

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
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107th Legislative Day

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Father Dean Probst of St. Mary and Joseph Church, in Carlinville, Illinois. Father.

FATHER DEAN PROBST:

(Prayer by Father Dean Probst)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Senator Maloney. Madam Secretary, Reading and Approval of the Journal, please.

SECRETARY HAWKER:

Senate Journal of May 6, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Maloney moves to approve the Journal just read by the Secretary. There being no objection, so ordered. The State Journal-Register seeks leave to photograph or record the proceedings. Is there any objection? Leave is granted. Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 526, offered by Senator Harmon and all Members.

Senate Resolution 527, offered by Senator Geo-Karis and all Members.

Senate Resolution 528, offered by Senator Dillard and all Members.

Senate Resolutions 529 and 530, offered by Senator Viverito and all Members.

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And Senate Resolution 531, offered by Senator Haine and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. To all Members within the sound of my voice, to all Members, please come to the Floor. We'll be doing Senate business immediately. To all Members within the sound of my voice, please come up to the Floor immediately. Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the Secretary of State, dated May 11, 2004.

Dear Ms. Hawker - This Office is forwarding herewith copies of the Notice of Vacancy from the Democratic Legislative Committee of the 49th Legislative District declaring the existence of a vacancy in the Office of Senator in the 93rd General Assembly in the 49th Legislative District, as a result of the death of Senator Vince Demuzio. Also enclosed is a copy of the Democratic Legislative Committee's Certificate of Appointment for Deanna Demuzio, 4 Valley Drive, Carlinville, Illinois, 62626, who was appointed to fill the vacancy in the Office of Senator in the 93rd General Assembly for the 49th Legislative District, along with the Oath of Office.

Yours truly, Jesse White, Secretary of State.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. An announcement for the Members of the Rules Committee: Members of the Rules Committee, Rules will be meeting very shortly in the President's Anteroom. Would ask all Members to come to the Floor, and the Rules Committee will be meeting very shortly. President Jones, for what purpose do you rise, sir?

SENATOR E. JONES:

Thank you, Mr. President. I'd like the -- the Body to give a warm welcome to -- to my new seatmate and new Senator from the 49th District, Senator Deanna Demuzio.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Emil said I needed to say a few words. I want to thank everyone for their wonderful support here in the Senate. Vince,

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as you all know, this was the institution that he loved. He looked forward to the challenges of each day and he enjoyed working with each and every one of you on both sides of the aisle. And I have -- as I've indicated, I will never be able to fill his shoes, but I will do the best that I possibly can to represent his district, the State of Illinois and the constituency that he loved. So, I appreciate everything that this Body has done for him. And I ask for your support as we continue this -- this Session. And thank you, again.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, and welcome. Okay. Ladies and Gentlemen, we announced the Rules Committee will be meeting immediately. The Rules -- all Members of the Rules Committee please report to the President's Anteroom immediately. Members of the Rules Committee, Members of the Rules Committee, please report to the President's Anteroom immediately. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just for purposes of a -- an announcement. Senator Soden will be absent today due to personal business in his district. Like the record to so reflect.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The record will so reflect that, sir. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Local Government Committee - House Bill 6221 {sic} (6229); Be Approved for Consideration - House Bills 578, 587, 622, -- pardon me, 686, 690, 714, 729, 731, -- pardon me, 753, 755, 756, 758, 770, 826, 827, 828, 829, 830, 831, 832, 833, 835, 837, 839, 869, 870, 874, 916, 966, 976, 1004, 1007, 1018, 1020, 1041, 1075, 1080, 1111, 1191, 1336, 3715 and 3716.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, for what purpose do you rise, sir?

SENATOR WELCH:

Thank you, Mr. President. Just for purposes of a announcement. Senator...

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PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR WELCH:

Senator George Shadid will not be here this week. He has to be with his son in Texas on today, tomorrow and the next day. So, he will not be available to -- here.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect that Senator Shadid will be out for the entire week, legislative week. Thank you very much. Okay. Ladies and Gentlemen, we're going to do House Bills 2nd Reading. House Bills 2nd Reading. If we could turn to page 20 of the Calendar. House Bills 2nd Readings. We'll start with House Bill 378. Senator Jacobs. Senator Denny Jacobs. Senator Jacobs indicates he'd like to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 378.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Excuse me, Mr. President. There was one Floor amendment previously adopted. And there are no further amendments {sic}.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Jacobs, to explain the amendment.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a technical amendment to House Bill 378. Excuse me. It cleans up the Chicago Firefighter benefit increase package that was contained in House Bill 600, and it was agreed upon by the City and the union. It was mistakenly omitted from the original version.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Okay. Senator Jacobs moves the adoption of Amendment No. 2 to House Bill 378. All those in favor will say Aye. All those opposed

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will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. Continuing to House Bills 2nd Reading. Senator Jones. Senator Emil Jones, on House Bill 1660, sir. Do you wish to proceed? Out of the record. Senator Silverstein, on House Bill 2028, sir. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 2028.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Obama, on House Bill 2268. Out of the record. House Bill 2981. Senator John Cullerton. Senator Cullerton? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2981.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 3979. Senator Lightford. Senator Lightford, on 3979. Out of the record. House Bills 2nd Reading. House Bill 4005. Senator Emil Jones. Senator Emil Jones. Out of the record. Senator Munoz, on House Bill 4057. Senator Munoz. Out of the record. Senator Jacobs, on House Bill 4099. Indicates he wishes to proceed. Madam Secretary, please read the bill.

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SECRETARY HAWKER:

House Bill 4099.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Any -- has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Ladies and Gentlemen, continuing on House Bills 2nd Reading, we'll go to the top of page 21. We we'll continue with House Bill 4135. Senator Collins indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4135.

(Secretary reads title of bill)

2nd Reading of the bill. No committee -- pardon me, no committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, to explain your amendment, please.

SENATOR COLLINS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, originally the bill - House Bill 4135 - creates the offense of child photography by a sex offender, making it illegal for a child sex offender to conduct or operate any business that photographs, videotapes or takes a digital image of a child or sells images of children. What the amendment does, it was offered to address concerns raised by members of the Judiciary Committee that felt that the offense was overly broad and would criminalize behavior beyond its intended focus. So, therefore, Amendment No. 2 says that a sex offender could work at a Wal-Mart, for instance, a business that sells posters

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and children's books, some of which contain everyday images of children, and -- under HB -- House Bill 4135 simply by working there, whether or not there is direct contact with such products and -- and commit a Class 2 felony.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Collins moves the adoption of Amendment No. 2 to House Bill 4135. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any other Floor amendments approved for consideration.

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Schoenberg, on House Bill 4154, sir. Out of the record. Senator Harmon, for what purpose do you rise, sir?

SENATOR HARMON:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HARMON:

I have an honored guest on the Floor with me today. Julia Bernstein is my Page for a Day. She is here with her family. In the President's Gallery, her father, Harlan, and mother, Roberta, and her brother, Daniel. I'd ask the Senate to join me in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Julia, would you please rise and be recognized by the Illinois State Senate, and have your -- our guests in the gallery, please rise. Welcome to Springfield. Thank you, Senator. Senator del Valle, on House Bill 4176, indicates he'd like to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4176.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

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3rd Reading. Senator Emil Jones, on House Bill 4197, sir? Out of the record. Senator Silverstein, on House Bill 4200. Senator Silverstein, on House Bill 4200. Out of the record. 4241, with leave of the Body, we'll come back to. Senator Righter, on House Bill 4247. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 4247.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Righter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, to explain the amendment, sir. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. -- thank you, Mr. President, Ladies and Gentlemen of the Chamber. Floor Amendment 1 to House Bill 4247 strikes two words from the legislation. It reflects a correction of a drafting error. I'd be happy to explain it further if there are any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Righter moves the adoption of Amendment No. 1 to House Bill 4247. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. 4283. Senator -- out of the record. House Bill 4302. Senator Meeks. Senator James Meeks, on 4302. Out of the record. Senator Harmon, on 4432, sir. House Bill -- out of the record. Senator Clayborne. Senator James Clayborne, on 4450, sir. House Bill 4450. Do you wish to proceed? Indicates no. Senator Clayborne, on 4457, sir. Do you wish to proceed?

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Indicates no. Madam Secretary -- Ladies and Gentlemen, continuing on House Bills 2nd Reading on the top of page 22. On the -- Senator Walsh, on House Bill -- indicates out of the record. Senator Soden. Out of the -- out of the record. 4505. Senator Jacqui Collins. Out of the record. 4566. Senator Collins. Out of the record. Senator Schoenberg, on House Bill 4612, sir. Senator Jeff Schoenberg, on 4612, sir. Out of the record. Senator Lightford, on 4886 -- House Bill 4686. Senator Lightford. Out of the record. Senator Larry Walsh, on House Bill 4744, sir. Out of the record. Senator Jacqui Collins, on -- out of the record. Senator Link. Senator Terry Link, on House Bill 4870. Madam Secretary, he indicates he wishes to proceed with the bill. Please read the bill.

SECRETARY HAWKER:

House Bill 4870.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Schoenberg, on 4894. Senator Schoenberg. 4894. Leave of the Body, 4960 we'll come back to. Ladies and Gentlemen, continuing on House Bills 2nd Reading, on top of page 23. Top of page 23. Senator Roskam, on House Bill 4970, sir. Out of the record. Senator Munoz, on -- House Bill 5011. Out of the record. Senator Walsh. Senator Larry Walsh, on House Bill 5025, sir. Out of the record. Senator Munoz. Out of the record. Senator Carol Ronen, on House Bill 5131. Senator Carol Ronen. Out of the record, Madam Secretary. Senator Welch, on House Bill 5157. Out of the record. Senator Winkel, on House Bill 5734, sir. Do you wish to proceed? Out of the record. Senator Harmon, on -- out of the record. Leave of the Body, we'll come back to 5891. Senator Winkel, on 6574, sir. Do you wish to proceed? Okay. Senator Winkel. Madam Secretary, he indicates he'd like to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 6574.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel, to explain the amendment, sir.

