I just wanted to introduce to the Senate friends of mine who are here for that dinner, Tom Moore and his wife, Kathy. And as Senator Hunter just said, Kathy Moore was a schoolteacher at the Jenner School, who's visiting us from Chicago. So I'd like to have the Senate welcome Mr. and Mrs. Moore.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate. Thanks for being here. Senator Lauzen, for what purpose do you seek recognition? Senator Cullerton, for -- for what purpose do you seek recognition?

SENATOR CULLERTON:

Point of personal privilege. I forgot to introduce my wife. She's here too.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome. Good to see you again. Thanks for being here. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you, Mr. President. I'd like to make an introduction.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Make your correction -- introduction.

SENATOR LAUZEN:

Okay. The introduction is our -- my Page for the Day is Emily Lohrbach. She's from St. Ed's High School in Elgin, Illinois. Emily Lohrbach.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Welcome. Thank -- thank you for being here, Emily. At the top of page 10, House Bill 824. Senator Harmon. Madam Secretary -- Senator Harmon, on House Bill 824, seeks leave of the Body to return House Bill 824 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 824. Madam Secretary, are there any amendments approved for consideration?

SECRETARY SHIPLEY:

Yes, Mr. President. Floor Amendment No. 8, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 824, the underlying bill, is the prohibition on pay-to-play campaign contributions. Amendment No. 8 does two things, technical in nature. First, it provides a definition for contract. And second, it ensures that the identity of a minor child of a State contractor won't be disclosed on the State Board of Elections website, unless that child has made a contribution. This amendment, when it came through committee -- I'd like to adopt it today. I'm still waiting for assurances from the House that this amendment in its current form is satisfactory. So I plan to hold the bill on 3rd Reading, but I would like to adopt the amendment today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Amendment No. 8 to House Bill 824. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Forby, on House Bill 896. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 896.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby, to the bill.

SENATOR FORBY:

Thank you, Mr. President. This bill today is a emergency vehicle bill for IDNR for -- putting emergency lighting on and exceeding the speed. And what -- what this bill came up with -- the reason why it came up is, in Pennsylvania, on a rescue in that mine out there, they had problems for the rescue, getting there on time. So, IDNR has only got like three or four vehicles they're going to do this to, and this is just going to be for a mine emergency. It's not going to be for a Sunday afternoon drive or nothing like that. It's got to be for emergency use only.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bomke, what purpose you seek recognition?

SENATOR BOMKE:

Thank you, Mr. President. To the bill: This came out of Transportation Committee with no opposition. I would encourage

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator. Senator -- Senator Forby, to close. The question is, shall House Bill 896 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none Present. House Bill 896, having received the required constitutional majority, is declared passed. Senator -- Senator Watson, do you wish to proceed on House Bill -- I'm sorry, 946? Senator Watson. Out of the record. Senator Forby, do you wish to proceed on House Bill 1054? Out of the record. Senator Lightford, do you wish to proceed on House Bill 1351? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford, to the bill.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1351 amends the Department of State Police Law of the Civil Administrative Code of Illinois. It requires the Department of Police to establish and administer a pilot program in ten zip codes throughout the State which would create a wellness check for seniors. This system would provide that individuals with a disability or illness, they may register with the Department to receive automated calls at an agreed-upon

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

time. And if the dispatcher is unable to reach the registered person by telephone after three attempts in a five-minute span, then a State or local law enforcement officer would be sent to the person's home to check on his or her welfare. I believe it's important that we continue to protect the seniors in the State of Illinois and persons with disability and allow them an opportunity to receive help in the event that they're home alone and cannot get to a telephone and contact 9-1-1. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Lightford, to close.

SENATOR LIGHTFORD:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 1351 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 1351, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 1449. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR HARMON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1449 creates the Healthy Smiles Fund to be funded by an income tax checkoff. The moneys in the fund are to be used to secure federal matching grants for school-based oral health programs. I'm not aware of any opposition and I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 1449 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. There are 58 voting Yea, none Nay, none Present. House Bill 1449, having received the required constitutional majority, is declared passed. President Jones, on House Bill 1496. President Jones. Out of the record. Senator Lightford, on House Bill 1639. Out of the record. Senator Harmon, on House Bill 1702. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1702.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1702 seeks to rectify a -- a pension problem primarily at the Tollway and also at the Department of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Transportation. As you all may recall, at some point in the past, we adopted an enhancement to the pensions for certain employees who work in live traffic and afforded them the enhanced alternative formula. We did not, however, at that time do it for all employees who work in live traffic and this bill does that. It has been carefully crafted to include only those additional employees who are actually in harm's way and not to include any who are not working regularly in live traffic. We provide for a funding structure to secure most of it, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno. I mean, is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I have some questions for the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR RADOGNO:

Senator Harmon, how many employees are currently in the alternative formula in the State?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. We're -- we're proposing to add nine hundred and eighteen members. I don't have a number for you on the total number. We're looking for that right now.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR RADOGNO:

It's my understanding that there's currently about twenty thousand in the formula. It's nearly a third of State workers currently. Does that sound like it makes sense?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

I -- I can -- I can neither confirm nor deny that number. If -- if you have that number, I'm happy to discuss it as if that were true.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

You're talking about people that are involved in live traffic. Could you walk through a little bit exactly what categories we're talking about and what those people do?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

To the best of my ability, I will. We are including as tollway employees -- well, we're adding sign hangers and sign hanger foremen. These are the people who hang the signs on the tollway. We are adding certain maintenance workers who actually are performing work on the tollway; lane walkers and senior lane walkers - obviously, they are walking in the lanes of traffic; toll collectors and senior toll collectors - they are sitting in the tollbooths collecting tolls; the money room truck drivers - they are the ones in traffic collecting the fare boxes from the -- from the tollway; the custodians - limited to those classes

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

that are actually cleaning the tollway plazas where traffic is flowing; the maintenance men. There's a series of management employees who are all also out there supervising those employees in live traffic. We have three categories of auto mechanics and attendants. These are folks who are working on the side of the road dealing with State vehicles that are broken down and -- and the like.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

Thank you. You did -- you indicated some of those that I had a question about. I have the money room cash handler. What does that individual do?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

I believe money room cash handler has been removed from the bill, because they -- to the best of my knowledge, they do not work in live traffic.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

Just -- while we're trying to -- to verify that, could you just walk through a little bit more? Auto mechanic, auto mechanic/autobody technician?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

I have been assured that these are the auto mechanics who

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

are performing maintenance and recovery of State vehicles broken down on the -- on the roadway.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

So, currently the individuals that we're increasing the retirement formula for are entitled to a pension. Correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

That's my -- that's my understanding, Senator, yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

And if they were to get injured, while they may not have an enhanced pension formula, they would be -- they would be able to access workers' comp and have additional money to cover their needs. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Again, I -- I -- I can't confirm or deny their -- their workers' comp coverage. It's not something this bill addresses.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno.

SENATOR RADOGNO:

Okay. I'm being told that they are entitled to workers' comp and they get disability pension benefits. So that if people that, you know, may be at some point in a dangerous

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

situation actually get hurt, they do have the ability to have some additional coverage. So, I guess my question is, if -- people who don't get hurt, why should they be entitled then to additional pension benefits?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I -- I believe the same could be said of any employee participating in the enhanced benefit program. If they're hurt, they're entitled to the benefits. If they're not hurt, they're -- they only get the retirement benefits. The problem is not that we are proposing to enhance these benefits. Frankly, if we were to go back in -- in the time machine, I'm not sure it was a wise policy decision to include folks in this enhanced pension system. It was initially intended for police and fire and emergency responders. But, at some point in the past, a previous General Assembly made the decision that certain Tollway workers, certain Department of Transportation workers, because they work in live traffic, because they work at greater risk of being hurt or killed, are entitled to a -- an enhanced pension. The problem was, we enhanced it for some, but not all. And today we have a situation where two people working for the Tollway side by side, doing the same work, in the same risk, may not be covered by the same pension system. That's not fair. Again, my preference would be to go back in time and undo this, but we don't have that option. This is an attempt to clarify and equalize the playing field once and for all.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Radogno.

SENATOR RADOGNO:

Well, just to -- you know, to speak to the bill a little bit. I agree. My preference would be to go back and undo it as well. We are faced with a huge problem. And this is what I consider a really hard vote, because of course we want to take care of our State employees, but on the other hand, we have to figure out a way to pay for this. And what we're doing is asking our taxpayers, our constituents, who can only dream about having pensions this rich, to pay for these. And that's at a time when we have a forty-two-billion-dollar pension deficit. When you got a hole that big, you're supposed to stop digging, not just keep digging in. And that's what we're doing, in effect, even if this seems like the fair and the right thing to do. When we enacted Senate Bill 27 in '05, one of the -- the good things that it did, although it shorted the pensions, was said that we weren't going to pass anything unless there was a revenue source for it. And while you're claiming that the employee contributions will cover that, that is not entirely true. There will be a shortfall that will be made up by our taxpayers. Again, our taxpayers that can only hope to -- to ever dream of getting in a -- a pension this rich. So, we are adding to the pension liability, make no mistake about it. If you vote for this, you cannot go out there and say, "And I'm for getting the pension problem under control", because those two simply don't exist side by side. They're mutually exclusive. You cannot vote for this and -- and be able to say that as well. Again, this is a really, really hard vote. You know, I know a lot of people are looking forward to it. I know they feel it

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

would be very equitable. But the one group it's not equitable to is the people that pay the bill and that's our taxpayers. So, as difficult as it is, I would urge a No vote on this.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen, for what purpose you seek recognition?

SENATOR LAUZEN:

Would the -- would the sponsor...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR LAUZEN:

Thank you. Senator, I do -- I -- I agree with the conclusion of the previous speaker, but I disagree with the idea that this is somehow fair and this is right. This is neither fair, nor right. It is consistent. Can you help me try to explain to folks back home who don't work in State government or don't work in sometimes politically charged positions -- and -- and you know, God bless 'em, we need people to be working for these different organizations. But can you tell me how I explain to the neighbors around my block that a person can work only twenty years and at fifty-five years old -- that's -- you know, now that I've gotten older, that's sounding more -- younger every day. But can work only twenty years and get an eighty-percent pension for not coming to work the next day after working only twenty years at age fifty-five? How will I explain what we're doing in this Chamber?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, anytime you're ready to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

retire, I'm sure we could pass a bill to enhance your pension. This is what you can explain, I think, to the neighbors. Folks understand fairness and they understand if -- if I go to work and I'm working right next to somebody and she has a salary that's twice mine or -- and pension benefits that are much more robust than mine and we're doing the same work, that's not fair. This is about equity. It is about consistency. I would -- I'll go back to the point again. If we could go back in time and undo this, that might be the best policy objective, but we can't. All we can do now is make an inequitable and inconsistent situation equitable and consistent.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Then, to the bill. Thank you, Mr. President. And let me say that I have enormous respect for you as the sponsor of any piece of legislation. So, I separate the fault of this bill from anything with the sponsor. What this bill does, Ladies and Gentlemen, is it increases the benefit payments over the next thirty-seven years by a quarter of a billion dollars - two hundred and thirty-four million. If you are to say how much do you need in the bank today in order to pay for those obligations - all these young people in the audience are going to have to pay for this - it would take -- it would take sixty million dollars, today in the bank, to pass this bill. That's what this costs right now today. This is neither fair, nor right to the people who these workers live next door to. It is consistent with who they will work next to. But to be fifty years old, work for twenty-five years and get eighty percent of a pension