SENATOR WINKEL:

Thank you, Mr. President. The amendment -- the Floor amendment that's pending on House Bill 6574 makes a basic change. It -- it takes it out of the Freedom of Information Act, but still lends protections to employees and students to their email addresses so that the university, upon request of mass mailers, have some way of denying that request and protecting the privacy of the email addresses for students and for employees at the university.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Winkel moves the adoption of Amendment No. 1 to House Bill 5734 -- excuse me, to 6574. Amendment No. 1. All those in favor will vote -- all those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, has there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. House Bill 6583. Senator Sieben, do you wish to proceed, sir? He indicates he does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 6583.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Winkel, on House Bill 6683, sir. Do you wish to proceed? Indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

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House Bill 6683.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel, on the amendment, sir.

SENATOR WINKEL:

Thank you, Mr. President. The amendment, Floor Amendment No. 1 to House Bill 6683, in response to concerns expressed at committee hearings, we have narrowed -- tailored the bill so that it's more narrowly drawn. It moves it from seven days in application to three, and there's a three-year sunset provision.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. Senator Winkel moves the adoption of Amendment No. 1 to House Bill 6683. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Roskam, on House Bill 6760, sir. Out of the record. Ladies and Gentlemen, continuing on House Bills 2nd Reading, we'll go to the top of page 24. Senator Welch, Pat Welch, on House Bill 6806, sir? Out of the record. Senator Jacobs, on House Bill 7015. Indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 7015.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Continuing on House Bills 2nd Reading. House Bill 7029. Senator Donne Trotter. Senator Donne Trotter, on

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House Bill 7029. He indicates out of the record. Senator Trotter, on House Bill 7030. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 7030.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. Ladies and Gentlemen, with leave of the Body, we will ask to go back to page 20. House Bills 2nd Reading. A bill we skipped over will be House Bill 2268. Senator Obama, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2268.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance and Pensions adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration, Madam Secretary?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Committee Report correction. Dated May 11, 2004. The following correction is made on the Report from the Senate Rules Committee: House Bill 6221 was referred to the Senate Committee on Local Government. In fact, House Bill 6229 should have been referred to that Committee in its stead.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, could I have your attention, please? Will the Members please be in their seats? I'd like to ask all conversations taken off the Floor, staff to retire to the rear of the Chamber. We have a guest speaker I'd like to introduce. If I could have your attention, please, all staff retire to the rear of the Chamber, please, and Members please be at their

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desks. Ladies and Gentlemen. Ladies and Gentlemen, may I have your attention, please? Today we'd like to welcome Mr. Jonathan Majiyagbe from Nigeria. He is the Rotary International's first African President and will take office on July 1st of this year. The Rotary International is a ninety-eight-year-old service organization with more than 1.2 million members and thirty thousand community-based service clubs in over a hundred and sixty-five countries. Mr. Majiyagbe, who is a lawyer, who -- has chosen the theme "Lend a Hand" for his presidency. He is dedicated to global effort to erase the polio and has served as the Chair of African Regional PolioPlus -- Committee and the International PolioPlus Committee. Rotary has committed more than a billion dollars to this effort. Ladies and Gentlemen, please welcome -- joining Mr. Jonathan Majiyagbe.

MR. JONATHAN MAJIYAGBE:

(Remarks by Mr. Jonathan Majiyagbe)

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson, for what purpose do you rise, ma'am?

SENATOR HALVORSON:

Thank you, Mr. President. I'd like to announce a Democratic Caucus in Senator Jones' Office immediately during recess.

PRESIDING OFFICER: (SENATOR DeLEO)

And can you tell me approximately how long that would be, Madam?

SENATOR HALVORSON:

About one hour.

PRESIDING OFFICER: (SENATOR DeLEO)

All right. Senate Democrats are asking for a caucus immediately in the President's Office. It's now the hour of 12:50. We will return here at 1:50 to the Chamber. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR BURZYNSKI:

The Senate Republicans would also caucus in the Senator Watson's Office.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The gentleman requests a Republican Caucus immediately in -- in Leader Watson's Office. So, the Senate Republicans will go to Leader Watson's Office. The Senate Democrats will go to President Jones' Office. The Senate will stand at ease until the hour of 1:50. The Senate stands in recess to call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. The Senate will come to order. We'd ask all Members to please come to the Floor. We'll be starting 3rd Readings. We're going to House Bills 3rd Reading, final passage, on page 13 of the Calendar. Ask all Members, please be prepared. Ladies and Gentlemen, for purpose of announcement, the Senate President has indicated that if we -- we're going to -- we'll go through 3rd Readings today. Committees are at 4 o'clock. We'd like to do 3rds again tomorrow. If we do a lot of work today, it's a very strong possibility we will not be here Friday. So the intention of the President is to finish as many 3rds as we -- as possible today, work long Floor hours tomorrow and Thursday and possibly adjourn Thursday evening if we get the 3rd Readings done. That's the intention of President Jones. Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

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

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

Senate Bill 2710, together with House Amendment 1.

Passed the House, as amended, May 11, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages, please.

SECRETARY HAWKER:

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs. May 6th, 2004.

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Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 93rd General Assembly - I have nominated and appointed the following names persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

May 11, 2004. Dear Madam Secretary - Pursuant to Rule 3-1(d), I hereby resign from the Senate Executive Appointments Committee, effective immediately.

Sincerely, Senator Donne Trotter.

May 11th, 2004. Dear Madam Secretary - Pursuant to Rule 3-1(d), I hereby resign from the Senate Appropriations I Committee, effective immediately.

Sincerely, Lou Viverito.

May 11th, 2004. Dear Madam Secretary - Pursuant to the provisions of Senate Rules 3-1 and 3-2, I hereby appoint Senator Deanna Demuzio as a Member of the following Senate committees, effective immediately: Education, Appropriations I and Executive Appointments.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading, please.

SECRETARY HAWKER:

House Bill 6992, offered by Senator Trotter.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages, please.

SECRETARY HAWKER:

Message from the President, May 11, 2004.

Pursuant to the provisions of Senate Rules 3-1 and 3-2, I hereby appoint Senator Rickey Hendon as a Member of the Senate Executive Committee, effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, we're going to House Bills 3rd Reading. This is final passage. On page 13 of your Calendar,

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in the middle of -- top of page 13, House Bill 4720. Senator Risinger, do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Yeah. Thank you, Mr. President. House Bill 4720, what it does, it amends the Illinois Horse Racing Act of 1997 {sic}. This is similar to a bill that we passed out earlier that Senator Shadid sponsored. This bill, what it does is allows payments to be made to the Peoria Park District to be made to museums. The money that -- originally came through a -- a -- a fund -- a one-percent tax that was on off-track -- off-track betting parlors. The Peoria off-track betting parlor was closed for a short period of time whenever the law was changed in 1998. And what this does is restore the funding to the level of whenever that track was originally closed in 1994. I would be glad to answer any questions about the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Risinger, to close. Asks for a favorable roll call. The Gentleman asks for a favorable roll call. The question is, shall House Bill 4720 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 42 Ayes, 11 Nays, 1 voting Present. House Bill 4720, having received the required constitutional majority, is declared passed. Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR BOMKE:

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With me behind the Republican -- is Ron Talman from New Berlin High School, and his class. I'd like you to help me welcome them if you would, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the galleries please rise and be recognized? Welcome to Springfield. Senator Maloney, for what purpose do you rise, sir?

SENATOR MALONEY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR MALONEY:

Like to welcome to the Senate two constituents of mine who also happen to be invaluable State employees, Mr. Frank Bilecki and Mr. Jarrett Joyce.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests please rise and be recognized? Welcome to the Illinois State Senate, sir. Senator Halvorson, for what purpose do you rise, ma'am?

SENATOR HALVORSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR HALVORSON:

With me today I have my daughter, Stephanie, who's taking a break from University of Illinois from her finals. And I'm just thrilled to have her in the Chamber with me. So, I would like everybody to help me welcome her.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest please rise and be recognized? Which one is Stephanie? Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the last bill, I believe, was 4730? Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

That's correct, ma'am.

SENATOR GEO-KARIS:

And...

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4720.

SENATOR GEO-KARIS:

4720.

PRESIDING OFFICER: (SENATOR DeLEO)

4720.

SENATOR GEO-KARIS:

And I would have voted Yes, but I couldn't get around fast enough - and you were too darned fast - so I could vote for it. And I would have voted Yes. I think I ended up voting Present, 'cause I couldn't even see it from the back.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate your intention, Senator. Thank you. Okay. Ladies and Gentlemen, let's continue on House Bills 3rd Reading. Senator Obama, on House Bill 4730. Senator Obama, on 4730. Out of the record. House Bill 4751. Senator Kirk Dillard. Senator Kirk Dillard, on House Bill 4751. Out of the record. Senator Walsh. Senator Walsh, on 4769. Out of the record. Senator Halvorson, on 4771. Out of the record. Senator Martinez, on 4777. Mr. Clerk, she indicates she'd like to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4777.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill -- 4777 authorizes a victim impact statement to be offered by the grandparents of the victim and deletes language preventing victim impact statements to be offered where both parties have agreed to the imposition of a specific sentence. It specifies that a court has the discretion to limit the number of oral presentations of victim impact statement. House Bill 4777 also provides any written victim impact statement provided to the State's attorneys shall be considered by the court in its determination of whether to accept the sentence recommended by the plea bargain. And I will be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any -- any discussion? Any discussion? Seeing no discussion, Senator Martinez, to close, ma'am.

SENATOR MARTINEZ:

I ask for favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 4777 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4777, having received the required constitutional majority, is declared passed. Senator Risinger, on 4779. Do you wish to proceed, sir? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4779.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. House Bill 4779 amends the Illinois Municipal Code. And what it does, it allows or gives the authority for a municipality to establish a -- to establish a scattering garden in a municipal cemetery for the purposes of scattering cremated remains. As more and more people are -- are using this method, it's important to allow the municipal cemeteries to have the authority to do this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Risinger, to close, sir.

SENATOR RISINGER:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 4779 pass. Those in favor will vote Aye. Those opposed will vote Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. House Bill 4779, having received the required constitutional majority, is declared passed. Senator Munoz, on House Bill 4788. Do you wish to proceed, sir? Out of the record. Senator Harmon, for what purpose do you rise, sir?

SENATOR HARMON:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HARMON:

I'm pleased to have with us in the Chamber today students from St. Beatrice High -- or, Grade School in Schiller Park in my district. I'd ask everyone to join me in welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the gallery please rise and be recognized by the Illinois Senate? Welcome to Springfield. Okay. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on the bottom of page 13, is House Bill 4790. Senator Dillard. Senator Kirk Dillard. Out of the record. On the bottom of page 13, Senator Obama, on 4818. House Bill 4818. Out of the record. Turning the page. Top of page 16. House Bills 3rd Reading. Senator Harmon, on House Bill 5057, sir. Senator -- out of the record. Senator Martinez -- going back. We're going back. I'm sorry. We skipped a page here. Going back to House Bills 3rd Reading. The top of page 14. Top of page 14. House Bills 3rd Reading. House Bill 4831. Senator Hunter. Senator Mattie Hunter, do you wish to proceed, ma'am? Indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4831.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

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Thank you, Mr. President. House Bill 4831 provides a more complete description in the Children and Family Services Act of the area project model for community services program. It makes clearer the distinction in the Act between community service programs applying the area project model and various other projects -- programs described in the area types of community services. It clarifies this is an existing program and its attendant funding and does not add new or additional programs or new or -- new or additional State funding. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Very briefly, to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RIGHTER:

I rise in strong support of the bill. The bill passed out of the Senate's Health and Human Services Committee unanimously, and I would urge its support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 4831 pass. All those in favor will vote Aye. All the opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4831, having received the required constitutional majority, is declared passed. Senator Garrett. Senator Garrett, on House Bill 3rd Reading, 4833. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4833.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

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Thank you very much, Mr. President. House Bill 4833 amends the Illinois Vehicle Code. The proposed changes are a result of a federal rule adoption which places interstate passenger carrying vehicles with nine -- nine to fifteen passengers under the federal Motor Carrier Safety regulations. It is the intent of this legislation to add this group of vehicles to the definition of a commercial vehicle, thus including vehicles operated intrastate under the jurisdiction of the Illinois Motor Carrier Safety regulations. The proponents are the Illinois Association of Chiefs of Police, IDOT and the Illinois State Police. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any -- is there discussion? Any discussion? Seeing no discussion, Senator Garrett, to close. She indicates she'd like a favorable roll call. The question is, shall House Bill 4833 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4833, having received the required constitutional majority, is declared passed. Senator Forby. Senator Forby, on House Bill 4837. Do you wish to proceed, sir? Indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4837.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. House Bill 4837 extends authority for Department on Aging Community Based Residential Facility Program, which expires in 201 {sic}, changing the name from Community Based Resident {sic} Facilities to Comprehensive Care in Residential Settings, and that must be licensed under Assist Living -- Share Act {sic} which is administration by the Department of Public Aid. Amends Assisted Living and Shared

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Housing Act to allow the Department of Aging and Department of Public Aid to pursue Medicaid waivers. Require the Department to provide a record to the General Assembly by January 1st, 208 {sic}. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any discussion? Seeing no discussion, gentleman asks for a favorable roll call. The question is, shall House Bill 4837 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4837, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 4840. Ma'am, do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 4840 provides that any portion of the Fire Prevention Fund remaining unexpended at the end of any fiscal year shall remain in the Fund. Currently the unexpended portion of the Fund is remitted to the General Revenue Fund at the end of each fiscal year. The portion remaining in the Fund shall be used for exclusive and restricted uses as provided in the Fire Investigation Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any -- Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

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Thank you, Mr. President. This bill passed unanimously out of committee and I recommend we vote Aye on this side of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Martinez, to close. She asks for a favorable roll call. The question is, shall House Bill 4840 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 55 Ayes, 1 voting Nay, 0 voting Present. House Bill 4840, having received the required constitutional majority, is declared passed. Senator Jacobs. Out of the record. House Bill 4851. Senator Forby. Do you wish to proceed, sir? On 4851, sir. He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4851.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Yes, Mr. President. This bill, House Bill 4851, what it does is allows volunteer firefighters, if he's on -- if he's not on duty and he's at a firefighter {sic} and he ends up late at work for thirty minutes or an hour, that he will not get -- lose his job or will not get fired. Plus, he has to turn in a record if the manager wanted to see how long he was on the fire or whatever it is. So, what we're doing is trying to protect the firemen.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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Thank you. Senator Forby, is this a -- is this a problem in your district? Have people been fired from their jobs or disciplined because they were late 'cause they showed up -- because they were fighting a fire and the employer wouldn't believe 'em?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

It's not exactly a problem in my district, but I live in a fire protection district. And like -- in my small district, seventy-five percent of down there are volunteer firemen, and they're doing a good job. And this is just something showing that we appreciate what they're doing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Well, and -- I don't think that anyone in this Chamber would think otherwise of volunteer firefighters in your district or anywhere else in the State, Senator. What I'm wondering here is if we're not trying to solve a problem that really doesn't exist, and I notice that in the bill, you're creating a private cause of action for people who are fired if there is an indication that they were fired because they didn't show up for work because they're a volunteer firefighter. Can you walk us through a little bit, I mean, what the -- maybe the burdens of proof are, what the plaintiff or the person who gets fired would have to allege in order to be successful against an employer?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

It's like of a morning, say he's on call from 10 o'clock at night till 5 in the morning. So he gets called out to a fire at 3 o'clock in the morning and he's supposed to be to work at 7. So he shows up, say, 8:30 'cause he had -- the fire took longer and -- and the fight. So, my deal is, we need to have something there to protect our firefighters, and I think this is what it'll do. And I think most business people does not have a

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problem with this. But I just think we need to protect our firefighters.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Forby, what if I have an employer in my district who has an employee who is chronically late, and then at the very end of the patience that my employer has, the employee shows up late one more time because they were engaged in the -- in the firefighting service, or the employer had already made the decision to fire the employee and notifies them on the day when they showed up half an hour late because they were getting cleaned up after fighting a fire? I mean, is that employer going to turn around and get sued and have to pay out money to this person because they're using the cover of being a volunteer firefighter?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

What they have to do, they have to provide proof that they was on the firefighting and the fire district will have to write a letter saying the guy was on this fire and he left at 8:30. So if it takes him from there to 8:30, fifteen minutes to get to the job, they got to have proof, for the owners, where this guy's at.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Seeing no further discussion, Senator Forby, to close, sir.

SENATOR FORBY:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman asks for an Aye vote. The question is, shall House Bill 4851 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 50 Ayes, 6 voting Nay, 0 voting Present. House Bill 4851, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, with leave of the Body,

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we'll come back to 4862. Moving on, page 14 of the Calendar, continuing on House Bills 3rd Reading. Senator Jacobs, on 4887. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4887.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4887 extends the sunset for the basis for qualified property for an investment credit against personal property tax replacement income taxes to December 31st, 2008. This tax is distributed to local governments, and without the extension, there would be a loss to local governments of approximately four to ten million dollars a year. Know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question -- the question is, shall House Bill 4887 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4887, having received the required constitutional majority, is declared passed. Senator Clayborne. Senator James Clayborne, on House Bill 4914, sir. Do you wish to proceed? Senator Clayborne, do you wish to proceed? Yes. He indicates he wishes to proceed. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4914.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

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Thank you, Mr. President and Members of the Senate. This is -- House Bill 4914 deals with the Illinois income tax deduction for participants in the College Illinois! prepaid tuition program. Basically, this -- this bill brings it in line with the other State's -- college savings program. The Department estimates that the total cost of the bill will be seven hundred thousand dollars. The cost of deduction for college savings participants capped at ten thousand will be approximately a savings of 2.2 million. But placing an equal ten thousand cap upon the deduction for Bright Start investments will save approximately -- I mean, the 2.2 million will be the cost, but capping the deduction on Bright Start investments will be a savings of approximately 1.5 million dollars. This just brings the Illinois Student Assistance Commission's program in line with the Treasurer's program. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. Just rise in support of the bill. Just like to let folks on this end of the aisle know that it passed out of committee with a unanimous support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Seeing no further discussion, the gentleman asks for -- Senator Garrett, for what purpose do you rise, ma'am?

SENATOR GARRETT:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.

SENATOR GARRETT:

Senator, I just have a question. I guess I'm a little confused. Will this cost the State any additional money to implement this? ...(microphone cutoff)...additional cost to the State.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

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Yes, there's a loss of revenue of about seven hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett. Please press your light.