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

for not working the day after you retire, it's dead wrong. And it's unfair to the people who have to pay the bills. And we are going bankrupt. To illustrate how we're -- how quickly we're going bankrupt because of pension enhancements like this, there have been projections that -- one of the previous speakers talked about the forty-two billion dollars. The worst unfunded liability in the country is what Illinois has. This year, it's projected that that liability is going to go to fifty-one billion dollars. If we were to do what some people want to do and sell or lease the Lottery, they say that we're going to get ten billion dollars for that sale of a huge asset, a very productive asset as far as revenue. The hole that's being created in just the numbers that we're looking at this year, Ladies and Gentlemen, confirmed by actuaries, Ph.D. economists, is ten billion dollars. We cannot do this and look our neighbors in the eye and say that we've done the fiscally responsible thing. I -- I request a No vote on this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Senator -- Senator Harmon, to close.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill about consistency and about equity. Hopefully, we will put this issue to rest forever. Everyone in the same line of work, in the same degree of harm will be covered by the same pension. We have provided a funding scheme. The Tollway is paying its entire -- accrued liability under this bill over five years, leaving just a small remainder, relatively speaking, to be paid through the General Fund. So, I ask for your Aye votes.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 1702 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 42 voting Yea, 14 Nay, none Present. House Bill -- 1702, having received the required constitutional majority, is declared passed. Senator Jones, for what purpose do you seek recognition?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Visiting us today is the students from the -- the great school in Chicago, John D. Shoop Academy. That school produced the Senate President and I see many more presidents up in that gallery. Let's give 'em a warm welcome to Springfield.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for being here. Leader Watson, for what purpose do you seek recognition?

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I, too, would like a point of personal privilege to make an introduction.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR WATSON:

I'd like for -- for the General Assembly here, or the Senate, to -- to welcome Angel Garcia. Angel is standing right here. Come up here in front, Angel. Angel is the Cook County Republican Chairman of the Republican National Hispanic Assembly. And we're -- we've been talking about issues of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

importance to the Hispanic community this morning in our office and we welcome here today. And I would like for the Senate to do also.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Welcome to the Senate. Senator Raoul, do you wish to proceed with House Bill 1809? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 1809.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1809 amends the Liquor Control Act to allow the City of Chicago to issue liquor licenses to businesses within a hundred feet of a church or a school in two distinct situations. One situation is in my district where there is a Lake Shore East development near downtown Chicago, where the developer has built a school and -- will be building a mixed-use development, where a school is part of their agreement to be able to build the development, and they want to have a grocery store within the -- within the same building where that school is. It's a high-rise. And the other situation is a restaurant near a church in Senator Steans' district. And in each instance, both the school and the church are in favor of the license being issued.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Is there any discussion? Seeing none, Senator Raoul, to close.

SENATOR RAOUL:

Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 1809 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 44 voting Yea, 9 Nay, none voting Present. House Bill 1809, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR TROTTER:

Thank you. I would like the Senate to help me welcome one of our old friends, who's been coming down to visit us annually throughout the last five years. She's back again this year from Knoxville, Tennessee, originally from Springfield, Quinn Elmore. Please welcome her to the Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate. Thank you for coming. Senator Haine, do you wish to proceed with Senate Bill -- I mean, House Bill 1915? Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 1915.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is the initiative of a lawyer in Edwardsville, Illinois, who's practiced probate law for many, many years. He contacted Representative Jay Hoffman, and Jay worked with him to draft the bill, which is very simple. It allows a -- the -- the Secretary of State to designate on a certificate of title or on an application for a certificate of title of an automobile, a space where the owner may designate a beneficiary, to whom ownership of the vehicle shall pass in the event of the owner's death. It avoids a probate situation for that vehicle or it avoids going to a lawyer and preparing a small estate affidavit to do the same thing. There's no opposition to the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter, what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator Haine, what if the decedent's car title names one individual and the decedent's will names another individual for the beneficiary of the car?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Haine.

SENATOR HAINE:

Well, I would assume that the more specific reference would apply; that -- that the person listing the beneficiary on the title, that would be operative, similar to listing the beneficiary of an insurance policy, removing them both from the estate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Would you -- okay. I'm going to make sure I understand. The answer to your -- that question was, you think the car title controls. Correct? Okay. What if -- what if the will is signed and witnessed and dated after the title was issued? So, you -- so the court has evidence then that the decedent's -- most recent intention anyway was that it go to individual B who is listed in his or her will, as opposed to individual A who is on the car title?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator Righter, I appreciate that question, but, again, I'm not a probate lawyer. The -- but I would, again, assume, in talking to other lawyers who do this type of work, that the more specific reference would apply, that the title would designate someone to take the car in the event of death, similar to if -- if the -- if the owner placed a name, a next of kin or someone else, as a joint tenant with rights of survivorship, which is now allowed by law on the title, the surviving joint tenant

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

would take the car irrespective of what the will said.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. And I appreciate Senator Haine's thoughtful comments on that. I -- I suppose that somewhere a jury or judge will decide this issue in a probate case. And it's my understanding we're going to have the opportunity to vote on a report or a resolution either giving judges a pay raise - and others - or not. And so maybe they'll deserve a raise, 'cause they'll have to decide this issue as well. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Haine, to close.

SENATOR HAINE:

It just allows another option for average people to avoid probate and small estate affidavits. That's all it is, is an option. Some people do not want to enter into joint tenancy, 'cause it gives up ownership of the car to someone else, and they may not want -- want that car to be subject to the new joint tenant's debts. So it's just an option. And this came from a longtime probate lawyer, who has done very well over the past thirty-five years. So I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 1915 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 58 voting Yea, none Nay, none voting Present. House Bill 1915, having received the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

required constitutional majority, is declared passed. With leave of the Body, we will skip House Bill 2133. Senator Schoenberg, on House Bill 2254. Out of the record. Senator Raoul, on House Bill 2392. Madam Secretary, read -- read the bill.

SECRETARY SHIPLEY:

House Bill 2392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to the bill.

SENATOR RAOUL:

Thank you, Mr. President. Perfect timing. House Bill 2392 amends the Time Standardization Act to update it in order to be consistent with federal law. The bill requires that Illinois is to switch to and from daylight savings time on the second Sunday in March and the first Sunday in November, rather than the last Sunday in April and the last Sunday in October. I urge...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Raoul, to close.

SENATOR RAOUL:

Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 2392 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 2392,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

having received the required constitutional majority, is declared passed. Senator Noland, on House Bill 2671. Madam Secretary -- Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 2671.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland, to the bill.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 2671 simply adds to the list of qualifications for an election judge that the person not be subject to the registration requirement of the Sex Offender Registration Act. No -- no opposition in committee. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Noland, to close.

SENATOR NOLAND:

And I simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 2671 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 2671, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 2757. Madam Secretary, please read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SECRETARY SHIPLEY:

House Bill 2757.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez, to the bill.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. House Bill 2757 expands the offense of unlawful use of weapons to include any knuckle weapons regardless of their composition. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Martinez, to close.

SENATOR MARTINEZ:

I ask for favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Question is, shall House Bill 2757 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 2757, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill -- 2825. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 2825.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski, to the bill.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the Wildlife Code to allow nonresidents of Illinois who are at least ten years of age to apply to DNR for an apprentice hunter license. This is an initiative of the Sportsmen's Caucus and I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there -- is there any discussion? Seeing none, Senator Burzynski, to close.

SENATOR BURZYNSKI:

Thank you. Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Question is, shall House Bill 2825 pass. 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 the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 2825, having received the required constitutional majority, is declared passed. Senator DeLeo, on House Bill 2859. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 2859.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator DeLeo, to the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2859 makes it illegal for a person to carry a bumpkey - not Bomke, not Larry Bomke - a bumpkey. A bumpkey is a key that opens a car door or your house door or your apartment door. And a gentleman was picked up, a known burglar in Chicago -- this came to us by the law enforcement community, Chicago P.D. And this -- this -- what a bumpkey does, you can go into any cylinder. It's similar to like they'd have in a hotel, a pass key. This will open any house door, any car door. And we put Amendment No. 1 on in committee and it -- it exempts police officers, locksmiths and security guards. That was the language they needed to add. So we'd ask for a favorable roll call, making sure that people don't have these bumpkeys.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 2859 pass. 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 the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 2859, having received the required constitutional majority, is declared passed. Senator Althoff, on House Bill 2913. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 2913.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Althoff, to the bill.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House Bill 2913 provides that county boards may enter into leases for computer equipment, data processing machinery and software that is required for its corporate purposes. The lease may only take effect after an affirmative vote of two-thirds of the county board members and the lease may not be longer than five years. Currently, county boards are not allowed -- or do not have the statutory authority to lease equipment for any time period that extends beyond the next election. And that usually leads to more expensive rental rates. And so this allows our county board the opportunity to be more fiscally responsible with our tax dollars. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any -- is there any discussion? Seeing none, the question is, shall House Bill 2913 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 2913, having received the required constitutional majority, is declared passed. Senator Frerichs, on House Bill 3106. Out of the record. Senator Munoz, on House Bill 3399. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3399.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Munoz, to the bill.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3399 clarifies that the five-hundred-foot distance with -- within which a child sex offender may not reside or be present shall be measured from the edge of the protected property, such as a public park, playground, day care center -- protected property closest to the edge of the property of the child sex offender's residence or the location where the child sex offender is loitering. Prior to this bill, they didn't have where the measurement should be from. So it -- was a little bit of a problem for State's attorneys and judges. So now this just clarifies where they can measure from. I will attempt to answer any questions, if any.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3399 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none Nay, none voting Present. House Bill 3399, having received the required constitutional majority, is declared -- declared passed. Senator Lightford, on House Bill 3446. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3446.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford, to the bill.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3446 amends the Freedom of Information Act and the Illinois Health and Hazardous Substance {sic} (Substances) Registry Act regarding confidentiality. It basically clarifies that Illinois law to ensure the confidentiality of any identity of a person whose condition is treated and submitted to the Illinois Health and Hazardous Substance Registry and it verifies that this Registry is exempt from disclosure under the Freedom Information Act {sic}. The confidentiality information includes their name, social security number, street and email address, telephone, fax, medical records, and certificate numbers, reporting source, age and diagnosis date. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3446 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 3446, having received the required constitutional majority, is declared passed. Senator Millner, on House Bill 3477. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3477.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Millner, to the bill.