SENATOR GARRETT:

So, my question is, if we vote Yes on this bill, we are actually adding to the cost that the State will have to pay, seven hundred thousand dollars?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, and -- and what we're doing, we're bringing parity between the two programs. There's a savings out of the -- the Treasurer's program of about 1.5 million dollars, but the total cost is 2.2. So, yes, there is a cost of seven hundred thousand dollars to -- to create incentive for our -- our parents to save for our kids to go to college.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Any further discussion? Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Thank you, Mr. Speaker -- or, Mr. President. To the bill. Isn't it true, Senator, that really, in -- in terms of the seven-hundred-thousand-dollar argument, we should really set that aside because what you're doing is you're creating an incentive for families to set money aside, and then over the long run, ultimately, the State's going to be better off because we're going to have more kids who are better funded, privately, to pursue their educations. Isn't that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- that's correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further -- Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Senator Clayborne, is this an attempt to make sure that ISAC, the Illinois Student Assistance Commission, has the same kind of rules and parity that we have in -- in the Bright Start? Is that why they brought this bill, 'cause they think they're getting snuffed?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

You're correct, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, did -- did they explain to you when they -- you know, when they told you why this was a good bill, did they explain to you that there's also a tuition guarantee in the College Illinois! program which obligates the General Assembly to make up the difference between whatever they're able to raise in their investment funds and the cost of the University of Illinois tuition, which is a thing a number of us have been warning the General Assembly about? It's kind of our -- our mini pension liability question. As we continue to reduce direct appropriations to the University of Illinois and they respond by raising their tuition, ISAC's little investment fund has not been keeping up with their responsibilities to earn enough money so that we don't have to use general funds to guarantee. So, when ISAC comes and says they should be treated the same as Bright Start, I'm very enthusiastic to help them as soon as they'll give up their -- their -- their tuition guarantee, which they sold to us, I think, on -- on unrealistic grounds. So, I just caution Members that, you know, every time we see ISAC in here on this College Illinois!, it's another Randy Erford idea about how we can pay more of the costs. And, you know, I just think that they need to be a lot more accountable on the whole program. I -- I realize you bring the bill in good faith and I'm going to vote for it, but College Illinois! is going to be a liability question in the future

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because those investment returns are coming nowhere near the fifteen and twenty percent increases we're seeing in tuition.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Having no further discussion, Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

I -- I would just ask -- this is a good program for our kids and -- and -- to create greater incentives for parents to participate in this program, I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 4914 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 54 Ayes, 2 voting Nay, 0 voting Present. House Bill 4914, having received the required constitutional majority, is declared passed. 4944. Out of the record, Mr. Secretary. 4947. Leave of the Body, we'll come back to that. Ladies and Gentlemen, on the top of page 15, continuing House Bills 3rd Reading. Senator Munoz, do you wish to proceed on 4949? Senator Munoz seeks leave of the Body to return House Bill 4949 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Yes, it is. Having -- hearing no objection, leave is granted. Okay. On the Order of 2nd Reading is House Bill 4949. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Yes, Mr. President. Amendment No. 1, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz, on the amendment, sir.

SENATOR MUNOZ:

Thank you, Mr. President. Amendment 1 to House Bill 4949 reduces the statute of limitations, increases {sic} from ten years to six years for unlawful sale of firearms, unlawful purchase of a firearm, gun-running, or defacing identification marks of a firearm. Under current law, the statute of

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limitation for these crimes is three years. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Munoz moves the adoption of Amendment No. 1 to House Bill 4949. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. 3rd Reading. Continuing on page 15 of the Calendar, we have House Bills 3rd Reading. 4962. Senator Cullerton. Senator John Cullerton, on 4962. Out of the record. Senator Martinez, on 4966. She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4966.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 4966 broadens current driver license-related provisions to treat certain convictions in other states as if they have been -- been convictions under Illinois law. Specifically, it expands the current limitation on issuing driver's license after a conviction for reckless homicide to include a conviction for a similar offense in another state and it expands the current aggravated DUI provisions that apply after conviction for reckless homicide to include a conviction for a similar offense in another state. House Bill 4966 also deletes language regarding the extension of the term of ignition interlock usage where a person who has been ordered to use an ignition interlock operates a vehicle that is not equipped with an ignition interlock. And I ask -- I'll answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Is there any discussion? Any discussion? Seeing no discussion, Senator Martinez, to close. Senator Martinez, to close. She asks for a favorable roll call. The question is, shall House Bill 4966 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4966, having received the required constitutional majority, is declared passed. Senator Link. Senator Terry Link, on House Bill 4976. Out of the record. Senator Susan Garrett, on House Bill 4980. Senator Garrett. Susan Garrett, on 4980. Out of the record. Senator Clayborne, James Clayborne, on House Bill 4989, sir? Senator James Clayborne. Out of the record. Senator Peterson. Senator Peterson, on -- 4990. Indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 4990.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 4990 allows an individual to present new evidence at the Property Tax Appeals Board at the State level if that evidence was not presented at the local level at the board of review. So, what it would do is allow new evidence to be presented at the State level during a property tax appeal.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Peterson, to close, sir. Asks for a favorable roll call. The question is, shall House Bill 4990 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 4990, having received the required constitutional majority, is declared passed. Senator Halvorson.

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Senator Halvorson, on 4996. Do you wish to proceed? No. Out of the record. Senator Trotter, Donne Trotter, on House Bill -- 5014, sir. Do you wish to proceed? He indicates he wishes to proceed. Mr. Secretary, please read the bill. 5014.

ACTING SECRETARY HARRY:

House Bill 5014.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 5014 amends the Property Tax Code regarding publication of assessments. This is a combined effort of the Cook County Assessor's Office and the Illinois Press Association as a means to waste duplication and provide for a more meaningful way for Cook County taxpayers to access assessment information. Senator Lauzen asked about the bill in committee and asked, one, why would the -- President Stroger be for this, and I said it was for good government. Well, it's also not only for good government, but it also saves taxpayers in excess of one hundred thousand dollars a year, and also county government. Currently, the State statute requires Cook County to publish an assessment roll at the end of the assessment. While this is a -- a wonderful and worthy goal, it does not afford taxpayers the assessment information needed to filing assessment appeals. This addresses those concerned. It changes the statute first to mirror the timing of the Cook County publication ordinance and then to provide for other revisions to the initial assessment, which shall be published at the end of the assessment. This bill spares the necessity of publishing the entire assessment roll a second time.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President. I rise in support of the bill. It enjoyed unanimous support in the committee.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, sir. Senator Trotter, to close, sir.

SENATOR TROTTER:

Thank you very much, Senator Lauzen. I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall House Bill 5014 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 5014, having received the required constitutional majority, is declared passed. Continuing on page 15 of the Calendar, House Bills 3rd Reading, is House Bill 5017. Senator Walsh. Out of the record, sir. Senator Sieben, on House Bill 5023. Out of the record. Senator Cronin, on House Bill 5050, sir. Indicates he wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 5050.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. This bill simply changes a -- a definition to -- that defines museums, and museums have typically been considered these structures that are indoors. And I represent a wonderful museum that happens to be outdoors, and that is the wonderful, the unique, the magnificent Morton Arboretum. And Morton Arboretum would therefore be treated the same as museums in general. It received unanimous support. I know of no opposition. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, gentleman asks for a favorable roll call. The question is, shall House Bill 5050 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 54 Ayes, 0 voting Nay, 0 voting Present. House Bill 5050, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on the top of page 16 of the Calendar, is House Bill 5057. Senator Don Harmon. 5057. Do you wish to proceed, sir? Out of the record. Senator Martinez, on House Bill 5058. Senator Martinez, on House Bill 5058. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 5058.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 5058 amends the Illinois Act on Aging requiring the Director of Aging, in coordination with the Department of Public Aid and Director of Public Health, to analyze distribution of housing, health services and supportive services for seniors in each geographic area of the State and to identify and designate critical access service areas. Provides that at the end of each State fiscal year, any unspent and unencumbered General Revenue Fund appropriations for long-term care for seniors shall be deposited into the Alternative -- Alternative Long-Term Care Services for Senior {sic} Funds. Provides that monies in the Fund shall be used to fund specific alternative long-term care services with priority given to the distribution of funds for service in critical access service areas. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Martinez, to close. She indicates she'd ask for a favorable roll call. The question is, shall House Bill 5058 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

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Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 5058, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 5061, ma'am. Do you wish to proceed? She indicates she wishes to proceed. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 5061.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 5061 says -- the current law provides that when a fine is levied on conviction and a person -- did not post bail, the defendant can apply to receive a credit of five dollars against the fine for each day of that that they are incarcerated. House Bill 5061 prevents this credit from being applied in case of sexual assault. It also expands definition of sexual assault to include sexual exploitation of a child and ritualized abuse of a child.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Martinez, to close. Indicates she wishes a favorable roll call. The question is, shall House Bill 5061 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 0 voting Present. House Bill 5061, having received the constitutional majority, is declared passed. Ladies and Gentlemen, for the purpose of an announcement. Rules Committee will meet immediately. Rules Committee will meet immediately in the Anteroom. We'll stay at ease for just a moment while the Rules Committee meets. Rules Committee to the Anteroom. All Members of the Rules Committee, please.

(SENATE STANDS AT EASE/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Floor Amendment No. 1 to House Bill 753, Floor Amendment 1 to House Bill 755, Floor Amendment 1 to House Bill 756, Floor Amendment 1 to House Bill 758, Floor Amendment 1 to House Bill 770, Floor Amendment 2 to House Bill 4225 and Floor Amendment 1 to House Bill 5215; refer to Environment and Energy Committee - Floor Amendment 1 to House Bill 833, Floor Amendment 1 to House Bill 874, Floor Amendment 1 to House Bill 916, Floor Amendment 1 to House Bill 4856, Floor Amendment 3 to House Bill 5094; refer to Executive Committee - Floor Amendment 1 to House Bill 622, Floor Amendment 1 to House Bill 729, Floor Amendment 2 to House Bill 742, Floor Amendment 1 to House Bill 976, Floor Amendment 1 to House Bill 1336 {sic} and Floor Amendment 2 to House Bill -- pardon me, Floor Amendment 2 to Senate Bill 3150; refer to Health and Human Services Committee - Floor Amendment 2 to House Bill 679, Floor Amendment 2 to House Bill 686, Floor Amendments 1, 2 and 3 to House Bill 752, Floor Amendment 1 to House Bill 1086, Floor Amendment 1 to House Bill 1660, Floor Amendment 2 to House Bill 2268, Floor Amendment 1 to House Bill 4154, Floor Amendment 2 to House Bill 4475, Floor Amendment 1 to House Bill 4558, Floor Amendment 2 to House Bill 4612, Floor Amendment 1 to House Bill 4730, Floor Amendment 1 to House Bill 4818 and Floor Amendment 2 to House Bill 5057; refer to Insurance Committee -- Insurance and Pensions Committee - Floor Amendment 1 to House Bill 587 and Floor Amendment 1 to House Bill 1075; refer to Judiciary Committee - Floor Amendment 1 to House Bill 578, Floor Amendment 1 to House Bill 731, Floor Amendment 1 to House Bill 958, Floor Amendment 1 to House Bill 1018, Floor Amendment 1 to House Bill 1020, Floor Amendment 1 to House Bill 1041, Floor Amendment 2 to House Bill 1080, Floor Amendment 1 to House Bill 3977 and Floor Amendment 1 to House Bill 4566; refer to Labor and Commerce Committee - Floor Amendment 1 to House Bill 921 and Floor Amendments 5 and 6 to House Bill 4241 and Floor Amendment 1 to House Bill 4450; refer to Licensed Activities Committee - Floor

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Amendment 2 to House Bill 2981, Floor Amendment 3 to House Bill 4283, Floor Amendments 1 and 2 to House Bill -- 7029; refer to Local Government Committee - Floor Amendment 1 to House Bill 826, Floor Amendment 1 to House Bill 837, Floor Amendment 1 to House Bill 839, Floor Amendment 1 to House Bill 4108; refer to Revenue Committee - Floor Amendment 1 to House Bill 827, Floor Amendment 1 to House Bill 828, Floor Amendment 1 to House Bill 829, Floor Amendment 1 to House Bill 830, Floor Amendment 1 to House Bill 831, Floor Amendment 1 to House Bill 832, Floor Amendment 1 to House Bill 835, Floor Amendment 1 to House Bill 869, Floor Amendment 1 to House Bill 5157, Floor Amendment 2 to House Bill 6583 and Floor Amendments 1 and 2 to House Bill 6760; refer to State Government Committee - Floor Amendment 1 to House Bill 5023 and Floor Amendment 1 to House Bill 6983; refer to Transportation Committee - Floor Amendment 1 to House Bill 718, Floor Amendment 1 to House Bill 720, Floor Amendment 3 to House Bill 2587, Floor Amendment 1 to House Bill 4012, Floor Amendment 1 to House Bill 6567 and Floor Amendment 1 to House Bill 7015.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein, for what purpose do you rise, sir?

SENATOR SILVERSTEIN:

For purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet at 4 o'clock in Room -- 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That's Senate Executive Committee will meet today, Tuesday, at the hour of 4 o'clock in 212. Senator Link, for what purpose do you rise, sir?

SENATOR LINK:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your announcement, sir.

SENATOR LINK:

Senate Revenue Committee will meet at 4 p.m. today in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay. The gentleman -- the Chairman of Revenue has announced that the committee will meet today at 4 o'clock in Room 400. Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

Rise for an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President. The State Government Committee will meet at 4 p.m. today in Room A-1 of the Stratton Building. A-1, State Government, 4 p.m.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- thank you very much. Senator Obama, for what purpose do you rise, sir?

SENATOR OBAMA:

Purposes of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR OBAMA:

The Health and Human Services Committee will convene tomorrow, Wednesday, at 12:30 p.m. in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RONEN:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR RONEN:

The Labor and Commerce Committee will meet tomorrow, Wednesday, at 1:30 in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

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SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, the Local Government Committee will be meeting tomorrow morning at 9 a.m., that's Wednesday at 9 a.m., in the Stratton Building, Room A-1. Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GARRETT:

For purpose of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR GARRETT:

The Transportation Committee will meet tomorrow at 11 a.m. in the Stratton Building, A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Harmon.

SENATOR HARMON:

For purposes of an announcement, Mr. President. The Senate...

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR HARMON:

The Senate Judiciary Committee will meet tomorrow morning, Wednesday, at 11 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

Point of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR CLAYBORNE:

The Environment and Energy Committee will meet tomorrow at 12:30 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

For a purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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Please state your announcement.

SENATOR JACOBS:

Insurance and Pensions Committee will meet at 9 o'clock tomorrow morning in Room 400. Be sharp.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MUNOZ:

Purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR MUNOZ:

Licensed Activities will meet tomorrow at 1:30 p.m. in A-1 of the Stratton Building.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle. Senator del Valle, for what purpose do you rise, sir?

SENATOR DEL VALLE:

Thank you, Mr. President. The Senate Education Committee will meet tomorrow morning at 8 a.m. in Room 212. 8 a.m. Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

For a purpose of information.

PRESIDING OFFICER: (SENATOR DeLEO)

Purposes of information. Please state your informational point.

SENATOR GEO-KARIS:

With all the meetings that are going on today, are we done then, until when tomorrow?

PRESIDING OFFICER: (SENATOR DeLEO)

Could you please repeat that, ma'am?

SENATOR GEO-KARIS:

Well, with all the meetings that are taking place this afternoon, then obviously we're not -- we're not reconvening tonight, are we? Are we reconvening tomorrow? And if so, what time?

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PRESIDING OFFICER: (SENATOR DeLEO)

We're planning to have committees this afternoon at the hour of 4 o'clock, and then we will return to the Senate Floor tomorrow. I -- know that in a couple minutes, but it will be in the afternoon, early afternoon. Thank you. Okay. Ladies and Gentlemen, once again, we're going to be going back to House Bills 3rd Reading, on page 16 of the Calendar. Let me remind the Ladies and Gentlemen of -- Members of the General Assembly, the President, his intention, if we get through 3rds today and tomorrow, we will do cleanup on Thursday and possibly go home Thursday evening - if we get through all 3rds. If not, we will be here on Friday. So, please have your bills ready, please have your amendments ready. Please let's get through all 3rds. Let's all be -- try and be cooperative and we can leave here. Ladies and Gentlemen, on House Bills 3rd Reading, we have, in the middle of page 16, House Bill 5075. Senator Jacobs. Madam Secretary, he wishes to proceed. Would you please read the bill?

SECRETARY HAWKER:

House Bill 5075.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5075 applies to fixed annuity contracts offered by insurance company. It reduces the minimum interest rate, the nonforfeiture rate, that is used to determine the cash surrender value in individual fixed annuities. This new rate will apply -- only apply in cases where an owner of an annuity contract chooses to relinquish the contract for its cash surrender value. We're doing this because of the low-interest environment. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PETERSON:

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Thank you, Mr. President. To the bill. I just want to reiterate what Senator Jacobs said. This is a NAIC model law, and it doesn't become effective till July 1st, 2006. It passed out of the Insurance Committee unanimously and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Jacobs, to -- Senator Obama, for what purpose do you rise, sir?

SENATOR OBAMA:

Purpose of a question.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR OBAMA:

Just very quickly, Senator. I'm just not familiar with this bill, and it looks like the interest rates that would be provided to annuitants would be lowered here. And I'm just trying to figure out why the annuitant would actually benefit, potentially, from that kind of situation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you for that question. First of all, it's because they're pulling -- the companies are pulling these off the market because the interest rates are so low they can't afford to -- to offer these contracts anymore. So they're pulling it off the market. This gives them an opportunity, during the low-interest years, to -- to be competitive and then it will go back up, as Senator Peterson said, in -- at a later date.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Is there any further discussion? Any further -- Senator Obama. I'm sorry. Seeing no further discussion, Senator Jacobs, to close, sir.

SENATOR JACOBS:

Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates he -- he asks for a favorable roll call. The question is, shall House Bill 5075 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Madam Secretary, please take the record. On that question, there are 46 Ayes, 4 Nays, 2 voting Present. House Bill 5075, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the bell didn't go off, and we would have voted for the bill, for -- so, please have another vote on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, the -- the Secretary has indicated there was a -- evidently a malfunction on the bell, but the voting board was open. And your indications would be? Senator Geo-Karis.

SENATOR GEO-KARIS:

We always wait -- I always wait for the bell. Most of us do. And, unfortunately, the bell didn't go off, but that is the indication for us to vote. And I wish you would have another vote on it.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so indicate. Okay. Ladies and Gentlemen, moving, again, on House Bills 3rd Reading, we have Senator Haine, on House Bill 5094. Out of the record, sir. Senator Sieben. 5129. Out of the record, sir. Senator Silverstein, on House Bill 5137 {sic}. Madam Secretary, he indicates he wishes to proceed with the bill. Please read by the bill.

SECRETARY HAWKER:

House Bill 5130.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This amends the Clerks of the Courts Act. Basically, it eliminates the three-hundred minimum -- the three-hundred maximum credit card usage for posting a bail bond. Provides that no fees will be charged in the filing of orders of protection including, but not limited to, filing,

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modifying and certifying or -- photocopying. Answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Silverstein, to close, sir.

SENATOR SILVERSTEIN:

Like for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall House Bill 5130 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 {sic} (54) Ayes, 0 voting Nay, 1 voting Present. House Bill 5130, having received the required constitutional majority, is declared passed. WLS-TV in Chicago seeks leave to photograph or videotape or record the proceedings. Is there any objection? Leave is granted. Senator Obama, on House Bill 5164, sir. Do you wish to proceed? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 5164.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Acts -- includes provisions related to the Model Emergency Health Powers Act that we proposed a couple of years ago by -- and embodies the U.S. Centers for Disease Control and Prevention to guide states in updating and elaborating on existing laws to ensure that there could be an effective response to an incidence of bioterrorism. It is a bill that's been put together by the Department of Public Health to ensure that we can respond effectively. I know of no opposition and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. This bill was passed out of the...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Out of the Senate's Health and Human Services Committee unanimously and I would urge its support.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama, to close, sir.

SENATOR OBAMA:

...for -- ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 5164 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 Ayes, 0 voting Nay, 0 voting Present. House Bill 5164, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, on the bottom of page 16, is 5165. Senator Schoenberg. Senator Schoenberg, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 5165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 5165 creates the Social Security Number Protection Task Force which would examine the procedures that we have here in Illinois in order to protect our citizens from unauthorized disclosure of social security numbers when individuals are required to provide their number to any State

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agency or officer of an agency. This is -- was drafted in response to technological advancements that weren't in place at the time of Freedom of Information Act when it was first drafted. This is designed to protect individual privacy. It's supported by the Illinois Bankers Association. There's no known opposition and I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Any -- Senator Risinger, for what purpose do you rise, sir?