SENATOR MILLNER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3477 prohibits the use of computer encryption to facilitate a crime and allows possession of a hundred or more child pornography images to be a factor in aggravation for child pornography sentencing. And this changes to address the fact that criminals are increasingly using the Internet and computers to facilitate their crimes. The Internet is a venue by which the criminal enterprises have been using to effectuate their goals. Further, the Internet is the main vehicle in which child pornography is transported. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3477 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none Nay, none voting Present. House Bill 3477, having received the required constitutional majority, is declared passed. Senator Maloney, on House Bill 3508. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3508.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to the bill.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House -- this is House Bill 3508. Would create the Residents Right to Know database, which will be set up by the Office of Long Term Ombudsman {sic}. All -- all facilities under the Nursing Care -- Care Home Act {sic} would be required to complete a Consumer Choice Information, which would include information at the facility on Medicare services, special services, staffing, ownership and administration. This is an initiative of the Attorney General's Office and I think it's a great consumer bill. Would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There -- is there any discussion? Seeing none, the question is, shall House Bill 3508 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 3508, having received the required constitutional majority, is declared passed. Senator Forby, on House Bill 3569. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 3569.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby, to the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR FORBY:

Thank you, Mr. President. House Bill 3569 is the same bill we passed through the Senate 55 to nothing last August. This bill passed through the House 112 to 2. This bill will allow a developer at the Gambit Illinois to purchase a piece of property in Johnson County owned by the Department of Natural Resources in order to build a retirement complex for the senior citizens. The value of the land will be determined by three certified real estate appraisals. The revenue from the sale will be given to the Department of Natural Resources to use to purchase an amount of land equal or greater to the amount that was sold. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3569 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 3569, having received the required constitutional majority, is declared passed. Senator Sullivan, on House Bill 3571. Out of the record. At the top of page 12, House Bill 3677. Senator Martinez. Senator Martinez. Out of the record. House Bill 3733. Senator Garrett. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 3733.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Garrett, to the bill.

SENATOR GARRETT:

Yes. Thank you, Mr. President. House Bill 3733 sets out a goal for the State to get ten percent of the total energy we use from clean coal technologies by the year 2015. The bill also includes a review by the Illinois Power Agency of the amount of clean coal energy used by utilities and requires the Agency to report the findings of the review to the General Assembly by March 2015.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3733 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 3733, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 4129. Do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This authorizes the Department of Public Health to issue a specific site approval for a new private sewage system

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

if that system uses innovative and alternative technology. In other words, to protect the public health and the environment. Prior to that, they had to have some other procedure which was cumbersome, and there's no opposition to the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4129 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4129, having received the required constitutional majority, is declared passed. Senator Murphy, on House Bill 4159. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4159.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy, to the bill.

SENATOR MURPHY:

Thank you, Mr. President. House Bill 4159 came to myself and my State Representative from a high school student in the district. It requires school districts to periodically review its procurement procedures and specifications related to the purchase of products and supplies and to improve their efforts at solid waste reduction. Passed unanimously out the House. I'm aware of no opposition and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Is there any discussion? Seeing none, the question is, shall House Bill 4159 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none voting Nay, none voting Present. House Bill 4159, having received the required constitutional majority, is declared passed. With leave of the Body, we will skip 4174. Senator Martinez, on House Bill 4178. Senator Martinez. Out of the record. Senator Peterson, on House Bill 4182. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4182.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Peterson, to the bill.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 4182 provides that individual village trustees may not hire an attorney using public funds unless the village attorney is disqualified from representing the member in their official capacity or if the village attorney recuses himself. The village board would still retain the power to hire outside counsel with a majority of the board approving the hiring by a resolution or ordinance.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4182 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 4182, having received the required constitutional majority, is declared passed. Senator Maloney, on House Bill 4189. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4189.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to the bill.

SENATOR MALONEY:

Thank you, Mr. President. House Bill 4189 classifies community colleges as a governmental unit instead of a State agency. This would require -- the community college would be required to adopt their own resolution or ordinance relative to ethics - being no less restrictive than what they were under the State - political activities of officers and employees of that governmental entity. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4189 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4189, having received the required constitutional majority, is declared passed. Senator Collins, on House Bill 4191. Out of the record. Senator Hunter, on House Bill 4195. Madam Secretary, please read the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

bill.

SECRETARY SHIPLEY:

House Bill 4195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter, to the bill.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4195 amends the Code of Civil Procedure regarding specific notice mailed to a mortgagor prior to judicial sale. It requires that a specific notice of the hearing be sent by mail to a mortgagor to confirm the sale of a property following a mortgage foreclosure, even if the mortgagor has been previously held in default. When the mortgagor has filed an appearance, the notice must be sent to the address indicated on the appearance. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4195 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4195, having received the required constitutional majority, is declared passed. Senator Cullerton, on House Bill 4196. Out of the record. Senator Schoenberg, on House Bill 4199. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

House Bill 4199.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schoenberg, to the bill.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4199 would add clinical professional counselors to those -- to the category of professionals who can personally evaluate a minor and state in writing that that minor would meet the standard for admission to a mental health facility. Would also enable these same licensed clinical professional counselors to have their evaluations considered by the court when determining whether a minor would be subjected to a mental health -- complete mental health examination. And similarly, they would be included within the category of professionals who could decide if a peace officer shall be required to admit that minor to a mental health facility. There's no opposition to the bill and I urge your favorable support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4199 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 4199, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 4203. Madam Secretary, please read the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

bill.

SECRETARY SHIPLEY:

House Bill 4203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a -- a bill which adds a penalty provision to Scott's Law. Scott's Law was passed some years ago by this General Assembly and it mandated that -- that people respect emergency vehicles whose lights are on or they're clearly visible in the roadway by moving aside and slowing down. As the bill came over from the House, there was some provision -- provisions in the bill in the House which raised some constitutional questions as to punishment, the proportionality and other issues. We amended it in committee to allow that a trier of fact may find that there are facts sufficient and a mental state sufficient to allow that trier of fact to find reckless homicide and raises that to a Class 2 felony, which seems to be a cleaner way to do it. It's not mandatory. It's a permissive thing. It also keeps the House provisions, which allow for the suspension of driving privileges for violation of Scott's Law resulting in death, irrespective of a finding of reckless homicide.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4203 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none Nay, none voting Present. House Bill 4203, having received the required constitutional majority, is declared passed. At the top of page 13, House Bill 4206. Out of the record. Senator Bond, on House Bill 4216. Out of the record. Senator Millner, on House Bill 4221. Do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4221.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Millner, to the bill.

SENATOR MILLNER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4221 amends the Vehicle Code and it provides that any person who rents a vehicle to another must provide an emergency phone number that that person renting the vehicle can call for roadside assistance questions. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4221 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4221, having received the required constitutional majority, is declared passed. Senator

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Bivins, on House Bill 4229. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4229.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

This is -- this is Senator Bivins' first bill. To the bill, Senator Bivins.

SENATOR BIVINS:

Thank -- thank you, Mr. President, and thank you for pointing that out that this is my first bill. HB 4229 permits school administrators to use certified mail as well as registered mail when mailing notices and documents according to provisions of the School Code. And what this will do is result in a approximate fifty-seven-percent savings. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Haine.

SENATOR HAINE:

Would the Senator yield?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator indicates he will yield, Senator Haine.

SENATOR HAINE:

I would like to have an -- an analysis of the Senator of the term "registered".

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Registered and certified mail, the difference is, aside from the fifty-seven-percent savings, registered mail is a highly secured form of delivery. It is documented at each step of the way and it's best for sending documents and items where security is important. In other words, registered mail, everybody that touches the document has to sign for it. And also, in addition to costing more, it -- it delays the delivery of mail by at least a day.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

So, in plain English, Senator, what does that mean? Does that mean that -- that the -- everyone in the post office who handles that piece of mail, as you put it, has to sign as they would on a chain of evidence?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

Yes, it takes -- it takes longer and -- to deliver and is also more expensive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

So -- so the -- the Senate is meant to understand that certified is the best way to go. Is that what you're proposing to the Senate?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Yes, sir.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator, what is the cost of a certified piece of mail?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

The -- for a one-ounce certified letter, would cost approximately five dollars and twenty-one cents. A one-ounce registered letter would cost approximately twelve dollars and six cents.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

So you are asking the Senate to ratify these unfair, inequitable, unconscionable increases by the United States government on all of those of us working families who use the mails?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Yes?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR BIVINS:

Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

My -- my last question of the Senator, who's been very patient, is, does he remember the song "U.S. Male"?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

Is that by Elvis Presley?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Yes. And -- and can he justify this bill in relationship to the lyrics of that song?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

Since I don't remember the lyrics, probably not.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall -- Senator Kotowski.

SENATOR KOTOWSKI:

Sorry. I -- thank you, Mr. President. To the bill -- it's the white button? I'm a rookie too. Does this -- does this bill cover postage to the North Pole?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR BIVINS:

This would cover all postage.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Kotowski.

SENATOR KOTOWSKI:

Thank you, President Cluborne. This -- does this bill cover -- does this bill give community colleges a chance to offer four-year degrees?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins.

SENATOR BIVINS:

It could.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

I rise in strong support of this legislation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any further discussion? Seeing none, House Bill 4229 -- the question is, shall House Bill 4229 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4229, having received the required constitutional majority, is declared passed. At the back of the Chamber, we have a former colleague and our current Attorney General, Lisa Madigan. Welcome to the Senate Chamber. Senator Brady, do you wish to proceed on House Bill 4251? Madam Secretary, please read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SECRETARY SHIPLEY:

House Bill 4251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Brady, to the bill.

SENATOR BRADY:

Thank you, Mr. President. I stand to introduce the bill. It simply allows farm equipment to drive on the shoulder of a road, which they're restricted from doing now. Allows them to legally practice as they have been. I ask for your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4251 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none voting Nay, none voting Present. House Bill 4251, having received the required constitutional majority, is declared passed. Leave of the Body to skip 4283. House Bill 4297. Senator Steans. Do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans, to the bill.

SENATOR STEANS:

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

gives authority over the funds that are collected from the license plates for the Hospice special license and gives authority over it, moves it from the Department of Public Health to an organization that's statewide in nature and has membership that consists of hospice programs. Currently the funds have been sitting at DPH and have not been appropriated. I don't know of any opposition to this bill and I would appreciate your Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4297 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4297, having received the required constitutional majority, is declared passed. Senator John Jones, on House Bill 4309. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4309.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jones, to the bill.

SENATOR J. JONES:

Thank you, Mr. President. House Bill 4309 permits a school district to receive general State aid if it closes a building prior to providing any instruction due to a condition beyond the control of the district.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4309 pass. All those in favor will vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 4309, having received the required constitutional majority, is declared passed. Senator Frerichs, on House Bill 4369. Madam Secretary, read the bill.

SECRETARY SHIPLEY:

House Bill 4369.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs, to the bill.

SENATOR FRERICHS:

Thank you very much, Mr. Chairman. House Bill 4369 creates the Commission on the Eradication of Poverty Act. It provides for appointments and terms of members. Provides for funding through the Department of Human Rights. Requires meetings and reports. Would be effective immediately. This bill passed unanimously out of the House and I would request a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4369 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Secretary, take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4369, having received the required constitutional majority, is declared passed. Senator Steans, on House Bill 4407. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4407.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans, to the bill.

SENATOR STEANS:

Yes. This bill simply moves the effective date of the Structural Pest Control Act to end -- from January 1st of '08 - so it's currently lapsed - to the end of the current year, 12/31/09. I'm pleased that one of our esteemed proponents, Attorney General, was here today to stand up for us on this bill. She's one of the proponents. There are many. I don't know of any opposition to the bill and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4407 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On -- on the -- on the question, there are 44 -- I'm sorry, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 4407, having -- having received the required constitutional majority, is declared passed. Senator Martinez has a special guest she would like to introduce.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Today we are honored with a great guest. And together with my colleagues here, Senator Munoz, Senator Sandoval and Senator Delgado, I want to welcome Manuel Rodriguez Arriaga. He is the Consul General of Mexico and he's -- he's here visiting us in Springfield and he would like to, you know, come to the Floor and just say a few words to this General Assembly.

CONSUL GENERAL MANUEL RODRIGUEZ ARRIAGA:

(Remarks by Consul General Manuel Rodriguez Arriaga)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Now back to House Bill 3rd Readings, page 13. House Bill 4450. Senator Hultgren. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4450.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hultgren, to the bill.

SENATOR HULTGREN:

Thank you, Mr. President. House Bill 4450 is a bill that would provide notice to crime victims when the person who is incarcerated were to receive a settlement while they're in prison. A lot of times there's damages or things that have been caused by someone who's incarcerated. And then, while they're in prison if they were to receive a settlement during that time from the Department of Corrections or another entity, what this bill would allow is that the -- the victim of that crime would be notified of that settlement and the ability for them to be

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

able to contact an attorney of their potential rights there. So, I would be happy to answer any questions, otherwise I'd ask for an Aye vote. This did pass unanimously out of the House and is supported by the Sheriffs' Association, State's Attorneys Association and -- State's Attorney Appellate Prosecutors.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4450 pass. All those in favor will vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 4450, having received the required constitutional majority, is declared passed. Senator Hendon, on House Bill 4406 {sic}. Madam Secretary, please read the bill. 4506.

SECRETARY SHIPLEY:

House Bill 4506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hendon, to the bill.

SENATOR HENDON:

Thank you, Mr. President. To the bill: House Bill 4506 just makes sure that people who take advantage of a senior citizen who is temporarily disabled will pay the penalty. And I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The -- is there any discussion? Seeing none, the question is, shall House Bill 4506 pass. All those in favor will vote

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 4506, having received the required constitutional majority, is declared passed. Senator Lightford, on House Bill 4522. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4522.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford, to the bill.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4522 amends the State Finance Act and the School Code. We passed this bill over to the House unanimously. Basically, it alters the schedule of the State payments to our school districts. Instead of them receiving GSA, the general State aid, and other State payments in a twenty-four payment cycle, we -- we're reducing that to twenty-two payments. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4522 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4522, having received the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

required constitutional majority, is declared passed. Senator Schoenberg, on House Bill 4527. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schoenberg, to the bill.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4527 makes a long overdue correction and increase to the annual equalization grant amount for public libraries from four dollars and twenty-five cents per capita to seven dollars and fifty cents per capita for the 2007 taxable year and beyond. It makes necessary adjustments, if in fact the moneys appropriated are not adequate, so there's a reduction per capita. But also, significantly, House Bill 4527 increases the minimum grant amount which is awarded to public school districts for their school libraries from one hundred dollars to seven hundred and fifty dollars. This is a long overdue initiative, advocated by the Secretary of State Jesse White, the Illinois Library Association, the Illinois Statewide School Management Association. I know no opposition, and these grants have not been increased since 1979. I urge your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any discussion? Seeing none, the question is, shall House Bill 4527 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none voting Nay, none voting Present. House Bill 4527, having received the required constitutional majority, is declared passed. Senator Viverito, for what purpose do you seek recognition?

SENATOR VIVERITO:

Mr. President, on that last bill, I was just welcoming the Ambassador from Mexico. I would like to vote Yes on that last bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will reflect.

SENATOR VIVERITO:

Thank you Mr...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan. House Bill 4549. Out of the record. Senator Collins, for what purpose do you seek recognition?

SENATOR COLLINS:

...you -- thank you, Mr. President. I, like my colleague Senator Viverito, had stepped away from my desk and I would like to be recorded as a Yes on House Bill 4527.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect. At the top of page 14 is House Bill 4567. Senator Holmes. Madam -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4567.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Holmes, to the bill.

SENATOR HOLMES:

Thank you so much, Mr. President. House Bill 4567 amends the Higher Education Student Assistance Act by requiring the Illinois Student Assistant {sic} (Assistance) Commission to conduct a study of the Illinois State Scholars Program. Basically, the study is required to look at how many students were designated State Scholars, the number of students who applied to be State Scholars and all State Scholars who were denied admittance to State universities in both 2008 and 2009. The information would be verified by different State universities and presented to the General Assembly no later than January 1st of 2010, along with recommendations to make State universities more accessible. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4667 pass -- I'm sorry, 4567 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none Nay, none voting Present. House Bill 4567, having received the required constitutional majority, is declared passed. Senator Link, on House Bill 4583. Senator Link. Out of the record. Senator Sullivan, on House Bill 4588. Senator Sullivan. Out of the record. Senator Haine, on House Bill 4602. Out of the record. Senator Haine, on House Bill 4603. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4603.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill which is identical to a bill which we passed out, which I sponsored last month. It's now in the House. And it allows, I think, four or five deputy sheriffs and three or four probation officers of my county to buy back time on their municipal service under IMRF. What happened was that the General Assembly -- we passed a bill in 2005 which authorized these same transactions up to sixty-eight percent or some such thing - I may be wrong about the exact percentage - of the officers' time and then, two years later, another bill was passed because of some problems up north, in which case that was raised to one hundred percent, but these individuals had already accessed -- taken their choice. Which, if they'd have waited, which they didn't know, they -- it would have been a hundred percent. This only allows them to take the difference. They have to come up with the money themselves. This has no fiscal impact, according to the Commission on Governmental Forecasting, because of the very small number of people that would -- would be affected. So, I'm asking for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4603 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

record. On the question -- on the question, there are 57 voting Yea, none voting Nay, 1 voting Present. House Bill 4603, having received the required constitutional majority, is declared passed. Senator Hunter, on House Bill 4611. Madam {sic} Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...about that, Mr. Secretary. Senator Hunter, to the bill.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4611 amends the -- the Deposit of State Moneys Act to authorize the State Treasurer to accept a proposal from an eligible institution that provides for interest earnings on deposits of State moneys to be held by the institution in a separate account that the Treasurer may use to secure up to ten percent of any home loan that Illinois citizens who are at risk of losing their homes if they experience a financial hardship. I know of no opposition to this bill and I ask for favorable support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4611 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 4611, having received the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

required constitutional majority, is declared passed. Senator Noland, on House Bill 4646. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4646.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland, to the bill.

SENATOR NOLAND:

Thank you, Mr. President. This bill amends the School Code and the Public Community College Act. It further amends the Counties Code and the Illinois Municipal Code, providing that a county, municipality, school district, or a community college district may own and operate a wind generation turbine farm either individually or jointly with another unit of local government, school district, or community college district that is authorized to own and operate a wind generation turbine farm. That is instead of individually or jointly. And I ask -- there's been no opposition in committee. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any question? Seeing none, the question is, shall House Bill 4646 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 voting Yea, none Nay, none voting Present. House Bill 4646, having received the required constitutional majority, is declared passed. Senator Holmes, for what purpose do you seek recognition?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR HOLMES:

I'm sorry. I was remiss in pressing my button. I'd like to be recorded as an Aye for that last vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect. Senator Risinger, on House Bill 4648. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4648.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger, to the bill.

SENATOR RISINGER:

Thank you, Mr. President. This bill authorizes the Secretary of State to issue a new license plate for holders of the Distinguished Service Cross. And it also allows -- the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, the annual fee -- if they qualify for that, their annual fee for registration would be -- only be twenty-four dollars. Be glad...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4648 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 voting Yea, 1 Nay, none Present. House Bill 4648, having received the required constitutional majority, is declared passed. Senator Risinger, on House Bill 4674. Mr. -- Mr. Secretary, please read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

ACTING SECRETARY KAISER:

House Bill 4674.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger, to the bill.

SENATOR RISINGER:

Thank you, Mr. President. House Bill 4674 provides that the fire protection district trustees who complete a training program on fire protection district administration that is supported by the State Fire Marshal may receive additional compensation. That compensation is -- depends on the size of the district. In a district having fewer than four full-time employees -- four paid firemen, the sum does not consider more -- that they get paid now is more than a thousand a year, so the -- the pay increase would be another five hundred dollars. In a case of a district that has three -- more than three, but less than ten full-time paid firemen, they now receive fifteen hundred dollars a year. They could get another seven hundred and fifty dollars a year. And a district having ten or more full-time paid firemen, the sum that they receive now is two thousand. So the -- the additional money they could get would be another thousand dollars. This -- and in order for them to continue to get the raise each year, they have to continue to take another training course each year that's a -- that's approved by the State Fire Marshal. Be glad to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Risinger, I want to ask you a few questions about the content of the bill. First, this bill is about pay raises for the trustees as opposed to the firefighters themselves. Correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

That is correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

And as I read the bill, it mandates that if they get any additional compensation to go to the training, it has to be a fifty-percent increase in what they're making now. Is that right?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RISINGER:

Well, it's not to go to the training; it's -- it's to -- they get compensated if they take the training and -- and pass any tests or anything that are -- are there. Yes. It is mandated that if they -- the trustees vote to give that raise - and they can decide whether they want to or not - then it must be a fifty-percent increase.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator Risinger, what is the wisdom of mandating to the trustees what the pay increase will be, as opposed to letting the trustees, who are responsible for the property tax bills that the taxpayers pay, deciding what is an affordable raise and what is not an affordable raise?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

I -- I think the wisdom behind this was that the trustees are paid such a small sum anyway that the amount of raise needs to be significant if they're going to have any incentive for them to do the continuing education that we're trying to incentivize them to do.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...may proceed.

SENATOR RIGHTER:

Thank you. Mr. President, Ladies and Gentlemen of the Chamber, I know we've been cruising along here and it's been very mundane, it's been very quiet and half of us have been lulled to sleep here, but I think that we ought to think carefully about what we're doing on this bill that came over from the House. This bill tells all of -- says that State

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

government is going to tell local fire protection districts... Thank you, Mr. President. This bill says Springfield is going to go dictate to local fire protection districts how they have to spend their money. If -- if a trustee wants to get a little bit better at administering or helping administer their fire department and the fire protection district wants to incentivize that, they can't just pay for their mileage, they can't just give 'em a small wage increase, they got to increase their pay by fifty percent. If the board can't afford that and still wants this person to go to the training, then the property tax bills get to go up. Now, I don't know about you, but when I get calls from my local fire protection districts and they're concerned about money, they are concerned about money for equipment - for actual equipment that goes out and actually puts out fires. Now we're going to see more and more money redirected into a Springfield mandated pay raise because trustees go to training. I don't think this is the right approach. It's probably right that we need to incentivize these trustees to get a little training on administration, but Springfield doesn't need to tell them we have to give 'em one and a half times what they're making already. That, in the end, will drive property tax bills up or it will cut back on the money they have for equipment and that's a bad idea. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

He indicates he will yield.

SENATOR BURZYNSKI:

Thank you. Senator, are trustees elected or appointed?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

Yeah, there are some that are elected and some that are appointed.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, it -- it seems to me like there might be some checks and balances on those who are elected, you know, should they overdo this pay increase. But are -- what kind of checks or balances would there be on those who are appointed?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

Well, Senator, first of all, we have it in law right now what they're paid. And so, therefore, in this bill, we're -- we -- we're putting it into law the -- the raise that they would get, the maximum raise that they could get, the only raise that they could get, if the trustees decide to even give the raise.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Senator. I think you answered my final question. It's not mandated that they get the salary increase.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

They can vote to approve a stipend or an increase based on whether or not they get this continuing education. But they could do the continuing education and not receive anything additional. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

That is correct. I think the idea behind this is to give a little incentive for them to take the training and to continue the training year after year so that we have more knowledgeable trustees.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, Senator Risinger, to close.