SENATOR RISINGER:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RISINGER:

Just want to alert the Members on this side of the aisle it passed unanimously out of State Government Operations Committee. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Schoenberg, to close. Indicates he wishes a favorable roll call. The question is, shall House Bill 5165 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 1 voting Present. House Bill 5165, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 5175. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 5175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 5175 requires the Secretary of State to adopt rules requiring that reasonable

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methods be taken to prevent the fraudulent production of insurance cards.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Martinez, to close. She indicates she wishes for a favorable roll call. The question is, shall House Bill 5175 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 5175, having received the constitutional majority, is declared passed. On House Bill 5197, leave of the Body, Senator Collins, as a hyphenated cosponsor, will present the bill. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 5197.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 5197 amends the Reverse Mortgage Act {sic}. It requires lenders to act in good faith during all reverse mortgage transactions and prohibits lenders from using fraudulent or deceptive acts or practices when marketing, selling or making reverse mortgage loans. This bill is an initiative of AARP. It is agreed-upon bill and there is no known opposition. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. The question is, shall House Bill 5197 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 5197, having received the required constitutional majority, is declared passed.

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Ladies and Gentlemen, continuing on House Bills 3rd Reading, we'll go to the top of page 17. Senator Martinez, do you wish to proceed on House Bill 5207? She indicates she does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 5207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 5207 establishes the first Sunday after Labor Day of each year as great grandfather - - Great Grandparent Day in order to celebrate great -- great grandparents throughout the State.

PRESIDING OFFICER: (SENATOR DeLEO)

Could you repeat that? Is there any discussion? Is there any discussion? Seeing no discussion, Senator Martinez, to close. She indicates she'd ask for a favorable roll call. The question is, shall House Bill 5207 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 5207, having received the required constitutional majority, is declared passed. On House Bills 3rd Reading, House Bill 5215. Senator Radogno, do you wish to proceed? Out of the record. Senator Maloney, on House Bill 5320. You wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 5320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. The practice in the State of Illinois in the past as it relates to foreign nationals was to

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issue non-work social security numbers in order to obtain a driver's license. Because of security concerns since 9/11, these non-work social security numbers are no longer used. This bill proposes that people who are here -- that is, foreign nationals who are here legally and not permitted to work be allowed to obtain temporary driver's license. The logistics of this process are to provide insurances that there will be minimal security risk. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Maloney. Is there any discussion? Any discussion? Seeing no discussion, Senator Maloney, to close, sir.

SENATOR MALONEY:

Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 5320 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 0 voting Nay, 1 voting Present. House Bill 5320, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 5340. Senator Halvorson, do you wish to proceed? Madam Secretary, she indicates she wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 5340.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 5340 requires the Illinois Commerce Commission to adopt rules regarding safe rail -- railroad worker walkways. It would include a requirement that any walkway have a reasonably uniform surface, be maintained in a safe condition and be reasonably free of obstacles, debris and other hazards. In October of 2003, there was a report of an unsafe walkway, and three months

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later, someone from Kankakee was killed in that spot. So I would hope that everybody would agree with me that this is something that is very needed.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any -- Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator, is it your intention with this legislation to create new walkways or is this simply to clean up and to bring into compliance existing walkways?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

It is my intention that this is to clean up what is there. Currently there -- in places where there are no walkways at all, we'd have to put some. But basically what it is, is it's cleaning up what's already there.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

It was clear to me what you said, but the -- that one previous sentence was ambiguous. Are you saying that this is strictly limited to cleaning up existing walkways, or are you saying that there would be new walkways that would be required as a result of this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

I would imagine if there aren't currently walkways there, it would leave the door open to put some there. Currently we need to clean up what is there.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

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So, clean up existing walkways and new walkways, just -- just so we're clear. How does this statute -- or, this proposed statute, Senator, interact with any federal rules? 'Cause the federal government obviously has a lot of jurisdiction here as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson. Senator Halvorson.

SENATOR HALVORSON:

I'm not really sure how it interacts with federal law, but basically what this does is just ask that the ICC put together some rules on the walkways within ninety days.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

It's my understanding that the federal law generally says that there's got to be a uniform standard throughout the United States, that that's the goal -- the underlying goal so there's a consistent system. Does this -- would this make Illinois consistent with that, Senator, or not?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

I hate to use the word "assume," but I would assume that that's what they're trying to do on this. I can get back to you on that, Senator Roskam.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, one other question. Would House Bill 5340, if enacted, would it, essentially, intervene in a pending case before the Commerce Commission, or is this something that is a totally -- a clean idea? I'm informed that -- there's actually a -- a pending case before the Commission, and I'm just kind of wondering how this -- if -- if -- if this is appropriate, I guess.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

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I don't think this would have anything to do with the pending case. This is saying that the ICC should adopt rules. So, it would be prospective.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further -- I think -- I think you led off with "This is my last question." Senator Roskam.

SENATOR ROSKAM:

We have time to rewind the tape if you want to take a couple minutes. I'm sure -- I'm sure I have an independent recollection of not saying that. Last question. Thank you, Mr. President. I am informed that there is actually a pending case before the Commerce Commission. So, are you saying on the record here, Senator, that this would have nothing to do with the pending case?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Not necessarily. I don't know for sure if it would have something to do with that. I'm a -- we'll find out. How about if I take this out of the record today so we can answer all those questions for Senator Roskam, and we can do this tomorrow.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates the bill be asked to be taken out of the record. Thank you. Okay. Moving right along on House Bills 3rd Reading, we have House Bill 5450 and with leave of the Body, we'll return to. Senator Collins, Senator Jacqui Collins, on House Bill 5562. Do you wish to proceed, ma'am? She indicates, Madam Secretary, she'd like to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 5562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 5562 amends the Charter School Law of the School Code permitting the Chicago Board of Education to designate attendance boundaries for up to one third of charter

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schools in Chicago. This bill is needed because some charter schools would prefer to accept students that are from the community near the schools since they were designed to serve low-income and at-risk students. Currently, however, there is no priority given to students based on geographic boundaries. Under the bill, attendance boundaries would be designated only if the Board determines that they are needed to relieve overcrowding or to better serve low-income or at-risk students. I would appreciate due passage of House Bill 5562. Open for questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

For a question of the sponsor...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

Senator Collins, forgive me. I -- I was not in committee at the time that this bill was debated, and I just wanted to raise a -- a few concerns, if I may. You're aware that the -- the -- kind of the history of the Charter School Law is that the virtue of the law is that it has few limitations, regulations and restrictions. And I don't necessarily disagree with what you're seeking to do here, but, you know, if you look at the history of what's happened with the Charter School Law in the last two years, we now have a law that was, you know, billed as a model in the nation because of its -- the -- the freedom and the discretion and the openness of it. Now they have to have a certain number of schools, have to comply with some of the union collective bargaining agreements. Now we have, you know, geographic boundaries that are -- need to be a consideration. I'm concerned that the Charter School Law is being limited gradually, and over a period of time, the virtue of the law will no longer be there. It will be just like any other school with a lot of the bureaucratic red tape and problems and challenges that many of the schools face. That's not your intention here with this bill, is it?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Collins.

SENATOR COLLINS:

I -- what I think this legislation does is it protects the intent of the original charter school legislation, because it does provide access to serve the low-income and at-risk children. That was the statutory language and the intent, initially, with the drafting of charter schools. This only -- and this is on the -- and this is not a permanent basis. If a school decides to participate in this, as far as the designation, it's not a permanent and they can always opt out of it. And it's at the discretion of the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Just for clarification and I don't know if you were a Member of the General Assembly when the bill came in. So unless your research about the intent of the law is different than my knowledge and, you know, recollection, the intent was not necessarily to create a -- a local school for -- not necessarily. The intent was to create an alternative, a school free from the bureaucracy, free from the red tape, to -- to -- to let creativity and teachers and parents and -- the community leaders to come together. I don't know how Chicago will choose which charters fall into the -- the third with the geographic boundaries. I don't know how they're going to do that, but this is certainly another -- imposition on them. And I -- I don't think it's a bad objective. I just want you to understand that this runs contrary to the intent of the Charter School Law.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Those questions did come up in committee, and since you weren't there, let me sort of revisit some of the questions that were raised. And I thought I had submitted some responses to the questions to all the Members of the Education Committee. Because the questions -- when the questions came up in the -- before the committee, I contacted the Chicago Public Schools to get information about the origin or the genesis of the charter

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school legislation, as well as how would they select one-third of the schools. The information that I received indicated that the charter schools were at the initiative -- or the genesis of the charter school legislation was an initiative of educators who specifically wished to serve at-risk children. Now, the other -- in reference to the other inquiry, it also indicated that the schools that volunteer -- they would be able to volunteer. Only schools that volunteer for the designation would receive the designation and CPS will not impose the designation on a school against its will. As the bill states, we would only grant the designation to relieve overcrowding or to enable a school to better serve low-income or at-risk children.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Obama, what purpose do you rise, sir?

SENATOR OBAMA:

Purposes of a brief question, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

A question. The sponsor indicates she'll yield for a question, sir.