SENATOR RISINGER:

Yeah. I -- I want to correct something that I think one of the Senators said in questioning. He indicated that this was mandated training. It is not mandated training. This is training that we're actually trying to incentivize trustees to take. And in order to do that, we're trying to allow them to give a raise if the trustees decide that they can afford that. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 4648 pass. All those in favor will vote Aye. Opposed will vote -- I'm sorry, 4648. Oh, I'm sorry, 4674. The question is, shall House Bill 4674 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

are 45 voting Yea, 7 voting Nay, none voting Present. House Bill 4674, having received the required constitutional majority, is declared passed. Senator Althoff, on House Bill 4675. Out of the record. Senator Noland, on House Bill 4683. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4683.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland, to the bill.

SENATOR NOLAND:

Thank you, Mr. President. This is a fairly straightforward bill. Simply says that any sprinkler that is presented as a sprinkler in a public location as a reasonable expectation that is anything other than a camera should be a sprinkler. Simple. Straightforward. We've had situations where there have been running private investigations here in the State of Illinois - unauthorized snooping, if you will - and we want to correct that and we want any item -- or any -- any artifact that is presented as a sprinkler to -- to be that instead of a camera. I'll take any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR BURZYNSKI:

Thank you. Senator, you know, we were in support of your bill in committee. Still am. But I think there's supposed to be a trailer -- an amendment dealing law enforcement, if I'm not mistaken.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you, Senator Burzynski. I was just advised of that, or reminded of it. Happy to pull this bill at the time for later consideration.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Out of the record. Senator Frerichs, on House Bill 4687. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4687.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs, to the bill.

SENATOR FRERICHS:

Thank you very much, Mr. -- Mr. President. This amends the Fire Protection District Act. Provides that the board of trustees of any fire protection district may establish a program to award grants to certain property owners who install and maintain sprinkler or other fire suppression systems. I would take any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any discussion? Senator Althoff.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR ALTHOFF:

Thank you very much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

He indicates he will yield.

SENATOR ALTHOFF:

Senator Frerichs, can you indicate to me why a program like this is necessary, what -- the philosophy behind its purpose?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

The philosophy behind this is, if more houses have fire suppression equipment in their house, sprinklers, it will be -- result in lesser costs for fire protection districts down the road.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff.

SENATOR ALTHOFF:

Can you also then tell me average cost of one of these sprinkler systems and how this grant program is actually going to be implemented?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

This grant program would be implemented by fire protection districts. The amount would be fairly minimal. It wouldn't cover the entire cost of the sprinkler system, but it would offer a slight incentive, and open to the trustees to determine how much, for people to install these systems.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Althoff.

SENATOR ALTHOFF:

I believe that that's partially my concern. The overall cost of installing a sprinkler system in a residential home or - or apartment, do you have an idea of how much that is going to cost? I'm trying to get an idea of what the percentage is. If it's just a token amount of ten dollars or if it's a -- a broader amount of money that's going to be offered to initiate the grant program.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

This would create a grant program that would be administered by fire protection districts, the trustees would determine. Some may look at the value of the houses in their district and determine to offer larger incentives. Some districts may decide to offer small incentives, and my guess is that many districts would choose to offer no incentive. It's permissive in nature for those districts that would like this. I think the State ought to give them that flexibility.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. Just to the bill: Again, we're talking about tax dollars that are collected by the residential entities of that fire district. I would think that we would want to designate those dollars for equipment purposes or something that actually promotes fire safety, as opposed to a grant program that may or may not offset the cost of sprinkler systems in

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

residential units. I would strongly urge my colleagues to look at this legislation. I think it's a misuse of dollars, and if a fire district has that much extra money, I think that they would want to rebate that to -- to the individuals of that taxing body.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

He indicates he will yield.

SENATOR RIGHTER:

Senator Frerichs, following up on Senator Althoff's questions, is the bill limited in terms of -- is it means tested? In other words, is there any requirement that the family seeking the grant make less than a hundred thousand or two hundred thousand a year or anything like that in the bill?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

Looking over this very brief bill, I am unaware of any means testing.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Is there any requirement in the bill, Senator, that it apply only in areas where the -- where the communities have established ordinances requiring sprinklers in single-family residences?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

...aware of any such requirement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator Frerichs, I personally don't know anyone who has a sprinkler system in their house. I mean, they are in dormitories and they're in apartment buildings and big office buildings, but there -- I don't know of anyone in your house, and I've asked a couple other Members here and they don't know anyone. Do you know anyone who has a sprinkler system in their home?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

I am unaware of anyone who has it in their home. This was brought to me -- was -- proponents of this was the Bloomingdale Fire District. Perhaps, in Bloomingdale, they have more expensive homes and put sprinklers in there. I'm unaware in my hometown of Gifford, Illinois, where I served on the fire protection district.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill very briefly: Senator Frerichs, thank you for your forthright responses. Again, following up with Senator Althoff's comments, it would

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

seem to me that if we're going to have public dollars that are being collected in terms of property taxes - and I don't know anyone here who thinks that their property tax bills for their constituents aren't quite high enough - that those funds ought to be funneled into equipment to fight fires and to keep firefighters safe, rather than establishing these kinds of grant programs for sprinkler systems in homes when we don't really know anyone who has those in their -- has those in their home. So, I would respectfully urge a No vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Frerichs, to close.

SENATOR FRERICHS:

Thank you very much, Mr. President. I know some questions have been raised. My experience with fire protection districts is I served as a volunteer firefighter for five years in the big city of Gifford, Illinois, population eight hundred people. I would say, in that fire protection district, if our trustees were to offer a grant system of several hundred dollars for installation of a sprinkler system in homes, those trustees would not stay trustees very long. We have direct election of trustees in that district. In many of the districts in my part of the State, we have direct election and I don't think that this incentive program makes sense in a lot of those small towns. But I am a proponent of local control. And I think that decisions can be made at the local level, and that people in an area ought to be able to judge for themselves whether the increased benefits of fire suppression in their town mitigate or are offset by the costs of this grant program. I leave it open to them to decide. For those of you who support local control

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

and people to make decisions locally within their own communities and vote on their trustees, I would suggest to you vote Aye and give them that choice. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Question is, shall House Bill 4687 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 42 voting Yea, 15 voting Nay, none voting Present. House Bill 4687, having received the required constitutional majority, is declared passed. Senator Demuzio, on Senate Bill 4700. House Bill. I'm sorry, House Bill 4700. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 4700, if an employee who is covered under a retirement system or a pension fund created by the Illinois Pension Code is convicted of a felony relating to or in connection with the job for which they have a -- a pension, the State's Attorney must notify the board of trustees for that retirement system or pension system.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

shall House Bill 4700 pass. 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 the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4700, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 4725. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 4725.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is similar to a bill we passed out of the Senate last month. It just allows counties the authority to place a member of the county board on the 9-1-1 board.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4725 pass. 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 the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 4725, having received the required constitutional majority, is declared passed. At the top of page 15, House Bill 4726. Senator Bivins. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

House Bill 4726.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bivins, to the bill.

SENATOR BIVINS:

Thank you, Mr. President. HB 4726 amends the State Officials and Employees Ethics Act. If any State or local government officer or government employee is placed on administrative leave, either voluntary or involuntarily, pending the outcome of a criminal investigation or prosecution and that officer or employee is removed from office/employment for one or more reasons directly related to the criminal matter, then the officer or government employee must be -- pay the State for all compensation and the value of benefits received during the administrative leave. We also did amend this in committee to include the language "upon criminal conviction". And it has no opposition and -- and I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4726 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 voting Yea, none voting Nay, none voting Present. House Bill 4726, having received the required constitutional majority, is declared passed. Senator Garrett, on House Bill 4754. Out of the record. Senator Althoff, on House Bill 4766. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

ACTING SECRETARY KAISER:

House Bill 4766.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff, to the bill.

SENATOR ALTHOFF:

Thank you, Mr. President. House Bill 4766 provides counties with the authority to lease space on one of their telecommunication towers to a public or to a private entity. Currently, current law allows the counties to lease county-owned property to private entities, but the statutes are pretty quiet and they don't specifically mention telecommunication towers. We just want to clarify that oversight.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4766 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 4766, having received the required constitutional majority, is declared passed. Senator Demuzio, on House Bill 4811. Mr. Secretary -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4811.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Demuzio, to the bill.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 4811 is a bill that was initiated by the Illinois State Police which amends the Department of State Police Law of the Civil Administrative Code of Illinois and the State Finance Code {sic} (Act) to create the Over Dimensional Load Police Escort Fund in order to charge and collect and receive fees or moneys as described in the Illinois Vehicle Code. This bill also amends the Illinois Vehicle Code to clarify that when State Police escorts are required by IDOT for the safety of the motoring public, the Illinois State Police is to have a collection of sixty dollars per hour for State Police vehicles with a minimum fee of three hundred per State Police vehicle. Currently, only IDOT collects forty dollars an hour and eighty minimum. I ask for a Yes vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4811 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 4811, having received the required constitutional majority, is declared passed. Senator Pankau, on House Bill 4838. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4838.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Pankau, to the bill.

SENATOR PANKAU:

Thank you, Mr. President. This bill prohibits a water or sewer utility from recovering advertising costs in any general rate case before the ICC. This applies only to private for-profit water and sewer utility companies. I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any discussion? Seeing none, the question is, shall House Bill 4838 pass. 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 the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 4838, having received the required constitutional majority, is declared passed. Senator Wilhelmi, on House Bill 4839. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Wilhelmi, to the bill.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4839 adds that when a county board alters the maximum speed limit, the county board may also post signs

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

designating this new speed limit. The bill also makes Public Act 95-574 effective immediately or effective on June 1st of this year, whichever occurs first. I know of no opposition. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4839 pass. All those in favor will vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 4839, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 4890. Out of the record. Senator Kotowski, on House Bill 4931. Mr. -- Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4931.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to the bill.

SENATOR KOTOWSKI:

Thank you, Mr. President. House Bill 4931 amends the Illinois Municipal Code, make it so that any payment required to be made by out-of-state corporations, companies, and associations that are engaged in effecting fire insurance in Illinois must be paid to the foreign fire insurance board, instead of the municipality. I know of no opposition to the bill, and I would ask for an Aye vote.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4931 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 4931, having received the required constitutional majority, is declared passed. Senator Pankau, on House Bill 4936. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 4936.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. House Bill 4936 requires that certified mail notice must be mailed to residents living next to the possible location of a telecommunications or AM radio tower. In other words, if you're going to put up a big tower, you've got to notify the -- all the residents around there by certified mail. I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Garrett.

SENATOR GARRETT:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Indicates she will yield, Senator Garrett.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR GARRETT:

So, besides sending a certified letter, is there any request or any ability for people to have a hearing so they can voice their concern, rather than just be notified?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Pankau.

SENATOR PANKAU:

Yes. Right now, there is notice that has to be published in the paper. There are other notices. Sometimes you see those signs, "Notice of a Public Hearing", et cetera, et cetera. But there's no requirement that they -- that the notice must be sent by certified mail. And this -- makes sure that the neighbors know that this hearing is going on.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Thank you. The notice, then, is for the hearing? Got it. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, the question is, shall House Bill 4936 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 voting Yea, none voting Nay, none voting Present. House Bill 4936, having received the required constitutional majority, is declared passed. Senator Crotty, on House Bill 4956. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

House Bill 4956.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Crotty, to the bill.

SENATOR CROTTY:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Under current law, circuit courts can establish waiting rooms for children whose parents or guardians are attending a court hearing as litigants or witnesses or serving some other purpose to the court. To pay for the establishment, maintenance and operation of these waiting rooms, the county board can require the court to impose a fee upon each party in a civil matter. And under current law, the court can charge a maximum of five dollars. This bill would raise the statutory maximum up to ten dollars. I know of -- of no opponents. And again, this bill is permissive and it does not mandate that fee increase.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill: I am a cosponsor. I think this is a great piece of legislation. It's actually worked out extremely well in McHenry County. However, I do want the Body to note that it is a fee increase - permissive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall House Bill 4956 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 50 voting Yea, 4 voting Nay, none voting Present. House Bill 4956, having received the required constitutional majority, is declared passed. Senator Demuzio, on House Bill 4992. Mr. Secretary, please read the -- the bill.

ACTING SECRETARY KAISER:

House Bill 4992.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to the bill.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. House Bill 4992 amends the County {sic} (Counties) Code to allow -- allow a two-dollar charge imposed by the county clerk in a first or second class county for certified copies of vital records to be used to develop, maintain and improve technology in the office of the county clerk. Currently, the two-dollar charge can only be used to defray the cost of converting and maintaining the -- county clerk's storage system for vital records. This broadens the purpose for which county clerks can use their fees, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 4992 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Nay, none voting Present. House Bill 4992, having received the required constitutional majority, is declared passed. Senator Garrett, on House Bill 5017. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5017.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett, to the bill.

SENATOR GARRETT:

Yes. Before I begin, Mr. President, I would like to be recorded as a Yes vote on Senate {sic} Bill 4936. I forgot to press my button.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator Garrett.

SENATOR GARRETT:

Thank you. Thank you. Yes. House Bill 5017 clarifies the Task Force on Health Planning Reform that we made, that they may submit their findings to the Governor and General Assembly as necessary and shall submit a final report by November 3rd, 2008. Further, House Bill 5017 extends the repeal date of the Task Force from August 1, 2008 to December 1 {sic} (31), 2008. And then, finally, House Bill 5017 extends the repeal date of the Health Facilities Planning Act from August 31, 2008 to July 1, 2009. And the reason for changing all these deadlines is that the legislation that we passed last year to appoint a task force was delayed, and so we've had to move the process up a bit. Happy to answer any questions.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5017 pass. 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 the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 5017, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 5022. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5022.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a bill which -- which authorizes the -- a township to increase the pay -- the maximum pay that a township cemetery trustee may receive from five hundred dollars a year to one thousand dollars per year, in their sound discretion. Many of these people are out there today preparing for Memorial Day. They work long hours in preparing and keeping up these township cemeteries and they haven't had a raise in over thirty years and they do maintain these cemeteries individually. They don't just sit in an air-conditioned office and order it done. Many of 'em are out there themselves doing it. So, I would ask the Senate to allow township trustees to be paid up to a thousand dollars a year, in the discretion of their boards. And I would ask for an

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Aye vote and not to bury this bill. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5022 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On -- on the question, there are 48 voting Yea, 8 voting Nay, none voting Present. House Bill 5022, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 5038. Out of the record. Senator Demuzio, on House Bill 5074. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5074.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to the bill.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. House Bill 5074 is a bill that is identical to Senate Bill 2413 in which we passed out of here and is currently on 1st Reading in the House, which actually changes in -- the dates of some of the community college meetings. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5074 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

record. On the question, there are 55 voting Yea, none voting -
- voting Nay, none voting Present. House Bill 5074, having
received the required constitutional majority, is declared
passed. Turning to top of page 16. Senator Cullerton, on House
Bill 5076. Out of the record. Senator Forby, on 5077. Out of
the record. Senator Wilhelmi, on House Bill 5082. Mr.
Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5082.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Wilhelmi, to the bill.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the
Senate. House Bill 5082 requires a sentence for possessing
contraband in a county jail or prison to be served consecutively
with the sentence for the charge that caused the defendant to be
incarcerated in that jail or prison in the first place.
Obviously there is a threat risk to fellow inmates and to
correctional officers when contraband is brought into our jails
and our prisons, and this is a good safety bill for both. I ask
for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is,
shall House Bill 5082 pass. 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 the -- on the question, there are 58 voting Yea,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

none voting Nay, none voting Present. House Bill 5082, having received the required constitutional majority, is declared passed. House Bill 5086. Senator Jacobs. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5086.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to the bill.

SENATOR JACOBS:

Thank you, Mr. President. 5086 is a -- a initiative of the AARP. This bill will simply replicate what we have in the winter where people can't turn off the heat. So you won't be able to turn off the electricity if it's ninety-five degrees or above. Eventually they will have to pay that bill or lose it. But on those very hot days, you won't be able to turn it off for seniors. I know of no opposition and ask for your favorable support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any discussion? Seeing none, the question is, shall House Bill 5086 pass. 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 the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 5086, having received the constitutional majority, is declared passed. Senator Demuzio, on House Bill 5088. Out of the record. Senator Kotowski, on House Bill 5108. Mr. Secretary, read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

ACTING SECRETARY KAISER:

House Bill 5108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to the bill.

SENATOR KOTOWSKI:

Thank you, Mr. President. House Bill 518 {sic} focuses on when a vehicle has been abandoned, lost, stolen or unclaimed and ownership information is needed for a towing service to give notification, the towing service may cause the vehicle registration records of the State of Illinois to be searched by the Secretary of State, and in such case, the towing service also shall give notice to the -- all lienholders of record within the time period required for all other notices. I know of no opposition to it. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5108 pass. 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 the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 5108, having received the required constitutional majority, is declared passed. Senator Wilhelmi, on House Bill 5230. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5230.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Wilhelmi, to the bill.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5230 expands the offense of escape and aiding escape to include juvenile offenders who have been adjudicated delinquent or arrested. Came as a surprise that under the current law, juveniles cannot be charged with the offense of escape or aiding escape. I know of no opposition and I ask for your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5230 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 58 voting Yea, none voting Nay, none voting Present. House Bill 5230, having received the required constitutional majority, is declared passed. Senator Raoul, for what purpose do you seek recognition?

SENATOR RAOUL:

Mr. President, I'm -- I'm a little bit delayed, but on House Bill 4189, I was away from my desk. I believe somebody pushed me Yes. It was my intent to vote Present on that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect. Senator Trotter, on House Bill 5242. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5242.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Trotter, to the bill.

SENATOR TROTTER:

Mr. -- Mr. President and Members of the Senate, House Bill 5242 requires all food banks that furnish food to feeding programs to provide a list of member food pantries, soup kitchens, hunger relief and other feeding programs to State-certified local health departments having jurisdiction in their service areas. Its main intent is that if there has to be a food recall, alerts and other pertinent information, it would be communicated to these food pantries and soup kitchens in a timely manner.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5242 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none Nay, none voting Present. House Bill 5242, having received the required constitutional majority, is declared passed. Senator Bivins, on House Bill 5243. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5243.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

This is your day, Senator Bivins. To the bill.

SENATOR BIVINS:

Thank you, Mr. President. HB 5243 repeals two Sections for the County Jail Act which require grand jury visit to the jail and examines condition and the treatment of its prisoners. It's believed that this is redundant, as the Department of Corrections already does so. Their jail inspections unit does inspect the jails and the current language does put the sheriffs at unnecessary liability, both civilly and criminally. There's no opposition to this bill and I'd request an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any discussion? Senator Righter.

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State your inquiry.

SENATOR RIGHTER:

Mr. President, we've been here for a little while today. Do you know how many bills of Senator Bivins you've called today for a vote?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

I believe about three. Senator Righter.

SENATOR RIGHTER:

Senator -- Mr. President, excuse me. I remember when I first came here, I didn't get anywhere near three bills called in one day. Mr. President, I don't know what your experience has been since you've been here, but I doubt that that happened to you, as well. Is there some kind of agreement between you and Senator Bivins about moving bills...

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

This is the kinder...

SENATOR RIGHTER:

...on the -- on the Order of Bivins?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...kinder, gentler Emil Jones, and -- and the -- the more -- the more bipartisan Rickey Hendon. Senator Righter.

SENATOR RIGHTER:

Mr. President, as we wind down through the end of Session, we look forward to continuing that spirit that you've just announced from the Chair. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

You're welcome. Is -- is there any -- is there any discussion? Seeing none, the question is, shall House Bill 5243 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none Nay, none voting Present. House Bill 5243, having received the required constitutional majority, is declared passed. Senator Hendon, on House Bill 5285. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 5285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hendon, to the bill.

SENATOR HENDON:

Thank you, Mr. President. This bill just makes sure that a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

college student is still covered under the health plan of their parents. I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I don't have my computer in front of me and you did that awfully fast, so just one little question maybe. Up to what age?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hendon.

SENATOR HENDON:

As -- as long as they are in school, it's up to the age of twenty-one, if I'm correct. Yes. Twenty-one as long as they're in -- in college.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski. Is there any discussion? Seeing none, the question is, shall House Bill 5285 pass. 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 the question, there are 56 voting Yea, 1 voting Nay, none voting Present. House Bill 5285, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 5312. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

House Bill 5312.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is merely an extension of a sunset repeal date for the Capital Development Board.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5312 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 5312, having received the required constitutional majority, is declared passed. Senator Maloney, on House Bill 5318. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to the bill.

SENATOR MALONEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 5318 is a follow-up to the health care background check. This -- this bill streamlines the process to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

see that the task force does its work in a timely manner and any vacancies on the task force can be filled by the Director of Public Health, rather than by the Governor. And there's no objection from the Governor's Office on this. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5318 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 58 voting Yea, none voting Nay, none voting Present. House Bill 5318, having received the required constitutional majority, is declared passed. Senator Kotowski. I'm sorry. Senator Viverito, for what purpose do you seek recognition?

SENATOR VIVERITO:

Mr. President, on that one bill, 5285, I pressed my button but it didn't go on Yes. So, would you please correct it for me and make it Yes? 5285.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Viverito, the -- the record will so reflect.

SENATOR VIVERITO:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

You're welcome. Senator Kotowski, on House Bill 5368. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5368.

(Secretary reads title of bill)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to the bill.

SENATOR KOTOWSKI:

Thank you, Mr. President. House Bill 5368 creates the Military Family Interstate Compact Implementation Statute Drafting Advisory Committee Act.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5368 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 5368, having received the required constitutional majority, is declared passed. Senator Peterson, on House Bill 5505. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5505.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Peterson, to the bill.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 5505 provides for a variety of changes in the Township Code in order to require certain actions prior to an annual township meeting. The first change requires the township board must adopt an agenda, plus state the time and place of said meeting ten days prior to the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

annual meeting. Also, any fifteen or more registered voters from the township may request that an item be placed on the agenda for consideration by the electors present at the meeting. The -- the request must be filed with the township clerk before March the 1st. Another provision states that if a special meeting is called by electors, at least fifteen electors must attend in order to make a quorum. If the fifteen-person quorum is not met, the electors must once again follow all the procedures necessary to call another meeting. This just adds -- transparency to annual town meetings, that all the citizens are notified what action items will be on the agenda at that particular meeting. And it's supported by the Township Officials of Illinois.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5505 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, 1 voting Nay, none voting Present. House Bill 5505, having received the required constitutional majority, is declared passed. At the top of page 17. Senator Althoff. House Bill 5586. Out -- out of the record. Senator Althoff, on House Bill 5596. Mr. Secretary, please read the bill. 5596.