SENATOR OBAMA:

I was just curious whether the -- the charter school -- the alliance of charter schools that currently exists, whether this is a proposal that's been talked -- talked through with them and whether they've got a position on the bill. Because the -- I -- I -- I appreciate the intent. I know that there are charter schools in my area that want to make sure that they're -- also have a neighborhood feel to 'em. On the other hand, I also want to make sure that we're not constricting the nature of charter schools when the whole point of them was to make them a little bit different from existing schools. So -- you know, I won't pursue this line of questioning, I just want to find out what the existing charter schools think about this legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Well, let me just say, I didn't hear from the charter school association or alliance. This bill did result from a

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concern of your alderperson, Alderman Toni Preckwinkle, because she was concerned that she saw a lot of students commuting to the charter school. I think the University of Chicago wants to start -- in conjunction, start a charter school in your area. And she felt that the kids in the community -- because there's -- that area is going through a vast transformation with the public housing, she was afraid that the children who were inhabitants of the public housing and will remain in the community would be at a disadvantage because of the level of commuters coming in and the other residents, because no boundaries were set. So this was out of her concern and that's the origin of the -- of the legislation. And no one has contacted me in being in opposition to it.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR COLLINS:

I would just ask for a favorable -- vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 5562 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 46 Ayes, 10 voting Nay, 0 voting Present. House Bill 5562, having received the required constitutional majority, is declared passed. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR HENDON:

At the risk of losing my life, I want to announce that today -- well, actually yesterday was Senator Kimberly A. Lightford's birthday. She is -- she is a sweet thirty-six years old. And she has a lovely cake there, and she would appreciate it. All are welcome to indulge in a slice or two. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator -- Senator Lightford, a very happy birthday to you. Okay. Ladies and Gentlemen, continuing on House Bills 3rd Reading, in the middle of page 17, we have House Bill 5732. Senator Link. Senator Link, do you wish to proceed? He says -- he indicates yes. Senator -- Senator Link seeks leave of the Body to return House Bill 5732 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Okay. On the Order of 2nd Reading is House Bill 5732. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to the amendment, sir.

SENATOR LINK:

Thank you, Mr. President. It's basically a technical amendment. All it does is replace the month of -- replaces the month of November with the month of December.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator. Senator Link moves the adoption of Amendment No. 1 to House Bill 5732. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Continuing on House Bills 3rd Reading, is House Bill 5823. Senator Haine. Senator Haine, do you wish to proceed on House Bill 5823? He indicates he does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 5823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

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Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This bill is -- this House bill is an initiative of the Illinois Attorney General, Lisa Madigan, which is being proposed to the General Assembly because of a -- an Appellate Court case, People versus AgPro, Inc., et al, of which a court narrowly interpreted Section 42(e) of the Environmental Protection Act to limit the ability of the AG or a State's attorney, in some cases, to go into court to craft a mandatory injunction to clean up a site or to change a site for the betterment of the -- the environment. This power was assumed to be implied in Section 42(e). Over the years, Attorney General Jim Ryan used this. He used it several times in Madison County when I was State's Attorney. Prior to that, Ty Fahner, Neil Hartigan used this. It's unfortunate that the Appellate Court narrowed this ruling. The Attorney General did appeal this to the Illinois Supreme Court. It's still at issue, but to clarify it over the summer and the fall, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any -- Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator Haine, what was the argument that the business groups used in -- in opposing the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Senator Roskam, I'm not -- they argued, as I recall, in the committee, that it expanded the power of the Attorney General, which is narrowly correct if you're taking the post Appellate Court decision, which narrows the power. So this bill, in this window between the Appellate Court decision and the present day, is narrowed. So this bill would bring it back to where it was assumed to be prior to that Appellate Court case.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

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SENATOR ROSKAM:

So, in other words, the Appellate Court -- presumably looked at the statute and trimmed the powers of the AG. The business groups like that, and now you're saying let's -- let's give the Attorney General -- let's reassert that power. Okay. Now, I understand. You're nodding yes. Why do we need to do that? What -- what is happening out there that is being unmet and that the Attorney General needs more authority?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Senator Roskam. I believe that the history of this great office, since Attorney General William Scott, has been to be proactive in environmental cleanup. I believe all these AGs, which I've cited all the way back to Attorney General Scott, have used the power of that office to -- not only to prevent environmental damage, but to clean up sites, to encourage or to mandate through court orders sites to be put back into a pristine state or a good state. So, this is -- consistent with the mandate of the Attorney General in the past, and it's consistent with this Attorney General's mandate. Also, there are many sites where the Attorney General would want a court order crafted that would remake the site after the damage has been done. With this court order, it's arguable that the court would say you do not have that power. You may restrain a future violation, but you may not craft a court order or ask me, the judge, to craft a court order that would change the site to ameliorate the damage done.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Haine, to close, sir.

SENATOR HAINE:

I would encourage an Aye vote. This is a consistent -- this is -- this bill returns, as I say, a power that's within the sound discretion of the Attorney General and the custom of that great office.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator Haine. The question is, shall House Bill 5823 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 5823, having received the constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, on page 17 on the Calendar, is House Bill 5889. Senator Carol Ronen, do you wish to proceed? Madam Secretary, she indicates she wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 5889.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill allows the -- the State to pay AABD benefits to persons who no longer are eligible for SSI because eligibility requirements are such. The Department of Human Services has no opposition to this. There's no extra cost to the State. This is an important bill and I would urge my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Very briefly, Ladies and Gentlemen, this bill did pass out of Health and Human Services Committee unanimously. It's my understanding it fits within the parameters of the Governor's budget, and I would urge a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Ronen, to close.

SENATOR RONEN:

Thank you. I would just thank the -- the Shriver Poverty Law Center on all the hard work they did and all the other

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allied agencies that are with us today, the Jewish Federation and others for their hard work, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Ronen. The question is, shall House Bill 5889 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 52 Ayes, 3 voting Nay, 0 voting Present. House Bill 5889, having received the required constitutional majority, is declared passed. Senator Peterson. Senator Peterson, on House Bill 5928. Do you wish to proceed, sir? Yes, he does. He seeks -- Senator Peterson seeks leave of the Body to return House Bill 5928 to the Order of 2nd Reading for the purposes of amendment. Hearing no objections, leave is granted. On that Order -- on the Order of 2nd Reading is House Bill 5928. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Peterson, to explain the amendment, sir.

SENATOR PETERSON:

Thank you, Mr. President. Amendment -- Amendment No. 2 clarifies that the large deductible provisions of the bill do not apply to conservation proceedings, only to the liquidation proceedings where the Guaranty Fund is involved. I know of no opposition and I ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Peterson moves the adoption of Amendment No. 2 to House Bill 5928. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Emil Jones, on House Bill 6496. Out of the record. Madam Secretary, Senate Bill -- excuse me, House Bill 6499 on the bottom of page 17. Senator Emil Jones. Out of

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the record. Ladies and Gentlemen, continuing on House Bills 3rd Reading, on the top of page 18 of the Calendar, is Senator Collins. Senator Collins, on 6564. Senator Collins, can you just hold your position for one second, please? Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HENDON:

And I'll be very, very brief. You know, last week we didn't get the opportunity to chat about the softball game and what a great job we did. There were two House chickens -- a few House chickens on the Floor here, on the Senate Floor, and we wanted to just say, while those House chickens were here, that we fought 'em well. We're going to win next year. We're going to practice. We lost in the last inning, but there was some great historic moments, and I wanted to congratulate the entire team and let these House chickens go back across the Rotunda and let them know next year we will be victorious, just like those Chicago Cubs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine. Thank you, Senator Hendon, for those remarks. Senator Haine, for what purpose do you rise, sir?

SENATOR HAINE:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR HAINE:

I wish the Senate to acknowledge the present -- presence on the Senate Floor of Representative Steve Davis, the 111th District. Powerful and influential Member of the House. Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Representative Davis, would you stand up and be recognized by the Illinois Senate? Welcome to Springfield. Senator Risinger, for what purpose do you rise, sir?

SENATOR RISINGER:

Personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR RISINGER:

Yeah. In the gallery on the Democrat side we have a group of students from the Kewanee High School, along with their teacher, Marland Rachel. Please help me welcome 'em to the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the gallery please rise to be recognized and welcomed to Springfield? Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, what Senator Hendon did not tell you is that he did a great job pitching and so did Senator Meeks. But they did a great job and we almost won. We lost it in the last inning. And I -- and Senator Hendon was given the Most Valuable Player award and he deserved every bit of it. So was Mr. Hoffman on the other side. Let me tell you, that was the best game they ever played. We were ahead thirteen to twelve in the last inning, in the last inning with two outs. Unfortunately, there was a hit, dropped ball and we lost fourteen to thirteen. It was the best game we've ever played and I'm sure we can win next year. Congratulations to Senator Hendon for doing such a great job.

PRESIDING OFFICER: (SENATOR DeLEO)

Congratulations, Senator Hendon, on a job well done. Okay. Ladies and Gentlemen, turning back to -- our attention to House Bills 3rd Reading, there's House Bill 6564. Senator Collins, thank you for your consideration in letting us make those announcements. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 6564.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 6564 amends the Adoption Act allowing any parent, not just those who are terminally ill, to participate in a standby adoption. Currently, a "standby adoption" means an adoption in which a terminally ill parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, such as their death. By removing the "terminal illness" requirement, we will be enabling all Illinois families to take advantage of the legal tool of standby adoptions. This bill is crucial to older and ill adoptive parents, who otherwise would not be able to legally secure future adoption plans for children in their care. This House Bill -- I'm sorry. House Bill 6564 passed out unanimously from the Health and Human Services Committee, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Senator Cronin, for what purpose do you rise, sir?

SENATOR CRONIN:

I wanted to rise in enthusiastic support for Senator Collins' bill. I think the standby adoption law never intended to exclude this -- this class of terminally ill patients. And so, I wanted to just recommend that everyone vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Collins, to close.

SENATOR COLLINS:

I just ask for a favorable roll call. And I thank you, Senator Cronin.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall House Bill 6564 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 6564, having received the required constitutional majority, is declared passed.

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Continuing on House Bills 3rd Reading is House Bill 6567. Senator John Cullerton. Senator John Cullerton. Out of the record. House Bill 6616. Senator Forby. Do you wish to proceed, sir? He -- he indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 6616.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. House Bill 6616, this bill will allow employees of the Cairo Utility Company to be involved in the Illinois -- Municipal Retirement Fund, IMRF. Employee -- employment of Cairo Public Utility Company were involved in the IRF -- IMRF up until 1996 when the company was no longer considered to be a part of city government. Because the IMRF does not allow employees -- a nontaxing employee to be involved in the system, legislation is required to allow these employees to rejoin the system. Legislation would have no impact upon liability of the fund or would it have any addition cost on IMRF employment outside of the City of Cairo. This includes the Cairo Public Utility Company and the IMRF. This bill passed through the House a 115 to nothing. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Purpose of a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Senator, I think we discussed this before, if not -- I think I asked it in committee, but anyway, I filed amendment for the ERO, the early retirement option, for the teachers on this bill, and I wondered if you'd be willing to take it out of the record until that amendment could catch up to it on Thursday and

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hopefully adopt it so we could take care of our downstate teachers.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Okay. I would like to go ahead and pass this right now. The other bill's in the House. It's not out of the House yet.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady, you want to put your light -- push your -- Senator Brady, for what purpose... Continuing question? And other question?