ACTING SECRETARY KAISER:

House Bill 5596.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Althoff, to the bill.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House Bill 5596 amends the State Commemorative Dates Act. February of each year is to be designated as Women's Heart Disease Awareness Month, to be observed throughout the State as a month to promote the awareness of women's heart disease. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5596 pass. All those in favor will vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5596, having received the required constitutional majority, is declared passed. Senator Peterson, for what purpose do you seek recognition? Senator Haine, on House Bill 5607. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to the bill.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This -- bill merely provides for the issuance of license plates for the Illinois Police Association.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5607 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 53 voting Yea, 3 voting Nay, none voting Present. House Bill 5607, having received the required constitutional majority, is declared passed. Senator Wilhelmi, on House Bill 5655. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5655.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Wilhelmi, to the bill.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5655 simply provides that an optometrist may determine visual disability for purposes of issuing a Disabled Person Identification Card or disability license plates or decals. I know of no opposition. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5655 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

voting Nay, none voting Present. House Bill 5655, having received the required constitutional majority, is declared passed. Senator Demuzio, on House Bill 5666. Mr. Secretary, please read the -- read the bill.

ACTING SECRETARY KAISER:

House Bill 5666.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to the bill.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President, Members of the Senate. House Bill 5666 is a -- a bill that has been going on since December the 1st of 1992, where the Auditor General has notified the General -- Governor's Office of Management and Budget of the amount estimated to be necessary to pay for audits and studies and investigations in accordance with the State Auditing Act during the next succeeding fiscal year for each State fund for which a transfer or reimbursement is anticipated. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5666 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 5666, having received the required constitutional majority, is declared passed. Senator Schoenberg, on House Bill 5699. Mr. Secretary, please read the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

bill.

ACTING SECRETARY KAISER:

House Bill 5699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schoenberg, to the bill.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5699 was brought to me by a constituent who was a teacher at a community college and was stricken with a disability and, therefore, found that they were being penalized by their pension -- by their pension payments, even though they were merely seeking to return to part-time employment in order to make themselves more financially independent. There's no fiscal impact on this for any retirement system. The proponents include the Teachers' Retirement System and both the teachers' groups. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any questions? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I just couldn't resist to stand up on this bill that I -- and say that I support Senator Schoenberg in his efforts here, and so I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 5699 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 5699, having received the required constitutional majority, is declared passed. Senator Lightford, on House Bill 5717. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5717.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Lightford, to the bill.

SENATOR LIGHTFORD:

Mr. President, Ladies and Gentlemen of the Senate, House Bill 5717 amends the School Code regarding sixth grade health exams. Last year, we required insurance companies -- the coverage for HPV vaccines, and what happened is that changed our physical exams for students who were in the fifth grade entering sixth grade. And what we'd like to do is exempt those students who did have health exams last year entering fifth grade, to not be required again to have the exam when you're entering the sixth grade. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5717 pass. All those in favor, vote Aye. Opposed will vote 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 record, there are 58 voting Yea, none voting Nay, none voting Present. House Bill 5717, having received the required constitutional majority, is declared passed. Senator

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Crotty, on House Bill 5729. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5729.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Crotty, to the bill.

SENATOR CROTTY:

Thank you very much, Mr. President. House Bill 5729 requires that every day care center, part day child care facility, day care home, and a group day care home shall prepare and follow written plans for immediate response in case of an emergency. The evacuation plans drills shall be conducted regularly for fire and tornado emergencies. Each facility shall maintain records of the dates and the times that the drills are conducted. It also would allow a hospital to apply for approval to conduct its operations from more than one hospital under a single license if the hospitals are located not more than one-half mile apart in a county with more than three million inhabitants and if the hospitals are operated by a single health care system on January 1st, 2008.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Just a question for the -- the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates she will yield.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR SYVERSON:

Senator - and we have talked about this before and I certainly appreciate what you're trying to -- to do, but I'd be remiss if I didn't raise this -- this concern. Part of this legislation is taking what is currently in practice and now we're putting it into statute. But I think the part of mandating that in-home day cares do monthly tornado drills is just going probably further than what government ought to be mandating - that -- that a in-home day care, where a -- where a -- an individual is taking care of a couple of young children, and the idea of having -- having them to do drills every month for tornados. Usually the mother of the house knows what to do if there's a tornado. And to have to do it every single month and to put it in law and require that this -- this day care worker say in writing that -- that they are, in fact, doing these drills, I think goes too far. And I know it's just codifying current practice. But I wish we could even change the current practice. So, for that reason, I'm -- I'm going to oppose that. But I certainly appreciate what the sponsor is trying to do.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, Senator Crotty, to close.

SENATOR CROTTY:

I do appreciate the comments that was made by the preceding speaker and we have had many conversations. And, yes, this is already being done. And, yes, a mother does know how to protect herself and her children, but the whole idea of having these drills are to make sure that -- that the children that are in

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

these day care centers do know on their own how to evacuate and how to act in a tornado drill. They're not in a group like a school; they're in a home and some homes may change. Some -- some place -- some of the -- the youngsters that are in these homes may change to different homes. That's what's so important about it being repetitive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall House Bill 5729 pass. All those in favor, vote Aye. Opposed will vote Nay. The -- 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 50 voting Yea, 7 voting Nay, none voting Present. House Bill 5729, having received the required constitutional majority, is declared passed. Senator Jacobs, on House Bill 5760. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5760.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to the bill.

SENATOR JACOBS:

Thank you, Mr. President. This is an initiative of the Civil -- Civil Air Patrol. What this will simply allow is employees with -- require all employees {sic} the more than fifteen to grant unpaid leave to any employee who is a part of the Civil Air Patrol and is on a assigned mission for the Civil Air Patrol. Last year, we had over three million hours logged

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

by volunteers of the civil air defense, and we appreciate your support for this important measure.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5760 pass. All those in favor, vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5760, having received the required constitutional majority, is declared passed. Senator Sullivan, on House Bill 5776. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5776.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to the bill.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. House Bill 5776 prohibits the Department of Ag from requiring a premise identification number to exhibit at the county and/or State fairs in Illinois, unless required by federal law. Many of you may recall, over the last several months, there's been a tremendous amount of uproar from the individuals across the State that would have been required to do this. They felt like it was unfair. This legislation addresses that concern. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

Thank you. Senator, it's my understanding that when this bill came to us from the House - and by the way it's -- it's a very good bill and I plan on voting for it - but it's my understanding, when the bill came to us from the House, there was language on it that since has been stripped out. Do you have any idea what will happen to this bill when it returns to the House? And in particular, I'm talking about the rules making process that Speaker Madigan has -- has asked that be on all of our bills. And now we're removing that from this bill. Does this bill have a life when it gets to the House? I guess that's my question.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

Yeah. Thank you, Senator Burzynski, for asking the question. Actually, I should have mentioned it in my remarks. This bill, when it came over from the House, did have the rulemaking language on it. In order to keep the bill moving, we took -- put the amendment on to remove the rulemaking language. Couple thoughts on that: First of all, the Department of Ag has since removed their provision that requires or mandates that if you show it at a fair in Illinois that you -- that you have to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

register your premise. So, the urgency has been removed, at least for this year. And I talked with the House sponsor about the bill and said, you know, should we keep it moving or should we wait to try to address this later on? It was our agreement to keep the bill moving, to go ahead and take the language off, and we'll try to address the -- the rulemaking language at some point down the road. I personally think at some point in time the House and the Senate is just going to have to address this issue.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall House Bill 5776 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 5776, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 5904. Senator Martinez. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5904.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez, to the bill.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 5904 amends the Uniform Disposition of Unclaimed Property Act to require that if a -- medals awarded to the U.S. Military

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

personnel are delivered to the Treasurer's -- to the Treasurer under the Act, the Treasurer is not to offer these medals for sale or at public auction. The only medals that may be delivered to the Treasurer under this Act and that the Treasurer may receive are those that are reported and delivered as the contents of a safe deposit box. Medals are to only be returned to the owner of the safe deposit box containing the medals or the heirs of that owner. The bill also state -- states that this may be referred to as Operation Search and Restore. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5904 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 5904, having received the required constitutional majority, is declared passed. Senator Hultgren, on 5904. Out of the record. I'm sorry, 5905. I'm sorry. Out of the record. Senator Noland, for what purpose do you seek recognition?

SENATOR NOLAND:

Thank you, Mr. President. On the previous roll call, I ask to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect.

SENATOR NOLAND:

Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator Righter, on -- on House Bill 5907. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5907.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter, to the bill.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 5907 simply increases the threshold amount with regards to how much damage must do -- be done to a vehicle before you have to send a copy of the police report to the Illinois Department of Transportations {sic}. Raises that from five hundred dollars to fifteen hundred dollars. It's my understanding, Mr. President, that hasn't been raised in a couple decades. However, it leaves the amount at five hundred for drivers who have no insurance. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5907 pass. All those in favor, vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5907, having received the required constitutional majority, is declared passed. Senator Righter, on House Bill 5909. Mr. Secretary, please read the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

ACTING SECRETARY KAISER:

House Bill 5909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Rickey loves you, too, Senator Righter. Senator Righter, to the bill.

SENATOR RIGHTER:

I'm a little choked up, Mr. President. Let me regain my composure. Thank you. Mr. President, Ladies and Gentlemen of the Chamber, House Bill 5909 simply adds a firefighter to the list of officials who can be obstructed in their duties and be guilty of obstructing a peace officer. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. Is this the second or third bill for Mr. Righter today?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

I want to say it's probably his third bill.

SENATOR J. JONES:

So, he's keeping right up with Mr. Bivins, huh?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

It's a kindler, gentler President and a very bipartisan Rickey Hendon. Seeing no further discussion, the question is, shall House Bill 5909 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 5909, having received the required constitutional majority, is declared passed. Turning the page. Top of page 18. Senator Althoff, on House Bill 5930. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5930.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff, to the bill.

SENATOR ALTHOFF:

Thank you, Mr. President. And I'd just like to note that this is my fourth bill today. House Bill -- House Bill 5930 amends the Government Buildings Energy Cost Reduction Act. It requires the use -- this bill requires the use of energy lights or LED lights in the State-owned or -leased buildings of one thousand square feet or larger. Currently, LED lights have not yet received the Energy Star label and cannot be used, and they are arguably more efficient. This just allows us to use the -- those lights. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

She indicates she will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Is a lead light the same as an LED light?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff.

SENATOR ALTHOFF:

Yes, sir.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

I -- I thought we were trying to get lead out of our buildings and here you are putting one in.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff.

SENATOR ALTHOFF:

As always, I always appreciate my colleagues' additional information to clarify the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall House Bill 5930 pass. All those in favor, vote Aye. Opposed will vote 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5930, having received the required constitutional majority, is declared passed. Senator Cullerton, on House Bill 5983. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 5983.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to the bill.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an initiative of Misericordia Home in Chicago. The bill would, in a very limited manner, exempt Misericordia from the certificate of need requirement when constructing or renovating buildings on its campus. As people know here, this process is designed primarily for expensive hospital projects in order to prevent duplication and also to give some protection to communities by preventing large projects in their neighborhood. Misericordia is different. This facility has a long waiting list for folks that need to get in there. The cost of the CON process is very extensive and this is a self-funded residential project, so that the -- the savings would go right into the homes. And also, this is completely contained campus on the north side of Chicago. So, there's no disruption to the neighbors. So, for that reason, I would ask for an Aye vote. Be happy to answer any votes {sic}.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Hultgren.

SENATOR HULTGREN:

Thank you, Mr. President. Quickly to the bill: I do think this is an excellent bill and really recognizes the great work that Misericordia is doing. I'd encourage and ask for everybody's support on this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any -- any further discussion? Seeing none, the question is, shall House Bill 5983 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

the record. On the question, there are 54 voting Yea, none voting Nay, none voting Present. House Bill 5983, having received the required constitutional majority, is declared passed. We will now, with leave of the Body, go to the Order of Senate Bills 3rd Reading, with the understanding that we will only call two of those bills; letting everyone know, who have Senate Bills on 3rd Readings, that we will return to that order on Thursday. Senate Bill... With leave of the Body, we will go to Senate Bill 886. Senator Harmon. Mr. Secretary, please read the bill. Senator Harmon seeks leave of the Body to return Senate Bill 886 to the Order of 2nd Reading for the purpose of - - of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 886. Madam Secretary, are there -- I mean, Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment changes effective dates. I'd be -- I'd like to -- I move to adopt it and debate the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon moves the adoption of Senate Amendment -- Floor Amendment No. 2 to Senate Bill 886. 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?

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now -- now on the Order of 3rd Reading, Senate Bill 886. Senator Harmon, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 886.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In 2003, the General Assembly enacted the Elevator Safety and Regulation Act. Pursuant to that Act, the State Fire Marshal promulgated rules which become effective in 2009 and 2011. In essence, those rules will require condominium owners and apartment building owners across the State to make significant investments in -- in updates or replacements of their elevators. Unfortunately, the rulemaking process was not smooth. Notice was not given adequately to condominium owners, and as a result, many condominium owners would face assessments on their own condominium of four thousand, six thousand, eight thousand, ten thousand dollars. This bill simply pushes off the effective date of all those rules to 2013 to give us the ability to go back and figure out a way to put this in place in a rational way so that owners can budget and we can do so without compromising safety. I'm -- I'm -- I think we've dealt with the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

opposition and I ask for your Aye votes to send it over to the House.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR MURPHY:

I want to commend the sponsor for his work on this bill. Anybody who's got seniors in residential facilities or condominiums in their district, this is a great bill, because these -- these -- these people are running into serious, serious concerns about assessments, special assessments, to replace elevators that don't need to be replaced right now. So I'd encourage everybody on this side of the aisle to give this an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett.

SENATOR GARRETT:

Yes. Thank you, Mr. President. To the bill: And I also want to echo Senator Murphy's compliments to the sponsor. This is an extremely important bill if you live outside the City of Chicago. One of the things that we learned about this bill is that Chicago is exempt. But all the suburbs, central Illinois and downstate Illinois really are paying a hefty price to quote, unquote -- quote, unquote, "improve their elevators". So, kudos to the sponsor. He's worked really hard to make this happen.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Senator John Jones.

SENATOR J. JONES:

Thank you -- thank you, Mr. President. To the bill: Senator Harmon, I -- I want to commend you on all the hours and days that you've worked on this. And I know this is the best solution right now to try to just move the date and give us more time to work on it, because there's no way we're going to resolve this in one Session. So, I want to commend you on it and we'll be happy to work with you on it. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Kindler, gentler Senate. Senator Harmon, to close.

SENATOR HARMON:

Thank you, Mr. President, Members of the Senate. I'm -- I'm very pleased to be carrying this bill. But I do want to emphasize that many of us heard from constituents and were working on this independently. I know that Senator Garrett and Senator Sullivan both had constituents contact them. Senator Murphy and others on the Republican side who'd heard from their constituents. I'm happy to carry this on behalf of the Senate, but I appreciate all the support I've gotten from all quarters.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 886 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. Senate Bill 886, having received the required constitutional majority, is declared passed. Going to page 4. In the middle of page 4 is Senate Bill 1908. Senator Maloney. Senator Maloney seeks to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

return House Bill 1908 -- seeks leave of the Body to return Senate Bill 1908 to the Order of 2nd Reading for the purpose of a -- an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1908. Madam -- Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to explain the amendment.

SENATOR MALONEY:

Yes, Mr. President. The amendment simply clarifies some language to -- regular to -- the -- to apply to the regular school year and applies some technical changes to the formula that will make -- take into consideration increase in tuition rates.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator -- Senator Maloney moves the adoption of Amendment No. 2 to Senate Bill 1908. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 1908. Senator -- Senator Maloney, do you wish to proceed? Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 1908.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to the bill.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1908 is -- will increase the Monetary Award Program maximum by fifteen hundred dollars over the next three years. MAP is the largest and most important financial aid program we have in this State. Has not been increased since 2001. Again, the language in the bill makes sure that it applies only to the regular school year, and it is subject to appropriation. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Sullivan.

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor indicates he will yield.

SENATOR SULLIVAN:

Thank you. For the purpose of legislative intent, is it the sponsor's understanding that newly appropriated funds for MAP may -- may be divided among various priorities, including increasing the size of awards and making updates to the tuition and fees used in the ISAC formula?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

That is correct, Senator.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Leader Watson.

SENATOR WATSON:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR WATSON:

I'm just curious, over the last three years, at the -- you mentioned subject to appropriation - what has the appropriation level been, if you happen to know that? And secondly, is community colleges still involved in the MAP program? We passed that several years ago. And do -- are they still involved?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

I don't have an answer for you in terms of a dollar appropriation. We can work on that. But, yes, community colleges are still involved in the MAP program.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Watson. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. To the bill, Mr. President. I stand in -- in support of this bill. But I think that it's important that we note, the bill, as the -- as the sponsor has already said, is subject to appropriation. So should this bill be fortunate enough to pass the House, I -- I think it's incumbent upon us not to get too excited -- get our constituents too excited about the funding of this bill in the immediate, near future. But I do stand in support of it and thank the sponsor for trying to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

move this ball forward.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Maloney, to close.

SENATOR MALONEY:

Thank you. And thank you, Senator, for that comment. Yeah, what we are hoping to do in this is, of course, raise the awareness of the need for more dollars to go into the Monetary Award Program. We are having many, many deserving people that are having a difficult time even attending higher education as a result of this lack of funding. So, hopefully we can move this forward. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 1908 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 voting Yea, none voting Nay, none voting Present. Senate Bill 1908, having received the required constitutional majority, is declared passed. Mr. -- Mr. -- Mr. Secretary, Communications.

ACTING SECRETARY KAISER:

I have a letter dated May 20, 2008.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2008 as the 3rd Reading deadline for Senate Bill 2288.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Rules Committee will meet immediately in the President's Anteroom.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Agriculture and Conservation Committee - Committee Amendment No. 1 to House Bill 4605; refer to the Appropriations I Committee - House Bills 4215, 5151, 5215, 5350 and 5701; refer to the Appropriations II Committee - House Bill 6339; refer to the Commerce and Economic Development Committee - Committee Amendment No. 1 to House Bill 4470, Committee Amendment No. 1 to House Bill 4553; refer to the Education Committee - Committee Amendment No. 1 to House Bill 2210, Committee Amendment No. 1 to House Bill 4537 and Committee Amendment No. 1 to House Bill 5338; refer to the Environment and Energy Committee - Committee Amendment No. 1 to House Bill 4622 and Committee Amendment No. 1 to House Bill 5773; refer to the Human Services Committee - Committee Amendment No. 1 to House Bill 4573 and Committee Amendment No. 1 to House Bill 5192; refer to the Insurance Committee - Committee Amendment No. 1 to House Bill 4379 and Committee Amendment No. 1 to House Bill 5595; refer to Judiciary-Criminal Law Committee - Committee Amendment No. 2 to House Bill 5191 and Committee Amendment No. 1 to House Bill 4578; refer to the Public Health Committee - Committee Amendment 1 to House Bill 5251; refer to the State Government and Veterans Affairs Committee - Committee Amendment No. 1 to Senate

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Resolution 589, House Joint Resolution 92, House Joint Resolution 107, Senate Resolution 590 and Senate Resolution 628; refer to the Transportation Committee - Committee Amendment No. 2 and Committee Amendment No. 3 to House Bill 4694 and Committee Amendment No. 1 to House Bill 5159; Be Approved for Consideration - Senate Bill 788, Senate Bill 880, Senate Bill 881 and Senate Bill 944.

Signed by Rickey Hendon, Chairman.

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Agriculture and Conservation Committee - Floor Amendment No. 3 to Senate Bill 970; refer to the Education Committee - Floor Amendment No. 1 to House Bill 1054, Floor Amendment No. 2 -- I'm sorry, excuse me, Floor Amendment Nos. 1, 2 and 3 and 4 and 5 and 6 to Senate Bill 2288; refer to the Environment and Energy Committee - Floor Amendment No. 2 to Senate Bill 880 and Floor Amendment No. 1 to Senate Bill 944; refer to the Executive Committee - Floor Amendment No. 2 to House Bill 5494; refer to the Higher Education Committee - Floor Amendment No. 1 to Senate Bill 2736; refer to the Housing and Community Affairs Committee - Floor Amendment No. 1 to House Bill 4683; refer to Insurance Committee - Floor Amendment No. 2 to House Bill 4602 and Floor Amendment No. 3 to Senate Bill 871; refer to the Judiciary-Civil Law Committee - Floor Amendment No. 1 to House Bill 4196 and Floor Amendment No. 5 to Senate Bill 1029; refer to the Judiciary-Criminal Law Committee - Floor Amendment No. 2 to House Bill 230, Floor Amendment No. 1 to House Bill 4207, Floor Amendment No. 1 to House Bill 4402, Floor Amendment No. 1 to House Bill 5101, Floor Amendment No. 2 to Senate Bill 2305 and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

5/20/2008

Floor Amendment No. 1 to Senate Bill 2719; refer to the Licensed Activities Committee - Floor Amendment No. 1 to Senate Bill 881; refer to the Local Government Committee - Floor Amendment No. 1 to House Bill 4675, Floor Amendment No. 2 to House Bill 5195 and Floor Amendment No. 3 to Senate Bill 2654; refer to the Revenue Committee - Floor Amendment No. 1 to House Bill 4175 and Floor Amendment No. 2 to Senate Bill 804; refer to the Transportation Committee - Floor Amendment No. 2 to House Bill 4754, Floor Amendment No. 1 to House Bill 5076 and Floor {sic} (Committee) Amendment No. 2 to House Bill 5288.

Signed by Senator Rickey Hendon, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Holmes, for what purpose do you seek recognition?

SENATOR HOLMES:

Thank you so much, Mr. Chairman. On 1908, I would like to be recorded as a Yes vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator Holmes. The Chair would like to remind everyone of the -- the committee times posted in the Calendar and be mindful of those. All -- also be mindful that these Floor amendments will appear in these committees, Floor amendments that just came out of Rules. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 o'clock noon on Wednesday, May 21st, 2008. The Senate stands adjourned.