SENATOR BRADY:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please.

SENATOR BRADY:

Senator, our staff informs us that that bill has been bludgeoned to the House Rules and is dead. Therefore, this would be our -- one of our few remaining options. That's why our staff and some of us would request that you maybe take this back to 2nd Reading and allow us to have that amendment catch up to take care of our retired teachers. But our staff tells us that that bill is in -- dead in House Rules.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

Can I hold it for one day? Will that be good enough?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator, you don't have to hold it at all. But -- but if you would hold it until the deadline, which -- and -- and help us to try to get this out of Rules so we can let the amendment catch up to the bill, it would sure satisfy a lot of concern on the part of downstate teachers.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The sponsor indicates he'd like to hold the bill. So take -- Madam Secretary, take 6616 out of the record. Continuing on House Bills 3rd Reading is 6618. Senator Watson.

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Senator Frank Watson, would you like to proceed, sir? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 6618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. This particular piece of legislation amends the Child Labor Act -- the -- which presently allows the -- allows twelve to thirteen-year-olds to officiate youth sporting events if the parent is present at the sporting event. This legislation would provide that either the parent or another adult authorized by the parent could be present. This is supported by the Illinois Park District Association, the YMCA, Illinois Alliance and young people throughout this State.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Watson, to close, sir. Indicates he asks for a favorable roll call. The question is, shall House Bill 6618 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 6618, having received the required constitutional majority, is declared passed. House Bills 3rd Reading. 6648. Senator Haine. The "Order of Haine" today. Senator Haine, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 6648.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

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Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is an initiative of the Illinois Industrial Commission which is asking that the Illinois General Assembly allow the Industrial Commission to change its name to the Workers' Compensation Commission, given the fact that it's been very confusing over the years to people attempting to determine benefits and -- jurisdiction.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion?

SENATOR HAINE:

So we -- it's a very minor change. No money.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, would -- Senator Haine, to close, sir.

SENATOR HAINE:

Vote.

PRESIDING OFFICER: (SENATOR DeLEO)

He asks for a favorable roll call. Senate -- the question is, shall House Bill 6648 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 6648, having received the required constitutional majority, is declared passed. Senator Haine, on House Bill 6654, sir. Do you wish to proceed? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 6654.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There are two aspects to this bill, one of which allows wineries to sell beer, wine and spirits purchased from licensed distributors at retail to customers, in addition to their own wine. This would greatly expand wineries. This is initiative

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of Senator Luechtefeld. It's important to his area. The -- the -- the second part of the bill allows a gradation of sanction to be imposed for failure to file certain reports to the Department of Revenue. Because of a -- a scrivener's error last year, there is only one sanction and that is to revoke the -- the license. So we're asking -- and that was not -- not the intent of the Department of Revenue. There is no known opposition to this and I would ask a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Seeing -- is there any discussion? Seeing no discussion, the gentleman indicates a favorable roll call. The question is, shall House Bill 6654 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 Ayes, 1 voting Nay, 1 voting Present. House Bill 6654, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 6691. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 6691.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. House Bill 6691 simply extends a TIF district in the City of Elmhurst. All sides are in agreement. School district, park districts, everybody loves the bill. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The gentleman asks for a favorable roll call. The question is, shall House Bill 6691 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 Ayes, 1 Nay, 0 voting Present.

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House Bill 6691, having received the constitutional majority, is declared passed. Senator Hunter, on 6706. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 6706.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. House Bill 6706 creates the Family Caregiver Act which is a recommendation of the Legislative Alzheimer's Disease Task Force of this General Assembly. It passed the Health and Human Services Committee unanimously, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Any discussion? Seeing no discussion, the lady asks for a favorable roll call. The question is, shall House Bill 6706 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that -- Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. House Bill 6706, having received the required constitutional majority, is declared passed. Senator Lightford, on House Bill 6740. Madam Secretary, she wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 6740.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 6740 is identical to Senate Bill 2707 that passed here unanimously. It supports the Department on Aging to ensure that financial institutions participate fully in the

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exploitation of our elderly seniors. I'd be happy to answer questions. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there any discussion? Any discussion? Seeing no discussion, the lady asks for a favorable roll call. The question is, is -- shall House Bill 6740 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. House Bill 6740, having received the required constitutional majority, is declared passed. Senator Sullivan, for what purpose do you rise, sir?

SENATOR D. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If you could please join me in welcoming a good friend of ours, the "Mr." Senator Wojcik. Norb Wojcik has joined us on the Floor.

PRESIDING OFFICER: (SENATOR DeLEO)

Norb, would you please rise and be recognized by the Senate? Welcome. Good to see you, sir. Okay. Ladies and Gentlemen, let's go back to page 18 on the Calendar. House Bills 2nd {sic} Reading. We have House Bill 6786. Senator Collins, do you wish to proceed? Madam Secretary, she indicates she wishes to proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 6786.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 6786 creates specific conditions of parole that, at the discretion of the Prisoner Review Board, will be

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applied to persons who are currently required to register on the Sex Offender Registry for committing felony sex offenses. It is -- this bill is an initiative of Attorney General Lisa Madigan. It is basically a first step in changing the way we treat sex offenders in Illinois, and constitutes the first phase of the -- implementation of a comprehensive supervision program for sex offenders. The provisions of House Bill 6786 will apply to persons being released to parole or mandatory supervised release on and after the effective date. House Bill 6786 passed unanimously out of the Judiciary Committee and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Any -- Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, ma'am.

SENATOR GEO-KARIS:

In essence, I wasn't quite clear what your bill did. Now, this takes up sex offenders, and what are you doing about them?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

It codifies the conditions in which the sex offenders who have been released on parole or mandatory supervised -- supervision would be -- how can you say -- conditions for supervision, basically, because now they have one size fits all for sex offenders. And so this looks at each case based on the type of crime. Sex offenders are not like car thieves or burglars, and so now when they're paroled, they don't get any kind of specific supervision based on the type of crime that they committed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

You mean to tell me that -- that a sex offender will get a particular type of supervision? Once he's a sex offender, he's a sex offender, isn't he?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Yes. But see, the -- the supervision would be tailored to the sex offender. Right now if a sex offender is released, it's not necessarily based on the offender -- committing a sexual offense. He might be treated like a burglar or a car thief just because he's a parolee.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion?
Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Senator Collins, I'm looking at our analysis that sets forth the condition -- the parole conditions that the Prisoner Review Board can impose, and I'm looking at number four, at least as it's written on our analysis. I don't know if it's number four in the -- in the legislation, but it says, obtain the approval of an agent of the DOC prior to accepting employment or pursuing a course of study or vocational training and notify DOC prior to any change of employment, study or training. What's the point in that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

To ensure that they do not come in contact with children or their types of victims.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Last question. Thank you, Mr. President. Senator, is there a reason not to make some of these mandatory conditions of parole?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

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Well, as I understand it, this allows the Prisoner Review Board to apply to the person, the sex offender. It's a way of setting forth specific conditions that apply to the crime before they release them back to the community. It's still at the discretion of the Prisoner Review Board.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, for your indulgence. I understand that, Senator Collins. My question was that, are not at least some, if not all of these, appropriate to apply in all cases? I mean, would we not want, in all cases, where sex offenders are paroled, for someone to be watching where they might go to school because they might come in contact with potential victims?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

One moment, please. Based on the information that I'm receiving from the legal counsel here is that we still would like to see that the Prisoner Review Board give them the discretion to make that determination.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further discussion, Senator Collins, to close.

SENATOR COLLINS:

This -- legislation increases the restrictions on sexual offenders. It just codifies, puts into the statute, ways of patrolling and monitoring sex offenders to make all our communities safer. So I just -- it's restrictive. It just enhances the safety of our communities by mandatorily fitting the supervision to the offense. I don't know -- any other way to say it. I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The lady asks for a favorable roll call. The question is, shall House Bill 6787 {sic} pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. House Bill 6786. Let me make that clear. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Madam Secretary, please take the record. On that question, there are 54 Ayes, 1 voting Nay, 0 voting Present. House Bill 6786, having received the required constitutional majority, is declared passed. Senator Clayborne, on House Bills 3rd Reading, House Bill 6811. Senator Clayborne, wish to proceed, sir? Senator Clayborne seeks leave of the Body to return House Bill 6811 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 6811. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to explain the amendment, sir.

SENATOR CLAYBORNE:

Yes. Basically, the amendment eliminates the retroactive application of this matter, because it's impractical -- impracticable to determine how many people would comply under this -- this new law.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Clayborne moves the adoption of Amendment No. 1 to House Bill 6811. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Ladies and Gentlemen, that -- we're at the bottom of page 18 and that was the end of our House Bills 3rd Reading for the day. We had committee announcements earlier. The hour of 4 o'clock having arrived, committees will be starting immediately after adjournment. So, there being no further business to come before the -- excuse me. Madam Secretary, Messages from the House. We have two Messages.

SECRETARY HAWKER:

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

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

Senate Bill 2757, together with House Amendment 1.

Passed the House, as -- as amended, May 11th, 2004.

I have a like Message with respect to Senate Bill 2858, together with House Amendment 1; and Senate Bill 2940, with House Amendment 1.

All passed the House, May 11th, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 2 p.m., the hour of 2 p.m., on Wednesday, May 12th, the year 2004. The Senate stands adjourned.